

**May 9, 2019**

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:31 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 Hicks.

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

Minutes of the two preceding sessions were approved without being read by motion of Supervisor Singer, seconded by Supervisor Gallahan; motion carried.

**REPORTS OF COUNTY OFFICIALS:**

County Administrator Mary Krause shared news that the Raise the Age budget has been approved by New York State. Thanks to Team Facilitator Probation Director Jeff Rougeux, Deputy County Administrator Brian Young, Finance Director Mary Gates, and Social Services Commissioner Eileen Tiberio for their work on this effort.

She reminded board members to RSVP for the board retreat scheduled for next Thursday.

Chairman Marren thanked those who attended FLCC Field Dedication Ceremony Youth Bureau Award, and Sheriff Henderson's first Law Day event. He remarked we have a lot to be proud of in our county, especially our youth.

He reminded all that Senior of the Year Recognition is scheduled for May 17 at Quail Summit, and the ARC Dinner for Supervisors is May 30.

**PRIVILEGE OF THE FLOOR:**

Supervisor Green introduced Emergency Management Officer Jeff Harloff who in turn introduced Judy Levan, Meteorologist In-Charge, (NWS-Buffalo), and Mike Fries, Warning Coordination Meteorologist, (NWS-Buffalo).

Ms. Levan and Mr. Fries were in attendance this evening to recognize Ontario County's completion of the Storm Ready Program. Ontario County is one of 32 New York State Counties trained and prepared to educate and survive before, during, and after a storm event. Ms. Levan and Mr. Fries recognized EMO Harloff and his staff for the tremendous effort put forward. This demonstrates a clear vision of need and responsible leadership. Continued partnership between the weather service and the county ensures communication and skills needed to save lives and property.

Supervisor Singer reminded all supervisors of the upcoming Employee Appreciation Day Picnic on June 18. She is soliciting assistance from any and all members who are able to attend. Please contact her

Supervisor Campbell stated May 1<sup>st</sup> is the first anniversary of the CAP Court (Centralized Arraignment Plan). To date approximates 1,500 arraignments have been processed. All justices are on rotation.

Supervisor Singer remarked that with regard to the landfill, a trim flare is now online. This should help balance the draw on gas.

The Clerk received copies received of minutes of meetings held as follows:

- a. Health & Human Services Committee held on April 8, 2019

- b. Planning & Environmental Quality Committee held on April 8, 2019
- c. Public Works Committee held on April 8, 2019

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

VAVS/Community Council Quarterly Meeting Reminder received from VAVS Office.

Acknowledgment of receipt of Resolution No. 186-2019 received from Senator Pamela Helming.

The April 2019 Volume 1, Issue No 6 Workforce News received from Ontario County Workforce Development.

The May 2019 Volume 1, Issue No 7 Workforce News received from Ontario County Workforce Development.

The 2019 First Quarter Sales Tax Revenue received from Mary Burnett, Ontario County Finance/Audit.

Notification of approval of the application for funding the Lakeshore Drive and Route 364 Sidewalk Improvement Project received from the NYSDOT.

The 2018 Annual Agricultural District Enrollment Report: Proposed Inclusion of Viable Land to NYS Agricultural District One and Six in Ontario County, NY April 2019 received from the Ontario County Planning Department.

**Local Law No. 3 Intro. of 2019 entitled "A Local Law, Applying the Management Compensation Program to Certain County Officers Appointed for Definite Terms for the Year 2020."**

Be it enacted by the Board of Supervisors of County of Ontario:

**SECTION 1: Legislative Intent**

The Ontario County Management Compensation Plan, adopted by this Board on December 20, 2001, and amended by Res. 317 of 2019 on May 9, 2019, is a schedule providing higher rates of compensation through additional increments of salary based on length of service, pursuant to NYS County Law §201. This local law authorizes certain increases for those officers appointed for definite terms for the year 2020, subject to the provisions of NYS Municipal Home Rule Law §24(2)(h).

**SECTION 2: Salary Adjustments, 2020**

The compensation of those county officers appointed for definite terms for the year 2020 is hereby increased above their compensation for 2019 in accordance with the terms and schedule of the Management Compensation Plan adopted on December 20, 2001, and annually amended thereafter, most recently on May 9, 2019.

**SECTION 3:** An incumbent holding a position described in this local law at any time during the period from January 1 of the year 2020, until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefor, shall be entitled to a lump sum payment for the difference between the salary to which such

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incumbent was entitled for such service and the compensation actually received therefor. Such lump sum payment shall be made as soon as practicable.

SECTION 4: All local laws and resolutions of the Board of Supervisors of Ontario County, to the extent that the same are inconsistent with this local law, are hereby superseded by this local law.

SECTION 5: This local law is adopted subject to a permissive referendum, and the Clerk is directed to publish notice of the same as required by law.

SECTION 6: This local law shall become effective in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

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

**RESOLUTION NO. 270-2019  
AUTHORIZATION OF GRANT EXTENSION AGREEMENTS WITH  
THE NYS BOARD OF ELECTIONS  
FOR HELP AMERICA VOTE ACT FUNDS**

WHEREAS, The New York State Board of Elections has provided several contract extensions to the Ontario County Board of Elections for the following contracts:

Contract #	Title	Amount	Period
T002674	NYS Voting Access for Persons with Disabilities Poll Place Access Improvement	\$31,437	April 1, 2019 – March 31, 2020
C002558	Voter Education / Poll Worker Training Program	\$62,874	April 1, 2019 – March 31, 2020

and

WHEREAS, Resolution No. 157-2007 and Resolution No. 354-2007 authorized the original acceptance of said grants; and

WHEREAS, The Commissioners of Elections are willing to accept the terms of the contract extension agreements with the New York State Board of Elections; and

WHEREAS, Authorization by the Ontario County Board of Supervisors is required for the County Administrator to sign said contract extension agreements; now, therefore, be it

RESOLVED, That the County Administrator is hereby authorized to sign contract extension agreements with the NYS Board of Elections for contracts **T002674, C002558**; and further

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

**RESOLUTION NO. 271-2019  
APPROVAL OF CONTRACT WITH DISTRIBUTED TECHNOLOGIES  
GROUP LLC FOR BREACH DETECTION SERVICES**

WHEREAS, Ontario County recognizes the significance of robust cyber security protections; and

WHEREAS, Constant monitoring of network traffic between key systems is a recommended defense mechanism against cyber-attacks; and

WHEREAS, Entered into a contract with Distributed Technologies Group, LLC for Cyflare Pulse Breach Detection Services pursuant to Resolution No. 282-2018; and

WHEREAS, The Information Services Department has found this service to be effective in improving the County's cyber-security posture; and

WHEREAS, The 2019 renewal fee is \$24,991.20; and

WHEREAS, The Chief Information Officer and the Governmental Operations and Insurance Committee recommend renewing the contract with Distributed Technologies Group LLC for CyFlare Pulse Breach Detection Services; and

WHEREAS, The contract will renew annually unless canceled in writing by either Ontario County or Distributed Technologies Group LLC; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to for, this Board hereby approves the contract with Distributed Technologies Group, 6780 Pittsford Palmyra Road, Building #2 Unit B, Perinton, NY 14450; and be it further

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

RESOLVED, That the County Administrator is hereby authorized to execute the contract with Distributed Technologies Group, LLC and any other documents necessary to effectuate the purpose of this resolution; and be it further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Finance Department and Distributed Technologies Group LLC.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 272-2019  
REAPPOINTMENT OF SEAN BARRY  
CHIEF INFORMATION OFFICER**

WHEREAS, Mr. Sean Barry's appointment as Chief Information Officer expires on June 12, 2019; and

WHEREAS, The County Administrator has reviewed the performance of the Chief Information Officer and recommends reappointment; and

WHEREAS, The Governmental Operations and Insurance Committee supports the County Administrator's recommendation and recommends reappointment of Mr. Sean Barry to the Board of Supervisors effective June 13, 2019, through June 12, 2021; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby reappoints Mr. Sean Barry to the position of Chief Information Officer for a term of two years to commence June 13, 2019; and further

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

Supervisor Gallahan expressed accolades of Mr. Barry. He is instrumental in the county's base management system, municipal, and payroll systems. His efforts ensure that our computer system is up to date, safe, and secure.

Resolution No. 272-2019 was adopted.

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

**RESOLUTION NO. 273-2019  
AUTHORIZATION TO CONTRACT WITH  
CROOKED TIMBER, LLC, DBA COMFORT KEEPERS  
FOR RESPITE SERVICES, OFFICE FOR THE AGING  
2019-2020**

WHEREAS, The County desires to enter into an agreement with the Crooked Timber, LLC, DBA Comfort Keepers, 1163 Pittsford-Victor Road, Suite 215, Pittsford, New York 14534 for 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 Comfort Keepers is one of those providers; and

WHEREAS, Reimbursement to all Respite Care providers, including Comfort Keepers will not exceed a total cost of \$66,000; and

WHEREAS, The Health and 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 Comfort Keepers at the rate of \$25.00 per hour for personal care services and \$.58 cents per mile, or an amount not to exceed the IRS rate, for travel authorized by the Office for the Aging 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 Crooked Timber, LLC, DBA Comfort Keepers.

**RESOLUTION NO. 274-2019  
AUTHORIZATION TO CONTRACT FOR EISEP SERVICES WITH  
CROOKED TIMBER CORPORATION, LLC, DBA COMFORT  
KEEPERS, OFFICE FOR THE AGING - 2019-2020**

WHEREAS, The County desires to enter into an agreement with the Crooked Timber, LLC, DBA Comfort Keepers, 1163 Pittsford-Victor Road, Suite 215, Pittsford, New York 14534, for Personal Care Level I (Housekeeper/Chore Services) 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 Comfort Keepers is one of those providers; and

WHEREAS, Reimbursement to all EISEP providers including Comfort Keepers 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 Crooked Timber, LLC, DBA Comfort Keepers, at a cost of \$25.00 per hour Level I services, \$30.00 per hour for required supervisory visits, \$35.00 per hour for heavy cleaning and \$0.58 cents per mile, or an amount not to exceed the IRS amount for travel 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 Crooked Timber, LLC, DBA Comfort Keepers.

Supervisor Marshall remarked these two resolutions were returned to committee after being pulled from the last board meeting's agenda. A proper mileage allowance has been corrected in the agreements.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 275-2019  
AUTHORIZATION TO RENEW CONTRACT WITH RESPONSE4HELP,  
A DIVISION OF SELF-DIRECT, INC.  
FOR PERSONAL EMERGENCY RESPONSE SYSTEMS  
OFFICE FOR THE AGING, 2019 – 2020**

WHEREAS, The Office for the Aging desires to renew the contract with Response4HELP, a division of Self-Direct, Inc., for the provision of Personal Emergency Response Systems (PERS) to help older adults to remain safe in their own homes; and

WHEREAS, Response4HELP, a division of Self-Direct, Inc., 12 Oswego Street, Baldwinsville, NY 13027, will install, maintain, and monitor PERS units for eligible Office for the Aging clients; 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 by the County Attorney as to form, this Board of Supervisors does hereby authorize an agreement between Response4HELP, a division of Self-Direct, Inc. and the Office for the Aging for the period covering April 1, 2019 – March 31, 2020 in an amount not to exceed \$46,000; and further

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

RESOLVED, That a certified copy of this resolution be sent to Response 4 Help, a division of Self-Direct, Inc.

**RESOLUTION NO. 276-2019  
AUTHORIZATION AGREEMENT  
OFFICE FOR THE AGING  
AND FINGER LAKES HOME CARE, INC. 2019-2020**

WHEREAS, The County desires to enter into an agreement with Finger Lakes Home Care, Inc., 756 Pre-Emption Road, Geneva, New York 14456 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 Finger Lakes Home Care, Inc. is one of those providers; and

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

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Finger Lakes Home Care, Inc., at the rate of \$27.50 per hour for Personal Care Level I and Personal Care Level II; 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 certified copies of this resolution be sent to Finger Lakes Home Care, Inc. and to the New York State Office for the Aging.

**RESOLUTION NO. 277-2019  
PROCLAMATION  
ONTARIO COUNTY PROCLAIMS MAY 2019  
AS OLDER AMERICANS MONTH**

WHEREAS, Older Americans Month was established in 1963 by President John F. Kennedy and since then the entire nation pays tribute in some way to older persons in their communities during the month of May; and

WHEREAS, This year's theme "Connect, Create, Contribute" emphasizes that communities that encourage the contributions of older adults are stronger; and

WHEREAS, Ontario County includes a growing number of older Americans who enrich our community through their diverse life experiences; and

WHEREAS, Ontario County is committed to strengthening our community by connecting with and supporting older adults, their families, and caregivers and acknowledging their many valuable contributions to society; now therefore, be it

RESOLVED, That the Board of Supervisors does hereby proclaim May 2019 to be Older Americans Month in Ontario County and urges every resident to take time during this month to acknowledge and celebrate the contributions of older adults to this community; and further

RESOLVED, That a copy of this resolution is being sent to the Clerk of this Board.

The foregoing block of three resolutions was adopted.

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

**RESOLUTION NO. 278-2019  
AUTHORIZATION 2019 AGREEMENTS – YOUTH BUREAU**

WHEREAS, It is recommended by the Ontario County Youth Board that the Ontario County Youth Bureau will enter into contractual agreements with the following agencies; now therefore be it

RESOLVED, That, upon review and approval by the County Attorney as to form, this Board of Supervisors does hereby approve the following 2019 Agreements, subject to receipt of 100% of the funds from the New York State Office of Children and Family Services:

Big Brothers Big Sisters of Greater Rochester	Ontario County Mentoring	\$9,585.00
Boys and Girls Club of Geneva	Junior Staff Employment Preparation Program	\$10,000.00
Canandaigua Salvation Army	The Salvation Army Youth and Family Center	\$5,000.00
Child and Family Resources, Inc.	Parenting Program-FIT/Supervised Visits	\$2,000.00
Cornell Cooperative Extension	Young Adult Adventure Camp	\$5,000.00
Family Counseling Services of the Finger Lakes	ACES-Counseling and Trauma Program	\$10,500.00
Family Counseling Services of the Finger Lakes	LGBTQ Youth Program	\$4,000.00
Geneva Lakefront Child Care	Field Trips/Transportation	\$1,500.00
Ontario County Partnership	Youth Court	\$10,500.00
Safe Harbors of the Finger Lakes	Youth Empowerment Group Program	\$11,500.00
Town of Richmond	Richmond Recreation	\$10,000.00
Town of Victor Recreation	Counselor in Training	\$2,000.00

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

RESOLVED, That copies of this resolution be sent to the aforementioned agencies, the Department of Finance, and the Ontario County Youth Bureau.

Adopted.



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

**RESOLUTION NO. 279-2019**  
**AUTHORIZING CONTRACT WITH ONTARIO COUNTY SOIL AND**  
**WATER CONSERVATION DISTRICT FOR THE**  
**REED FARM WATER RETENTION PROJECT, TOWN OF GENEVA**

WHEREAS, Resolution No. 150-2019 authorized a contract with Oswego County Soil and Water Conservation District for transfer of SFY 2018-19 state grant funding from the Water Resources Board Reserve Fund to Ontario County in the amount of Eighty Nine Thousand Two Hundred Dollars (\$89,200.00); and

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

WHEREAS, said work program for SFY18-19 FOLLOWPA grant funding included installation of storm water management measures and best management practices to reduce erosion and sedimentation to Ontario County waters; and

WHEREAS, The Ontario County Soil and Water Conservation District (SWCD) has submitted a proposal and budget dated March 28, 2019 for the Reed Farm Water Retention Project in the Town of Geneva, NY, on file with the Clerk of the Board; and

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

WHEREAS, SWCD has requested Eleven Thousand Nine Hundred Dollars (\$11,900.00) in FOLLOWPA grant funding for partial support of said Project, with a total estimated cost including local match and in-kind contributions of Twenty Seven Thousand Nine Hundred Dollars (\$27,900.00); and

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

RESOLVED, That the March 28, 2019 proposal of the Ontario County Soil and Water Conservation District for the Reed Farm Water Retention Project is hereby accepted for a cost not to exceed Eleven Thousand Nine Hundred Dollars (\$11,900.00); and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves and empowers the County Administrator to execute a contract with Ontario County Soil and Water Conservation District for said project and said amount; and further

RESOLVED, That the cost of said contract shall be paid from said SFY 2018-2019 FOLLOWPA funding in line A 8020 E 4530 in the Planning Department operating budget; and further

RESOLVED, That the term of said contract shall commence on April 19, 2019, and terminate on December 20, 2020; and further

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

RESOLVED, That a signed, certified copy of this resolution be sent by the Clerk of this Board to Ms. Megan Webster, Project Manager, Ontario County SWCD, 480 North Main Street, Canandaigua, New York 14424.

**RESOLUTION NO. 280-2019**  
**AUTHORIZING CONTRACT WITH ONTARIO COUNTY**  
**SOIL AND WATER CONSERVATION DISTRICT FOR THE**  
**DAVIE FARM WATER RETENTION PROJECT, TOWN OF GENEVA**

WHEREAS, Resolutions 205-2018 and 150-2019 authorized contracts with Oswego County Soil and Water Conservation District for transfer of Ontario County's share of SFY 2017-18 and SFY 2018-19 FLOWPA state funding in amounts of Eighty Eight Thousand Three Hundred Sixty Dollars (\$88,360.00) and Eighty Nine Thousand Two Hundred Dollars (\$89,200.00), respectively; and

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

WHEREAS, Said work programs for SFY17-18 and SFY18-19 included funding for installation of storm water management and erosion and sediment control measures; and

WHEREAS, The Ontario County Soil and Water Conservation District (SWCD) has submitted a proposal and budget dated March 28, 2019 for the Davies Farm Water Retention Project in the Town of Geneva, NY, on file with the Clerk of the Board; and

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

WHEREAS, SWCD has requested Twelve Thousand Nine Hundred Dollars (\$12,900.00) in FLOWPA grant funding for partial support of said Project, having a total proposed project cost including local match and in-kind contributions of Nineteen Thousand Nine Hundred Dollars (\$19,900.00); and

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

RESOLVED, That the March 28, 2019 proposal of the SWCD for the Davie Farm Water Retention Project in Geneva, NY is hereby accepted for a cost not to exceed Twelve Thousand Nine Hundred Dollars (\$12,900.00); and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves and empowers the County Administrator to execute a contract with Ontario County Soil and Water Conservation District for said project and said amount; and further

RESOLVED, That the cost of said contract shall be paid first from remaining eligible SFY 2017-2018 FLOWPA grant funds with the balance paid from SFY 2018-19 FLOWPA funding in line A 8020 0806 E 4530 in the Planning Department operating budget; and further

RESOLVED, That the term of said contract shall commence on April 20, 2019, and terminate on January 20, 2020; and further

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

RESOLVED, That a signed, certified copy of this resolution be sent by the Clerk of this Board to Ms. Megan Webster, Ontario County SWCD, 480 North Main Street, Canandaigua, New York 14424.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 281-2019  
APPLICATION FOR A RESEARCH DEVELOPMENT AND  
DEMONSTRATION PERMIT TO OPERATE AN ORGANICS  
DEPACKAGING OPERATION  
AT THE ONTARIO COUNTY LANDFILL  
SEQR LEAD AGENCY INTENT AND PUBLIC HEARING**

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

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

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

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

WHEREAS, On 2/15/19 the County authorized such application to the NYSDEC for a project permit (resolution 85-2019), and

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

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

WHEREAS, County staff have completed the Part I and draft Part II EAF, and

WHEREAS, The County would like to establish itself a lead agency for review of the project, and

WHEREAS, The County would like to hold a public hearing, and

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

RESOLVED, Staff are hereby directed to notify all other involved agencies of the County’s intent to serve as lead agency for review of the Project, and further

RESOLVED, That a public hearing shall be held on May 30, 2019, at 6:30 p.m. at the Ontario County Safety Training Facility, 2914 County Road 48, Canandaigua, New York, to solicit public input regarding the Project; and further

RESOLVED, That the required public notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the Supervisors' bulletin board at the Ontario County Court House, and by publishing such notice at least once in the official newspapers of the County.

Adopted.

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

**RESOLUTION NO. 282-2019  
AUTHORIZATION TO CONTRACT WITH IMPACT EARTH  
FOR SCHOOL DISTRICT WASTE ASSESSMENTS**

WHEREAS, Resolution No. 297-2014 authorized the adoption of the County's Local Solid Waste Management Plan; and

WHEREAS, The Local Solid Waste Management Plan identifies numerous implementation tasks, including the diversion and management of organic waste; and

WHEREAS, The school districts located within the County's borders have expressed an interest in assessing their current waste collection and disposal programs; and

WHEREAS, Impact Earth has the necessary qualifications and staff to provide school districts with a comprehensive assessment of their current waste streams and specific recommendations for waste diversion program implementation; and

WHEREAS, Impact Earth has provided a quote to perform these services for a fee not to exceed One Thousand Dollars (\$1,000.00) per District, for a total contract cost not to exceed Nine Thousand Dollars (\$9,000.00); and

WHEREAS, Sufficient funds exist within the Local Solid Waste Management Plan Budget; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed this resolution and recommends its adoption; now, therefore, it be

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves an agreement with Impact Earth for a fee not to exceed One Thousand Dollars (\$1,000.00) per district assessment, for a total contract value not to exceed Nine Thousand Dollars (\$9,000.00); and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute a contract with Impact Earth; and further

RESOLVED, That Impact Earth will submit individual invoices for payment in the amount of One Thousand Dollars (\$1,000.00) upon the completion of each district assessment; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Mr. Robert Putney of Impact Earth at 2340 Brighton Henrietta Townline Rd., Rochester, NY 14623.

Adopted.

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

**RESOLUTION NO. 283-2019**  
**CAPITAL PROJECT NO. 2 - 2018**  
**APPROVAL OF CONTRACT AMENDMENT WITH FEDERAL**  
**ENGINEERING, 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, Resolution No. 251-2018 authorized a contract with Harris Corporation for the engineering, purchase and installation of the necessary 700 MHz equipment; and

WHEREAS, Project management assistance will be required to assist with review of the proposed design plans, equipment installation and site testing and acceptance; and

WHEREAS, Resolution No. 396-2018 approved a contract with Federal Engineering, Inc., 10560 Arrowhead Drive, Fairfax, VA 22030, to provide project management assistance at a cost not to exceed Forty Four Thousand Four Hundred Thirty Dollars (\$44,430.00); and

WHEREAS, During the course of development of this project it has been discovered that due to proximity of 74 Ontario St. to the Canandaigua Airport and the Airport's use of navigational beacons an application for a permit must be made to the Federal Aviation Administration (FAA); and

WHEREAS, Federal Engineering, Inc., has proposed to prepare and submit said FAA permit application pursuant to their proposal dated February 6, 2019; and

WHEREAS, The County Planning Director and Federal Engineering, Inc., have discussed said proposal and believe its cost can be absorbed in the budget of the existing contract, meaning there is no additional cost proposed only a change in rates and scope of work; and

WHEREAS, Sufficient funds exists within the Capital Project Consultation and Professional Line HDB 3174 E 4260; 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 approves a contract amendment with Federal Engineering, Inc. pursuant to the consultant's proposal dated February 6, 2019, with no increase in the total contract amount or term; and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute said Contract Amendment with Federal Engineering, Inc.; 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. John E. Murray of Federal Engineering, Inc., 10560 Arrowhead Drive, Fairfax, VA 22030 and the Department of Finance.

**RESOLUTION NO. 284-2019  
AUTHORIZATION TO EXTEND GRANT FROM  
OFFICE OF INDIGENT LEGAL SERVICES**

WHEREAS, Pursuant to Resolution No. 713-2017, this Board of Supervisors authorized Ontario County to accept an award of \$543,822 from the State of New York Office of Indigent Legal Services for additional funding distributed by the Indigent Legal Services Board, Distribution 5, for a term commencing on January 1, 2015, through December 31, 2017; and

WHEREAS, Pursuant to Resolution No. 510-2018, this Board of Supervisors authorized Ontario County to extend the grant until December 31, 2018; and

WHEREAS, The Ontario County Public Defender would like to request that the grant be extended again until December 31, 2019; and

WHEREAS, It is advantageous for Ontario County to extend this grant to improve the quality of indigent defense services in Ontario County through the Ontario County Public Defender's Office with no county match requirement; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this request and recommends the grant extension; now, therefore, be it

RESOLVED, That the Indigent Legal Services Grant (C000732) that will expire on December 31, 2018, be extended for an additional twelve months starting January 1, 2019, through December 31, 2019; and further

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

RESOLVED, That the County Administrator is authorized to sign contract documents with the New York State Office of Indigent Legal Services; and further

RESOLVED, That certified copies of this resolution be sent to the Public Defender's Office.

**RESOLUTION NO. 285-2019  
AUTHORIZATION TO ACCEPT DONATION  
STOP-DWI**

WHEREAS, A donation in the amount of \$250.00 has been offered on behalf of Brigid Keane; and

WHEREAS, STOP-DWI will use aforementioned donation for the benefit of the program; and

WHEREAS, the District Attorney's Office, defense attorney and Ontario County Courts are in agreement that this donation is made as a part of the defendant's plea agreement; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this request and recommend the Ontario County STOP-DWI be given authorization to accept this donation; now, therefore, be it

RESOLVED, That Ontario County be, and hereby is, authorized to accept the donation on behalf of Brigid Keane, Inc. in the amount of \$250.00; and further

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

RESOLVED, That certified copies of this resolution be sent to the Neil J. and Maureen A. Keane, 265 Potters Road, Buffalo, New York 14220-2416.

**RESOLUTION NO. 286-2019**  
**AUTHORIZING LETTER OF CONSENT**  
**CONCERNING AT&T WIRELESS COMMUNICATIONS EQUIPMENT**  
**DEPLOYED AT THE VICTOR TOWER SITE**

WHEREAS, Resolution No. 236-2006 authorized a lease agreement with New Cingular Wireless PCS, LLC for use of space on the County-owned tower located at 701 High Street, Victor, NY 14564; and

WHEREAS, AT&T (hereinafter TENANT), having acquired interest in New Cingular Wireless, PCS, LLC, is the assigned tenant in accordance with the terms of afore-mentioned lease; and

WHEREAS, AT&T's authorized agent Centerline Communications, LLC has informed Ontario County that AT&T requests to upgrade its wireless communications equipment deployed at said tower site; and

WHEREAS, AT&T has provided the County detailed construction drawings stamped by a licensed professional engineer for the proposed equipment modifications dated October 2018; and

WHEREAS, Federal Engineering, Inc., has reviewed said construction drawings and found the proposed changes will not interfere with either County or other Victor Tower tenants' deployments, and that the tower structure can support the proposed equipment changes; and

WHEREAS, The TENANT'S lease agreement requires the County to consent in writing to any changes in equipment used by AT&T at the Victor Tower Site; and

WHEREAS, The changes in equipment deployment proposed by AT&T are subject to review and Special Use approval by the Town of Victor; and

WHEREAS, All approvals required by the Town of Victor for the proposed modification to the equipment deployment have been granted by the Town; and

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

RESOLVED, That Ontario County consents to the change in equipment deployment at the Victor Tower Site at 701 High Street in the Town of Victor proposed by AT&T as described in the construction details provided; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to sign a letter of consent with Centerline Communications, LLC indicating Ontario County's consent to the proposed

changes in AT&T's equipment to be deployed at the Victor Tower Site; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to Ms. Theresa Reed, Theresa Reed, Site Acquisition Consultant, Centerline Communications, LLC, 750 West Center Street, Suite 301, West Bridgewater, MA 02379.

**RESOLUTION NO. 287-2019**  
**STATE OF NEW YORK**  
**OFFICE OF THE STATE COMPTROLLER**  
**RESPONSE TO 2018 ONTARIO COUNTY AUDIT FINDINGS**

WHEREAS, In June 2018, the State of New York Office of the State Comptroller (OSC) did provide notification that Ontario County had been selected for an audit, the scope of which would be developed further after reviewing County operations; and

WHEREAS, An entrance conference was held with OSC staff and Chairman Jack Marren, County Administrator Mary Krause and Director of Finance Mary Gates on June 27, 2018; and

WHEREAS, OSC staff began reviewing County operations in July of 2018 and completed its audit of County operations on December 17, 2018; and

WHEREAS, Said review and audit encompassed the County's financial health, general accounting and budgeting practices, cash management, payroll operations, retirement accounts & payments, accounts payable operations, sales tax collection and disbursement, purchasing operations, contracting practices, information services system security, and fiscal activities related to a few select departments; and

WHEREAS, OSC staff met with Chairman Jack Marren, County Administrator Mary Krause, Sheriff Kevin Henderson, Civil Sergeant Keith Green and Director of Finance Mary Gates on April 11, 2019 to review areas identified during the audit in which the Office of Sheriff Civil Division may be able to improve operations and compensating controls; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed the County's response to the audit and the County's Corrective Action Plan and recommend approval; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby approve the County's response and Corrective Action Plan to the State of New York Office of the State Comptroller audit; and further

RESOLVED, That certified copies of this resolution be sent to the State of New York Office of the State Comptroller at Office of the State Comptroller; Division of Local Government and School Accountability; PSU-CAP Submission; 110 State Street, 12<sup>th</sup> Floor; Albany, New York 12236, and to the Office of Sheriff.

**RESOLUTION NO. 288-2019**  
**RE-APPOINTMENTS TO**  
**ONTARIO COUNTY FIRE ADVISORY BOARD**

WHEREAS, The terms of six members of the Ontario County Fire Advisory Board will expire on June 30, 2019, with said members willing to serve another term; now, therefore, be it



RESOLVED, That the following individuals be reappointed to the Ontario County Fire Advisory Board for a term of three years, commencing on July 1, 2019, and expiring on June 30, 2022:

William Clark  
7863 Baptist Hill Road  
Bloomfield, NY 14469

Michael Combs  
47 Castle Street  
Geneva, NY 14456

Lee DeRuyter  
1600 County Road 6  
Phelps, NY 14532

Patrick Elwell  
297 Italy Turnpike  
Naples, NY 14512

Frank Magnera  
335 South Main Street  
Canandaigua, NY 14424

Jon McConnell  
15 Winston Drive  
Victor, NY 14564

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of the Board of Supervisors to the Emergency Management Department, the Ontario County Clerk, and each appointee named.

The foregoing block of six resolutions was adopted.

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

**RESOLUTION NO. 289-2019  
REAPPOINTMENT OF LEANNE LAPP  
PUBLIC DEFENDER**

WHEREAS, Ms. Leanne Lapp's appointment as Public Defender expires on June 2, 2019; and

WHEREAS, The County Administrator has reviewed the performance of the Public Defender and recommends reappointment; and

WHEREAS, The Public Safety Committee supports the County Administrator's recommendation and recommends reappointment of Ms. Leanne Lapp to the Board of Supervisors effective June 3, 2019, through June 2, 2023; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby reappoints Ms. Leanne Lapp to the position of Public Defender for a term of four years to commence June 3, 2019; and further

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

Public Safety Committee Chairman Robert Green stated that Ms. Lapp was first appointed as Ontario County Public Defender in June 2011. Since then Ms. Lapp's efforts have brought state wide recognition to Ontario County and the legal community. In addition to leading her department, Ms. Lapp successfully collaborated in obtaining a very competitive Federal Substance Abuse and Mental Health Services Administration Grant known as SAMHSA. That grant was to strengthen support for participants in our drug courts. Ms. Lapp was instrumental in development of central arraignment court, and trust accounts, she continues to sponsor training sessions for continued legal education of her staff and other counties. On behalf of the PS committee, it is our pleasure to reappoint Ms. Lapp for another four year term.

Resolution No. 289 was adopted.

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

**RESOLUTION NO. 290-2019  
CAPITAL PROJECT 1-2015  
AUTHORIZATION OF CONTRACT AMENDMENT WITH  
KELLEY BROTHERS LLC.  
2015 FLCC CAPITAL MAINTENANCE PROJECT**

WHEREAS, Resolution No. 153-2015 created and funded Capital Project No. 1 of 2015 as the 2015 FLCC Capital Maintenance Project; and

WHEREAS, One of the work items to be funded in said Capital Project is Door and Hardware Upgrades; and

WHEREAS, Resolution No. 824-2015 authorized a contract per bid B15103, for providing said Door and Hardware Upgrades, with Kelley Brothers LLC, having an office at PO Box 177, Syracuse, NY 13205, dated October 27, 2015, in the amount of Eleven Thousand Nine Hundred Ninety Eight Dollars (\$11,998.00); and

WHEREAS, An Additional Door operator is needed in the amount of Two Thousand Five Hundred Seventeen Dollars and Twenty Seven Cents (\$2,517.27), as more fully explained in the proposal from Kelley Brothers LLC dated 4/3/2019 a copy of which is included as Schedule A of the proposed contract amendment on file with the Clerk of this Board; and

WHEREAS, Sufficient funds exist in the 2015 FLCC Maintenance Capital Project to fund the purchase and installation of this additional door closer; and

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

RESOLVED, That the budget for Capital Project No. 1-2015 be, and hereby is, amended as follows:

Line	Description	Current Budget	Change	Revised Budget
HBZ 2485 E 2100	Furniture & Furnishings	\$51,721.48		\$51,721.48
HBZ 2485 E 4038	Moving Expense	\$2,240.00	\$0.00	\$2,240.00
FROM:				
HBZ 2485 E 4260	Consultation & Professional	\$421,816.51	\$2,473.00	\$419,343.51
TO:				
HBZ 2485 E 4491	General Construction	\$1,204,119.11	+\$2,473.00	\$1,206,592.11
HBZ 2485 E 4492	HVAC	\$734,462.18	\$0.00	\$734,462.18
HBZ 2485 E 4493	Electric	\$277,420.63	\$0.00	\$277,420.63
HBZ 2485 E 4494	Plumbing	\$48,281.78	\$0.00	\$48,281.78
HBZ 2485 E 4498	Asbestos & Related Testing	\$12,281.00	\$0.00	\$12,281.00
HBZ 2485 E 4743	Change Order Contingency	\$0.00	\$0.00	\$0.00

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HBZ 2485 E 4865	Administrativ e	\$4,185.37	\$0.00	\$4,185.37
HBZ 2485 R 2240	Community College	\$75,000.00	\$0.00	\$75,000.00
HBZ 2485 R 3287	State Aid	\$1,378,264. 03	\$0.00	\$1,378,264. 03
HBZ 2485 R 5036	General Fund- Interfund Transfer	\$1,303,264. 03	\$0.00	\$1,303,264. 03

and further

RESOLVED, That upon approval of the County Attorney as to form, the Ontario County Board of Supervisors hereby accepts the additional quote from Kelly Brothers LLC to provide the purchase and installation of an additional door closer in the amount of Two Thousand Five Hundred Seventeen Dollars and Twenty Seven Cents (\$2,517.27); and further

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

RESOLVED, That the term of said contract shall be extended for an additional term to expire on December 31, 2019; and further

RESOLVED, That the cost of said contract shall be paid from line HBZ 2485 E 4491 General Construction; 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 of Two Million Seven Hundred Fifty Six Thousand Five Hundred Twenty Eight Dollars and Six Cents (\$2,756,528.06); and further

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

**RESOLUTION NO. 291-2019  
CLOSING OF CAPITAL PROJECT NO. 07-2017  
FINGER LAKES COMMUNITY COLLEGE  
FLCC GREENHOUSE REPLACEMENT PROJECT**

WHEREAS, Resolution No. 333-2017 established Capital Project No. 07-2017 as the FLCC Greenhouse Replacement Project; and

WHEREAS, Said Project was established in the amount of One Hundred Thousand Dollars (\$100,000.00) for design work to be funded 50% by State funding through the State University of New York (SUNY funding) and 50% from a contract with the FLCC Foundation, Inc.; and

WHEREAS, Final costs for this project totaled Ninety Thousand Three Hundred Eighteen Dollars and Ninety Six Cents (\$90,318.96); and

WHEREAS, All expenditures attributable to Capital Project No. 07-2017 have now been made, leaving a county cash balance of \$2,268.38 remaining at this date, with said amount representing funds provided by the FLCC Foundation, Inc.; and

WHEREAS, All of the State Aid requested has been received for said project; and

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

RESOLVED, That Capital Project No. 07-2017 is hereby closed; and further

RESOLVED, That the cash balance and any additional interest earnings remaining in Capital Project No. 07-2017 be transferred by the Department of Finance to the FLCC Foundation, Inc.; and further

RESOLVED, That the Department of Finance is authorized to make all necessary accounting entries to effect the transfer of funds and the closing of Capital Project No. 07-2017; and further

RESOLVED, That certified copies of this resolution be transmitted by the Clerk of the Board to the Department of Finance, Vice President for Administration and Finance of Finger Lakes Community College and FLCC Foundation, Inc.

**RESOLUTION NO. 292-2019  
CAPITAL PROJECT NO. 3-2018  
ACCEPTANCE OF FURNITURE QUOTES  
AND BUDGET TRANSFER  
2018 FLCC CAPITAL MAINTENANCE PROJECT**

WHEREAS, Resolution No. 348-2018 established Capital Project No. 3-2018 FLCC Capital Maintenance Project in the amount of Seven Hundred Forty Seven Thousand Two Hundred Seventy Two Dollars and Sixty Cents (\$747,272.60); and

WHEREAS, Said Capital Project included purchase of Furniture and Furnishings for Classroom Renovations by Finger Lakes Community College (FLCC); and

WHEREAS, FLCC Staff recommends acceptance of the following elements from Quote #CR664\_R1/C from KI Furniture provided pursuant to NYS Contract #PC68367 for furniture for the following renovated classrooms:

<b>Room</b>	<b>Quote</b>	<b>Notes</b>
2609	Six Thousand Eight Hundred Thirty Dollars and Ten Cents (\$6,830.10)	Option B in said quote
2650	Seven Thousand Seventy Nine Dollars and Ninety Five Cents (\$7,079.95)	
4240	Two Thousand Eight Hundred Twelve Dollars and Ninety Five Cents (\$2,812.95)	
Total:	Sixteen Thousand Seven Hundred Twenty Three Dollars (\$16,723.00)	

WHEREAS, A copy of Quote #CR664\_R1/C, along with a list of the requested items, is on file with the Clerk of this Board; and

WHEREAS, Sufficient funds exist in the budget of Capital Project No. 3-2018 to fund the purchase of furniture pursuant to said Quote; and

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

RESOLVED, That the following budget amendment for Capital Project No. 3 - 2018 be and hereby is approved:

<b>Line</b>	<b>Description</b>	<b>Current Budget</b>	<b>Change</b>	<b>Revised Budget</b>
Appropriations:				

TO:				
HDC 2502 E 2100	Furniture & Furnishings	\$0.00	+\$16,723.00	\$16,723.00
HDC 2502 E 2300	Data Processing Equipment	\$38,204.92		\$38,204.92
FROM:				
HDC 2502 E 4260	Consultation & Professional	\$85,000.00	\$16,723.00	\$68,277.00
HDC 2502 E 4491	General Construction	\$149,067.68		\$149,067.68
HDC 2502 E 4492	HVAC	\$62,903.00		\$62,903.00
HDC 2502 E 4493	Electric	\$20,000.00		\$20,000.00
HDC 2502 E 4494	Plumbing	\$347,097.00		\$347,097.00
HDC 2502 E 4498	Asbestos & Related Testing	\$1,248.00		\$1,248.00
HDC 2502 E 4743	Change Order Contingency	\$37,000.00		\$37,000.00
HDC 2502 E 4865	Administration	\$6,752.00		\$6,752.00
Revenues:				
HDC 2502 R 3297	State Aid	\$373,636.30		\$373,636.30
HDC 2502 R 5036	General Fund-Interfund Transfer	\$373,636.30		\$373,636.30

and further

RESOLVED, That the Board of Supervisors hereby accepts Quote #CR664\_R1/C from KI Furniture is Sixteen Thousand Seven Hundred Twenty Three Dollars (\$16,723.00) for the purchase of Furniture and Furnishings for Classroom Renovations dated April 10, 2019, copies of which are on file with the Clerk of this Board, and further

RESOLVED, That the Director of Purchasing is authorized to issue a Purchase Order to KI Industries for said furniture as described in said quote; and further

RESOLVED, That the cost of said furniture ordered from KI Furniture shall be paid from line HDC 2502 E 2100 – Furniture & Furnishings; 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 Seven Hundred Forty Seven Thousand Two Hundred Seventy Two Dollars and Sixty Cents (\$747,272.60); and further

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

**RESOLUTION NO. 293-2019**  
**CAPITAL PROJECT NO. 3-2018**  
**AUTHORIZATION TO CONTRACT WITH**  
**RUSTON PAVING CO., INC**  
**FLCC PARKING LOT RECONSTRUCTION**  
**2018 FLCC CAPITAL MAINTENANCE PROJECT**

WHEREAS, Resolution No. 348-2018 established Capital Project No. 3-2018 FLCC Capital Maintenance Project in the amount of Seven Hundred

Forty Seven Thousand Two Hundred Seventy Two Dollars and Sixty Cents (\$747,272.60); and

WHEREAS, Said project includes funding for site improvements such as parking lot reconstruction at Finger Lakes Community College (FLCC); and

WHEREAS, Resolution No. 854-2018 accepted a proposal from Stantec Consulting Services, Inc. (“Stantec”) for the architectural and engineering services associated with the parking lot reconstruction of the Child Care and Maintenance Building areas at FLCC; and

WHEREAS, Using plans and specifications provided by FLCC and Stantec, bids for the reconstruction phase of said project have been released, duly advertised, and opened by the County Purchasing Department as bid #B19011; and

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

WHEREAS, FLCC staff recommends acceptance of the bids for parking lot reconstruction of the Child Care and Maintenance Building areas at FLCC, from Ruston Paving Co., Inc, 6228 Collett Road, Farmington, New York 14425, as described in project specifications, as the overall low responsive/responsible bids submitted for BID #B19011; and

WHEREAS, Sufficient funds exist in the 2018 FLCC Maintenance Capital Project to fund this contract; and

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

RESOLVED, That the following budget amendment for Capital Project No. 3 - 2018 be and hereby is approved:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HDC 2502 E 2100	Furniture & Furnishings	\$16,723.0 0		\$16,723.00
HDC 2502 E 2300	Data Processing Equipment	\$38,204.9 2		\$38,204.92
HDC 2502 E 4260	Consultation & Professional	\$68,277.0 0		\$68,277.00
TO:				
HDC 2502 E 4491	General Construction	\$149,067. 68	+\$32,193 .32	\$181,261.0 0
FROM:				
HDC 2502 E 4492	HVAC	\$62,903.0 0	\$32,193.3 2	\$30,709.68
HDC 2502 E 4493	Electric	\$ 20,000.00		\$ 20,000.00
HDC 2502 E 4494	Plumbing	\$347,097. 00		\$347,097.0 0
HDC 2502 E 4498	Asbestos & Related Testing	\$1,248.00		\$1,248.00
HDC 2502 E 4743	Change Order Contingency	\$ 37,000.00		\$ 37,000.00
HDC 2502 E 4865	Administration	\$ 6,752.00		\$ 6,752.00
Revenues:				

HDC 2502 R 3297	State Aid	\$373,636. 30		\$373,636.3 0
HDC 2502 R 5036	General Fund- Interfund Transfer	\$373, 636.30		\$373,63 6.30

and further

RESOLVED, That the bid from Ruston Paving Co., Inc. 6228 Collett Road, Farmington, New York 14425 in the amount of One Hundred Seventy Two Thousand Nine Hundred Six Dollars (\$172,906.00) as described in project specifications, pursuant to Ontario County BID #B19011 is hereby accepted as the low responsive/responsible bid for the FLCC Parking Lot Reconstruction for the Child Care and Maintenance Building areas at FLCC, a copy of which is included as Schedule A of the proposed contract on file with the Clerk of this Board, is hereby accepted; and further

RESOLVED, Upon review and approval by the County Attorney, as to form, the County Administrator be, and hereby is, authorized and empowered to execute a contract with Ruston Paving Co., Inc. 6228 Collett Road, Farmington, New York 14425, in the amount of One Hundred Seventy Two Thousand Nine Hundred Six Dollars (\$172,906.00); and further

RESOLVED, That the term of said contract shall commence on May 2, 2019 and terminate on May 1, 2020; and further

RESOLVED, That the cost of said contract shall be paid from line HDC 2502 E 4491 – General Construction of Capital Project 3-2018; and further

RESOLVED, That the FLCC Director of Buildings and Facilities is hereby designated as the Project Manager for these Contracts on behalf of this Board of Supervisors; and further

RESOLVED, That the Director of Planning shall serve as the Administrative Manager for this project; and further

RESOLVED, That a total of Eight Thousand Dollars (\$8,000.00) of the Change Order Contingency (line HDC 2502 E 4743) is hereby reserved for Change Orders pursuant to the contracts with Ruston Paving Co., Inc.; and further

RESOLVED, That the following Change Order approval process is hereby approved for the contracts with Ruston Paving Co., Inc.:

1. The FLCC Director of Facilities and Grounds 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 HDC 2502 E 4743, Change Order Contingency nor 10% of the original bid awards, nor Eight Thousand Dollars (\$8,000.00), 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 FLCC Director of Buildings and Facilities 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 HDC 2502 E 4743, Change Order Contingency; and

4. The FLCC Director of Facilities and Grounds shall promptly file fully executed originals of each Change Order with the Contractor, the County

Planning Department, 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 transfer funds from line HDC 2502 E 4743, Change Order Contingency to the appropriate expense line of Capital Project 03-2018 as necessary to fund each Change Order as it is approved; 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 Seven Hundred Forty Seven Thousand Two Hundred Seventy Two Dollars and Sixty Cents (\$747,272.60); and further

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

**RESOLUTION NO. 294-2019**  
**CAPITAL PROJECT NO. 3-2018**  
**AUTHORIZATION TO ACCEPT QUOTE FROM**  
**DANVILLE ELECTRIC SUPPLY DIVISION OF VP SUPPLY CORP.**  
**2018 FLCC MAINTENANCE CAPITAL PROJECT**

WHEREAS, Resolution No. 348-2018 established Capital Project No. 3-2018 FLCC Capital Maintenance Project in the amount of Seven Hundred Forty Seven Thousand Two Hundred Seventy Two Dollars and Sixty Cents (\$747,272.60); and

WHEREAS, One of the work items to be funded within said Capital Project is the Classroom and Space Renovation at the Main Campus at FLCC; and

WHEREAS, Resolution No. 411-18 approved the renewal of Bid #B17071 for electrical supplies to Dansville Electrical Supply, Inc, a division of VP Supply Corp. 30 Ossian Street, Dansville, New York, 14437; and

WHEREAS, Said Bid will expire on August 26, 2019; and

WHEREAS, Dansville Electric Supply, Inc, a division of VP Supply Corp., has submitted Quote #2541145 dated March 28, 2019, for lighting for the Classroom and Space Renovation Project in the amount of Three Thousand Six Hundred Thirty Two Dollars (\$3,632.00), a copy of which is on file with the Clerk of this Board; and

WHEREAS, FLCC staff recommends acceptance of this quote; and

WHEREAS, Sufficient funds exist in said Capital Project to fund this quote; and

WHEREAS, The Public Works Committee (PWC) recommends approval of this resolution; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby accepts Quote #2541145 from Dansville Electric Supply, Inc, a division of VP Supply Corp dated March 28, 2019 for the lighting for the Classroom and Space Renovation Project in the amount of Three Thousand Six Hundred Thirty Two Dollars (\$3,632.00), a copy of which is on file with the Clerk of this Board; and further

RESOLVED, That the cost of said order for lighting from Dansville Electric shall be paid from line HDC 2502 E 4493 -Electric; 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 Seven Hundred Forty Seven Thousand Two Hundred Seventy Two Dollars and Sixty Cents (\$747,272.60); and further

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

**RESOLUTION NO. 295-2019**  
**CAPITAL PROJECT NO. 3-2013**  
**74 ONTARIO STREET RENOVATION – PHASE II**  
**CONTRACT AMENDMENT WITH THE PIKE COMPANY, INC.**  
**FOR ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES**  
**DURING DEMOLITION PHASE**

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, Resolutions Nos. 294-2017, 614-2017, 485-2018, and 50-2019 authorized a contract and contract amendments, respectively, with The Pike Company, One Circle Street, Rochester, NY 14607 for professional construction management services related to said Project; and

WHEREAS, Resolution No. 515-2018 awarded the bid for early demolition work to Jupiter Environmental Services, Inc. for a total contract amount of \$682,800.00; and

WHEREAS, Jupiter Environmental Services, Inc. failed to meet completion dates as stipulated in the contract which resulted in The Pike Company spending additional time and resources in construction management services; and

WHEREAS, The Pike Company has submitted a cost for these services totaling \$9,337.50; and

WHEREAS, Said costs associated with expanded construction management services will be deducted from Jupiter Environmental Services, Inc., contract; and

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

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

Line	Description	Current Budget	Change	Amended Budget
<u>Expenditures:</u>				
HBR 1646 E 2100	Furniture & Furnishings	\$449,745.0 0		\$449,745.00
HBR 1646 E 4038	Moving Expenses	\$1,257.00		\$1,257.00
HBR 1646 E 4260	Consultation & Professional	\$612,452.3 0	+\$9,337. 50	\$621,789.80
HBR 1646 E 4444	Financing of Debt	\$25,000.00		\$25,000.00
HBR 1646 E 4491	General Construction	\$7,042,571. 70	- \$9,337.5	\$7,033,234.2 0

			0	
HBR 1646 E 4492	HVAC	\$1,885,690. 00		\$1,885,690.0 0
HBR 1646 E 4493	Electrical	\$1,300,500. 00		\$1,300,500.0 0
HBR 1646 E 4494	Plumbing	\$892,700.0 0		\$892,700.00
HBR 1646 E 4495	Architectural & Engineering	\$1,230,369. 00		\$1,230,369.0 0
HBR 1646 E 4498	Asbestos & Related Testing	\$12,900.00		\$12,900.00
HBR 1646 E 4731	Contingency	\$27,010.00		\$27,010.00
HBR 1646 E 4739	Lease of Temporary Office Space	\$3,000.00		\$3,000.00
HBR 1646 E 4743	Change Order Contingency	\$520,220.0 0		\$520,220.00
HBR 1646 E 4865	Administration	\$8,000.00		\$8,000.00
<u>Revenue:</u>				
HBR 1646 R 4385	Homeland Security Grant	\$135,010.0 0		\$135,010.00
HBR 1646 R 5036	Interfund Transfer-General Fund	\$5,226,911. 00		\$5,226,911.0 0
HBR 1646 R 5048	Interfund Transfer - Reserve	\$3,449,494. 00		\$3,449,494.0 0
HBR 1646 R 5710	Serial Bonds	\$5,200,000. 00		\$5,200,000.0 0

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract amendment with The Pike Company, Inc. for additional construction management services during the early demolition phase for a cost of \$9,337.50 for an overall total amended contract amount of \$604,289.80; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract amendment with The Pike Company, Inc. and all other documents necessary to effectuate the purposes of this resolution; and further

RESOLVED, That the cost of said additional construction management services will be deducted from Jupiter Environmental, Inc. contract; 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 Fourteen Million Eleven Thousand Four Hundred Fifteen Dollars and Zero Cents (\$14,011,415.00); and further

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

**RESOLUTION NO. 296-2019  
CAPITAL PROJECT NO. 4-2017  
COUNTY ROAD 23 AT MCIVOR ROAD & FORT HILL ROAD  
INTERSECTION IMPROVEMENTS, AWARD OF CONTRACT FOR  
CONSTRUCTION AND CONTRACT AMENDMENT FOR  
CONSTRUCTION INSPECTION SERVICES**

**APPROPRIATE RESERVE - DEPARTMENT OF PUBLIC WORKS**

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

WHEREAS, A project for the County Road 23 at McIvor Road & Fort Hill Road Intersection Improvements, Town of Phelps, Ontario County, P.I.N. 4ON0.02 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such safety project to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, Resurfacing the intersection of CR 23 & Fort Hill Road including striping and new signs ("Betterment") is also listed in the 2019 Capital Improvement Plan (CIP Project # HS02-11); and

WHEREAS, Ontario County has received a Master Municipal Multi-Modal #4 (MM #4) Capital Project Agreement in the amount of \$100,000 for the Betterment portion of said intersection project; and

WHEREAS, Ontario County Purchasing Department received bids (B19001) for County Road 23 at McIvor Road & Fort Hill Road Intersection Improvements, P.I.N. 4ON0.02; and

WHEREAS, Keeler Construction Co., Inc., 13519 West Lee Road, Albion, NY 14411, is the apparent lowest, responsive, responsible bidder with a bid of \$2,394,719.25; and

WHEREAS, Keeler Construction Co., Inc., will not be considered responsive unless and until they deliver a Disadvantaged Business Enterprise (DBE) Utilization Plan that satisfies the requirements of the Contract Documents and is approved by the County Public Works Department and New York State Department of Transportation; and

WHEREAS, The Construction Phase of the Project is estimated to cost \$2,514,455.21, which includes a 5% construction contract contingency of \$119,735.96; and

WHEREAS, Resolution No. 271-2017 authorized the execution of a contract with Bergmann Associates, 280 East Broad Street, Suite 200, Rochester, New York 14604, for preliminary engineering and right-of-way incidental services related to the Project for a cost not to exceed \$139,400; and

WHEREAS, Resolution No. 659-2017 authorized the execution of an amended agreement with Bergmann Associates, for professional services in connection with addressing wetlands and cultural & historic resource issues within the project limits at a cost not to exceed \$24,600, for a total amended price not to exceed \$164,000; and

WHEREAS, Resolution No. 269-2018 authorized the execution of an amended agreement with Bergmann Associates, for professional services in connection with detailed design, right-of-way acquisition, and bid phase services related to project at a cost not to exceed \$159,200 for a total amended contract price not to exceed \$323,200; and

WHEREAS, The County Public Works Department received a qualification based proposal for construction inspection and construction support services related to the Project, under the procedures set forth by the Federal Government for use of Federal Transportation funds; and

WHEREAS, The NYSDOT and County Engineering staff have reviewed and approved the construction inspection and construction support services scope and the corresponding price proposal; and

WHEREAS, After review of said proposal the Public Works Department recommends Bergmann Associates for construction inspection and construction support services related to said Project for a cost not to exceed \$376,170; and

WHEREAS, Sufficient funds exist in the Reserve for Roads & Bridges to fund the shortfall of \$258,825.21; 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 following budget transfer is hereby approved:

D 0511 B 9986	Appropriated Reserve for Roads & Bridges	\$258,825.21	+
D 9950 9999 E 9041	Interfund Transfer - Road Project	\$258,825.21	+

and further

RESOLVED, That the budget of Capital Project No. 04-2017 be, and hereby is amended as follows in anticipation of a Supplemental State and Local Agreement with NYSDOT;

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HCT 5162 E 4491	General Construction	\$100,000.00	+\$2,414,455.21	\$2,514,455.21
HCT 5162 E 4495	Engineering	\$323,200.00	+\$376,170.00	\$699,370.00
HCT 5162 E 4820	Land Acquisition	\$20,000.00		\$20,000.00
HCT 5162 E 4865	Administration	\$7,000.00		\$7,000.00
Revenue:				
HCT 5162 R 4591	Federal Aid	\$336,000.00	+\$1,918,620.00	\$2,254,620.00
HCT 5162 R 3089	State Aid	\$100,000.00	+\$213,180.00	\$313,180.00
HCT 5162 R 5035	Interfund Transfer - D Fund Reserve	\$0.00	+\$258,825.21	\$258,825.21
HCT 5162 R 5041	Interfund Transfer - D Fund	\$14,200.00	+400,000.00	\$414,200.00

and further

RESOLVED, That until and unless Keeler Construction Co., Inc., delivers a DBE Utilization Plan that satisfies the requirements of the Contract Documents and is approved by the County Public Works Department and New York State Department of Transportation the award for said work will not be officially made; and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves an agreement with Keeler Construction Co., Inc., for said work, contingent upon delivery of a satisfactory DBE Utilization Plan, for a cost not to exceed \$2,394,719.25, said contract will expire on October 4, 2019; and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves a contract amendment agreement with Bergmann Associates, Inc., for said work for a cost not to exceed \$376,170 for a total amended contract price not to exceed \$699,370 said contract will expire December 31, 2019; and further

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

RESOLVED, That the Commissioner of Public Works is authorized, to make necessary adjustments in unit bid quantities and to initiate field changes to complete the proposed work, within the fund limits of the contract's contingency, and to report such use of the contract contingency to the Public Works Committee and to the Finance Office; and further

RESOLVED, That the Commissioner of Public Works, prior to authorizing a single work item financed with the project's contingency that exceeds \$7,500, shall request review by the Public Works Chairperson, and if by review, the Committee Chairperson determines such field change is critical to the timely progression of the project, the Chairperson, at their discretion, will approve said change; and further

RESOLVED, That the Commissioner of Public Works, be and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate adjustments or change orders to the original contract within the limits agreed to in this resolution, subject to review and approval by the Office of the County Attorney; and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution for a total project budget of Three Million Two Hundred Forty Thousand Eight Hundred Twenty Five Dollars and Twenty One Cents (\$3,240,825.21); and further

RESOLVED, That nothing herein shall be construed as having transferred to any officer or employee of the County any power of the Board of Supervisors, which retains absolute authority to discontinue by majority of the weighted vote any action taken without prior authorization of the Board; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Department of Finance, Keeler Construction Co., Inc., Bergmann Associates, and New York State Department of Transportation – Regional Local Project Liaison, Region 4 Office, 1530 Jefferson Road, Rochester, NY 14623.

**RESOLUTION NO. 297-2019**  
**COUNTY ROAD 36 CULVERT #36**  
**AUTHORIZE THE IMPLEMENTATION, AND FUNDING**  
**IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND**  
**STATE-AID ELIGIBLE COSTS, OF A FEDERAL-AID AND/OR**  
**STATE-AID TRANSPORTATION PROJECT, AND APPROPRIATING**  
**FUNDS THEREFORE - DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Sponsor will design, let, and construct the “project”; and

WHEREAS, A project for County Road 36 Culvert #36, P.I.N. 4BNY.36, (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 0% Federal funds and 100% non-federal funds; and WHEREAS, The County of Ontario desires to advance the Project by making a commitment

of 100% of the non-federal share of the costs of said Project; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors, duly convened, does hereby approve the above-subject project; and further

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

RESOLVED, That the Ontario County Board of Supervisors hereby agrees that the County of Ontario shall be responsible for all costs of the project which exceed the amount of the NYS Bridge Funding awarded to the County of Ontario; and further

RESOLVED, That the sum of \$1,000,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and further

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

RESOLVED, That the Ontario County Board of Supervisors hereby agrees that construction of the Project shall begin no later than twenty four (24) months after award and that the project shall be completed within thirty (30) months of commencing construction; and further

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

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and further

RESOLVED, That this resolution shall take effect immediately.

**RESOLUTION NO. 298-2019  
ESTABLISH CAPITAL PROJECT NO. 03-2019  
REPLACEMENT OF COUNTY ROAD 36 CULVERT #36  
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, A project for the Replacement of County Road 36 Culvert #36, P.I.N. 4BNY.36, (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, The County of Ontario desires to advance the Project by making a commitment of 100% of the costs of said Project; 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 approves the above-subject project; and further

RESOLVED, That the Ontario County Board of Supervisors hereby establishes Capital Project No. 03-2019, Replacement of County Road 36 Culvert #36; and further

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

<u>Appropriations:</u>		<u>Budget:</u>
HDJ 5168 E 4491	General Construction	\$735,000.00
HDJ 5168 E 4495	Engineering	\$150,000.00
HDJ 5168 E 4820	Land Acquisition	\$18,000.00
HDJ 5168 E 4865	Administrative Expenses	\$2,000.00
HDJ 5168 E 4731	Contingency	\$95,000.00
<u>Revenue:</u>		
HDJ 5168 R 3089	State Aid	\$1,000,000.00

and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this Resolution for a total project budget of One Million Dollars and Zero Cents (\$1,000,000.00); and further

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

**RESOLUTION NO. 299-2019  
 AUTHORIZATION TO CREATE CAPITAL PROJECT 05-2019  
 HONEOYE LAKE WASTEWATER TREATMENT PLANT  
 IMPROVEMENTS, ACCEPT NYS WATER INFRASTRUCTURE  
 IMPROVEMENT ACT GRANT  
 HONEOYE LAKE COUNTY CONSOLIDATED SEWER DISTRICT**

WHEREAS, Resolution No. 530-2018 authorized the County Administrator to apply for a Water Infrastructure Improvement Grant and to execute a Grant Agreement with the New York State Environmental Facilities Corporation, and any and all other contracts, documents and instruments necessary to bring about the Project, subject to the review and approval of the Ontario County Attorney; and

WHEREAS, Ontario County has been awarded a grant of up to \$1,670,000 from the Water Infrastructure Improvement Act Grant through the NYS Environmental Facilities Corporation for the purpose of funding in part the Honeoye Lake Wastewater Treatment Plant Improvements, hereafter referred to as “the Project”; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Ontario County Board of Supervisors hereby accepts a Water Infrastructure Improvement Act grant in the amount of \$1,670,000; and further

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

RESOLVED, That Capital Project No. 05-2019, Honeoye Lake Wastewater Treatment Plant Improvements, be created; and further

RESOLVED, That the following budget is hereby created for Capital Project No. 05-2019:

Line	Description	Budget
Appropriations:		
HDL 8150 E 4731	Contingency	\$1,670,000.00
Revenue:		
HDL 8150 R 3901	State Aid	\$1,670,000.00

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Department of Finance and to Sabrina M. Ty, President and CEO of the New York State Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997.

**RESOLUTION NO. 300-2019  
CAPITAL PROJECT NO. 05-2019  
HONEOYE LAKE WASTEWATER TREATMENT PLANT  
IMPROVEMENTS, AUTHORIZATION TO ACCEPT  
NYS WATER QUALITY IMPROVEMENT PROJECT GRANT  
SANITARY SEWER OVERFLOW IMPROVEMENTS PROJECT  
HONEOYE LAKE COUNTY CONSOLIDATED SEWER DISTRICT**

WHEREAS, Ontario County has been awarded a grant in the amount of \$3,517,500.00 from the Water Quality Improvement Project (WQIP) Program through the New York State Department of Environmental Conservation for the Honeoye Lake Wastewater Treatment Plant Sanitary Sewer Overflow Improvements project, and

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute a contract for a Water Quality Improvement Project (WQIP) grant for the Honeoye Lake Wastewater Treatment Plant Sanitary Sewer project with the New York State Department of Environmental Conservation for a term of May 1, 2018, through April 30, 2023, and all other documents necessary to effectuate the purposes of this resolution, subject to the review and approval of the Office of the County Attorney; and further

RESOLVED, That the following budget transfer is hereby approved:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HDL 8150 E 4731	Contingency	\$1,670,000.00	+\$3,517,500.00	\$5,187,500.00
Revenue:				
HDL 8150 R 3901	State Aid	\$1,670,000.00	+\$3,517,500.00	\$5,187,500.00

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Finance Department and the Commissioner of the New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12203-1010.

**RESOLUTION NO. 301-2019  
CAPITAL PROJECT NO. 05-2019**



May 9, 2019

**HONEOYE LAKE WASTEWATER TREATMENT PLANT  
IMPROVEMENTS, AUTHORIZATION TO ACCEPT  
NYS WATER QUALITY IMPROVEMENT PROJECT GRANT  
HONEOYE LAKE WASTEWATER TREATMENT PLANT  
DISINFECTION PROJECT  
HONEOYE LAKE COUNTY CONSOLIDATED SEWER DISTRICT**

WHEREAS, Ontario County has been awarded a grant in the amount of \$825,000.00 from the Water Quality Improvement Project (WQIP) Program through the New York State Department of Environmental Conservation for the Honeoye Lake Wastewater Treatment Plant Disinfection project, and

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute a contract for a Water Quality Improvement Project (WQIP) grant for the Honeoye Lake Wastewater Treatment Plant Disinfection project with the New York State Department of Environmental Conservation for a term of May 1, 2018 through April 30, 2023, and all other documents necessary to effectuate the purposes of this resolution, subject to the review and approval of the Office of the County Attorney; and further

RESOLVED, That the following budget transfer is hereby approved:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HDL 8150 E 4731	Contingen cy	\$5,187,500.0 0	+\$825,000. 00	\$6,012,500.0 0
Revenue:				
HDL 8150 R 3901	State Aid	\$5,187,500.0 0	+\$825,000. 00	\$6,012,500.0 0

and further

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

the Commissioner of the New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12203-1010.

**RESOLUTION NO. 302-2019  
COUNTY ROAD 36 CULVERT #32  
AUTHORIZE THE IMPLEMENTATION, AND FUNDING  
IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND  
STATE-AID ELIGIBLE COSTS, OF A FEDERAL-AID AND/OR  
STATE-AID TRANSPORTATION PROJECT, AND APPROPRIATING  
FUNDS THEREFORE  
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Sponsor will design, let, and construct the “project”; and

WHEREAS, A project for County Road 36 Culvert #32, P.I.N. 4BNY.35, (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 0% Federal funds and 100% non-federal funds; and

WHEREAS, The County of Ontario desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of said Project; NOW, THEREFORE, be it

RESOLVED, That the Ontario County Board of Supervisors, duly convened, does hereby approve the above-subject project; and further

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

RESOLVED, That the Ontario County Board of Supervisors hereby agrees that the County of Ontario shall be responsible for all costs of the project which exceed the amount of the NYS Bridge Funding awarded to the County of Ontario; and further

RESOLVED, That the sum of \$1,000,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and further

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

RESOLVED, That the Ontario County Board of Supervisors hereby agrees that construction of the Project shall begin no later than twenty four (24) months after award and that the project shall be completed within thirty (30) months of commencing construction; and further

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

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and further

RESOLVED, That this resolution shall take effect immediately.

**RESOLUTION NO. 303-2019  
ESTABLISH CAPITAL PROJECT NO. 06-2019  
REPLACEMENT OF COUNTY ROAD 36 CULVERT #32  
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, A project for the Replacement of County Road 36 Culvert #32, P.I.N. 4BNY.35, (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, The County of Ontario desires to advance the Project by making a commitment of 100% of the costs of said Project; 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 approves the above-subject project; and further

RESOLVED, That the Ontario County Board of Supervisors hereby establishes Capital Project No. 06-2019, Replacement of County Road 36 Culvert #32; and further

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

<u>Appropriations:</u>		<u>Budget:</u>
HDM 5169 E 4491	General Construction	\$725,000.00
HDM 5169 E 4495	Engineering	\$150,000.00
HDM 5169 E 4820	Land Acquisition	\$12,000.00
HDM 5169 E 4865	Administrative Expenses	\$2,000.00
HDM 5169 E 4731	Contingency	\$111,000.00
<u>Revenue:</u>		
HDM 5169 R 3089	State Aid	\$1,000,000.00

and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this Resolution for a total project budget of One Million Dollars and Zero Cents (\$1,000,000.00); and further

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

**RESOLUTION NO. 304-2019**  
**ACCEPTANCE OF MATERIALS AND SERVICES BIDS**  
**DEPARTMENT OF PUBLIC WORKS**  
**BUREAU OF HIGHWAYS**

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

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

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

B19012	
CLEANING & SEALING OF CRACKS & JOINTS IN PAVEMENT	Ann Seal, Inc. 130 Main Street, Suite 3 Johnson City, New York 13790
	Bothar Construction, LLC 170 East Service Road Binghamton, New York 13901
	Julieann Shove Inc. dba Champion Asphalt Maintenance 5724 Eddy Ridge Road Williamson, New York 14589

	Magic Seal, LLC
	2 North Shore Drive
	Hilton, New York 14468
	Midland Asphalt Materials, Inc.
	640 Young Street
	Tonawanda, New York 14150
B19013	
SAMPLING & TESTING OF MATERIALS	Atlantic Testing Laboratories, Ltd.
	3495 Winton Place, Building B, Suite 4A
	Rochester, New York 14623
	CME Associates, Inc.
	491 Elmgrove Road, Suite 600
	Rochester, New York 14606
	SJB Services, Inc.
	5167 South Park Avenue
	Hamburg, New York 14075
B19014	
PURCHASE OF FRAMES & GRATES	Core and Main, LP
	1220 Brighton Henrietta Townline Road
	Rochester, New York 14623
	Neenah Foundry Co.
	2121 Brooks Avenue
	Neenah, Wisconsin 54956
B19015	
PURCHASE OF GABIONS & RENO MATTRESSES	Chemung Supply Corp.
	PO Box 527
	Elmira, New York 14902
	Expanded Supply Products, Inc.
	3330 Route 9
	Cold Spring, New York 10516
	Lane Enterprises Inc.
	16 May Street
	Bath, New York 14810
B19016	
PURCHASE OF GEOSYNTHETICS & RELATED PRODUCTS	Chemung Supply Corp.
	PO Box 527
	Elmira, New York 14902
	E.J. Prescott Inc.
	200 Lake Avenue
	Blasdell, New York 14219

	Landis Scaping & Design
	dba D&L Supply & Rental
	283 State Route 14A
	Penn Yan, New York 14527
	McQuade & Bannigan Inc.
	PO Box 476
	Utica, New York 13502
B19017	
HORIZONTAL GRINDER SERVICE	SM Gallivan
	98 Niver Street
	Cohoes, New York 12047
B19018	
STRIPING OF ROADS	Atlantic Pavement Marking, Inc.
	15 Industrial Road
	Prospect, CT 06712
B19020	
MATERIAL CRUSHING SERVICE	Daggett Sand & Gravel, Inc.
	8056 Route 549
	Millerton, PA 16936
	Premier Portable Crushing, LLC
	281 Vandervoort Street
	North Tonawanda, New York
	14120
	RMS Gravel, Inc.
	PO Box 455
	Dryden, New York 13053
	Villager Construction, Inc.
	425 Old Macedon Center Road
	Fairport, New York 14450
B19021	
PURCHASE OF HYDROSEEDING MATERIALS	Northern Nurseries of NY
	7532 Pitts-Palmyra Road
	Fairport, New York 14450
	Seedway LLC
	2054 Lamson Road
	Phoenix, New York 13135
	SiteOne Landscape Supply
	1385 East 36 <sup>th</sup> Street
	Cleveland, Ohio 44114
B19022	
PURCHASE & DELIVERY OF READY-MIX CONCRETE	Hanson Aggregates of New York
	6895 Ellicott Street
	Pavilion, New York 14525

	Northern Ready Mix LLC
	6131 East Taft Road
	North Syracuse, New York 13212
	Spallina Materials, Inc.
	PO Box 337
	Mount Morris, New York 14510
B19023	
VEGETATION CONTROL UNDER GUIDE RAILS	DeAngelo Brothers, LLC
	100 North Conahan Drive
	Hazelton, Pennsylvania 18201
B19024	
CONCRETE CURBS, GUTTERS & SIDEWALKS	W.P. Mahoney
	90 Middle Street
	Geneva, New York 14456
B19025	
PURCHASE & PLACEMENT OF GRANITE CURBING	Geneva Granite Co., Inc.
	PO Box 834
	Geneva, New York 14456
	W.P. Mahoney
	90 Middle Street
	Geneva, New York 14456
B19026	
REMOVAL OF ANIMAL CARCASSES	Dick's Enterprises
	7903 40 Dollar Road
	Campbell, New York 14821
B19027	
PURCHASE OF GUIDE RAILING & INSTALLATION OF POSTS	Chemung Supply Corp.
	PO Box 527
	Elmira, New York 14902
	Expanded Supply Products, Inc.
	3330 Route 9
	Cold Spring, New York 10516
	Phelps Guide Rail Inc.
	PO Box 130
	Phelps, New York 14532
B19028	
PURCHASE OF SIGN MATERIALS	American Traffic Safety Materials, Inc.
	PO Box 1449
	Orange Park, Florida 32067

	Chemung Supply Corp.
	PO Box 527
	Elmira, New York 14902
	Eastern Metal of Elmira, Inc.
	1430 Sullivan Street
	Elmira, New York 14901
	Eberl Iron Works, Inc.
	128 Sycamore Street
	Buffalo, New York 14204
	Garden State Highway Products, Inc.
	301 Riverside Drive
	Millville, New Jersey 08332
	Landis Scaping & Design
	dba D&L Supply & Rental
	283 State Route 14A
	Penn Yan, New York 14527
	Lightle Enterprises of Ohio, LLC
	PO Box 329
	Frankfort, Ohio 45628
	Mandel Metals Inc.
	dba US Standard Sign
	11400 West Addison Avenue
	Franklin Park, Illinois 60131
	Vulcan Inc.
	Dbu Vulcan Aluminum
	PO Box 1850
	Foley, Alabama 36536-1850
B19029	
SEALING OF STRUCTURAL CONCRETE	DeAngelo Brothers, LLC
	100 North Conahan Drive
	Hazelton, Pennsylvania 18201
B19030	
PURCHASE OF PIPE & APPURTENANCES	Advanced Drainage Systems, Inc.
	4640 Trueman Boulevard
	Hilliard, Ohio 43026
	Chemung Supply Corp.
	PO Box 527
	Elmira, New York 14902
	Expanded Supply Products Inc.
	3330 Route 9
	Cold Spring, New York 10516

	Lane Enterprises Inc.
	16 May Street
	Bath, New York 14810
B19043	
BRIDGE WASHING	Fleetwash
	141 North Main Street
	Homer, New York 13077
B19044	
RENTAL OF GPS MACHINE CONTROL	Admar Supply Company
	330 Metro Park
	Rochester, New York 14623
	Monroe Tractor & Implement Co., Inc.
	1001 Lehigh Station Road
	Henrietta, New York 14467

and further

RESOLVED, That the Ontario County Board of Supervisors hereby accepts said bids and authorizes one year contracts for the period beginning May 15, 2019 through May 14, 2020; and further

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

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

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

**RESOLUTION NO. 305-2019  
AWARD CONTRACT FOR BROKERING TRANSPORT OF NATURAL GAS  
DEPARTMENT OF PUBLIC WORKS – BUILDINGS AND GROUNDS**

WHEREAS, Natural gas is used exclusively in the Animal Care Facility, Courthouse, Department of Public Works, Human Services Building, Jail, Records and Archives, Safety Training Facility, 74 Ontario Street, 20 Ontario Street, 3019 County Complex Drive, Vehicle Maintenance, and the County Transportation Center for heating purposes; and

WHEREAS, The Wayne Finger Lakes BOCES Energy Office, PO Box 19, 4440 East Ridge Road, Williamson, New York 14589 makes the purchasing of natural gas available for small users; and

WHEREAS, Wayne Finger Lakes BOCES quoted providing the service for \$1323.00 for twelve (12) months beginning October 1, 2019 and ending September 30, 2020; and



WHEREAS, Ontario County has, in the past, found it to be cost beneficial to purchase transport gas through BOCES brokering; and

WHEREAS, The aforementioned costs are budgeted for; now, therefore, be it

RESOLVED, That on the recommendation of the Public Works Committee, the Ontario County Board of Supervisors hereby authorizes the award of contract to Wayne Finger Lakes BOCES; and further

RESOLVED, That the Clerk of this Board forward certified copies of this resolution to Wayne Finger Lakes BOCES.

**RESOLUTION NO. 306-2019  
RENEWAL OF QUOTE FOR THE MAINTENANCE  
OF OIL-WATER SEPARATOR SYSTEMS  
DEPARTMENT OF PUBLIC WORKS – BUILDINGS AND GROUNDS**

WHEREAS, Ontario County approved Resolution No. 360-2018 authorizing an agreement for the Maintenance of the Oil & Water Separator Systems at the County Transportation Center and at FLCC's Viticulture Center per Quote (Q18050) and;

WHEREAS, National Vacuum Environmental Services Corp. has agreed to a 12-month renewal at no cost increase; and

WHEREAS, The Purchasing Department recommends the quote renewal; and

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

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the renewal of Quote (Q18050) with National Vacuum Environmental Services Corp., 408 47<sup>th</sup> Street, Niagara Falls, New York 14304 per the tabulation sheets for a 1-year period starting June 1, 2019, through May 31, 2020; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to National Vacuum Environmental Services Corp.

**RESOLUTION NO. 307-2019  
VEHICLE MAINTENANCE SERVICES  
CONTRACT RENEWAL - QUALTECH AUTOMOTIVE  
DEPARTMENT OF PUBLIC WORKS**

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

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

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

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

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

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

RESOLVED, That the Ontario County Board of Supervisors, upon review and approval of the County Attorney, as to form, hereby authorizes a contract extension with Qualtech Automotive, 5531 Buffalo Street, Canandaigua, NY 14424, for vehicle maintenance services on County vehicles rated less than one ton per the maintenance specification as stated in request for proposal #R15027, for the period beginning June 20, 2019, through June 19, 2020; and further

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

**RESOLUTION NO. 308-2019**  
**AWARD OF PROFESSIONAL SERVICES CONTRACT**  
**PUMP STATIONS 3E AND 4E - REPLACEMENT OF WET WELL STAIRS**  
**DEPARTMENT OF PUBLIC WORKS**  
**CANANDAIGUA LAKE COUNTY SEWER DISTRICT**

WHEREAS, The approved 2019-2024 Capital Improvement Plan (CIP) includes funding for wet well modifications and repairs at various pump stations in the Canandaigua Lake County Sewer District (CLCSD); and

WHEREAS, The Ontario County Department of Public Works solicited proposals for furnishing design and construction phase professional services for the removal and replacement of wet well stairs at Pump Stations 3E and 4E; and

WHEREAS, Erdman Anthony has provided a proposal for said services for a cost not to exceed \$15,050.00; and

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

WHEREAS, Sufficient funds are available in the 2019 CLCSD budget within line G1 8110 9999 E 4260 Consultation and Professional Services to pay for this work; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves an agreement with Erdman Anthony, 145 Culver Road, Suite 200, Rochester, NY 14620, for design and construction phase professional services in connection with Pump Stations 3E and 4E Replacement of Wet Well Stairs, for a cost not to exceed \$15,050.00; the term of said contract shall run through December 31, 2019; and further

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

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

**RESOLUTION NO. 309-2019**  
**NO COST TIME EXTENSION FOR CONTRACT WITH BARTON AND**  
**LOGUDICE D.P.C. TO PREPARE PLANS FOR IMPROVEMENTS TO**  
**ONTARIO BEACH AND DEEP RUN COUNTY PARKS ON**

**CANANDAIGUA LAKE – NYS OFFICE OF PARKS, RECREATION  
AND HISTORIC PRESERVATION GRANT #T55956**

WHEREAS, Resolution No. 819-2016 authorized Ontario County to accept a Planning Grant, (#T55956) from New York Office of Parks Recreation and Historic Preservation-Environmental Protection Fund for development of a plan for improvements to Ontario Beach and Deep Run County Parks for \$36,000 in state funds to be matched with Ontario County providing \$36,000 of the project cost in cash for a total project cost of \$72,000.00; and

WHEREAS, Pursuant to Resolution No. 579-2017 a consultant contract was executed between Barton & Loguidice D.P.C. in an amount not to exceed Seventy-one thousand and four hundred dollars (\$71,400.00) ; and

WHEREAS, The term of said contract commenced October 6, 2017 and ends on April 6, 2019 and

WHEREAS, An additional four months is needed to have sufficient time to conduct the final public meeting on the draft plan and secure the approval of the NYS Office of Parks, Recreation and Historic Preservation of said draft plan that would extend the term to August 6, 2019; and

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute a no cost contract extension between Barton & Loguidice D.P.C. to extend the term of said contract to end on August 6, 2019, subject to approval of said contract by the County Attorney; and further

RESOLVED, That copies of this resolution be sent to the Clerk of the Board, Barton & Loguidice D.P.C., the Department of Public Works and the Department of Planning.

The foregoing block of twenty resolutions was adopted.

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

**RESOLUTION NO. 310-2019  
APPORTIONMENT OF MORTGAGE TAX**

WHEREAS, The amount received by the County Clerk from mortgage taxes for the period October 1, 2018, through March 31, 2019, was \$1,211,634.07 and the County's share to be distributed among the several tax districts in the County amounts to the sum of \$1,199,036.33 including interest earned less County Clerk's expense; now, therefore, be it

RESOLVED, That pursuant to Section 261 of the Tax Law, the County Treasurer be, and hereby is, authorized and directed to issue checks for the distribution thereof to the several districts in the County of Ontario entitled thereto, as set forth below:

**CITIES, TOWNS, VILLAGES**

		Distributed To Villages	Distributed To Cities & Towns
3895	Bristol		\$ 13,428.91
3897	Canadice		\$ 15,694.60
0708	Canandaigua City		\$152,177.70
3899	Canandaigua Town		\$122,739.51

4081	Bloomfield Village	\$ 5,441.41	
3893	East Bloomfield		\$ 36,263.75
3902	Farmington		\$156,909.42
0705	Geneva City		\$ 58,905.95
3904	Geneva Town		\$ 62,300.09
4088	Rushville Village	\$ 456.72	
3906	Gorham		\$ 52,352.93
3908	Hopewell		\$ 62,115.93
4080	Clf Spg T/Man	\$ 4,014.57	
4083	Manchstr T/Man	\$ 3,681.99	
4089	Shortsvil T/Man	\$ 3,226.04	
3910	Manchester Town		\$ 33,769.68
4084	Naples Village	\$ 1,864.92	
3912	Naples Town		\$ 10,595.29
4086	Phelps Village	\$ 7,109.45	
4080	Clif Spg T/Phelps	\$ 2,455.88	
3928	Phelps Town		\$ 59,554.12
3915	Richmond		\$ 33,378.28
3918	Seneca		\$ 33,582.18
3921	South Bristol		\$ 36,148.92
4087	Victor Village	\$ 10,976.91	
3923	Victor Town		\$194,712.09
3925	West Bloomfield		\$ 25,179.45
	TOTALS	\$ 39,227.89	\$ 1,159,808.44
	Total		\$ 1,199,036.33
	Villages/Cities/Towns		

and further

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

**RESOLUTION NO. 311-2019**  
**ABOLISHMENT OF POSITION AND INCREASE OF PART-TIME HOURS**  
**OFFICE OF SHERIFF**

WHEREAS, Sheriff Kevin Henderson has requested that one position of County Police Officer, Part-Time (0.25 FTE) be abolished, and that the quarter-time position of Investigator, Part-time (0.25 FTE) be increased to half-time (0.50 FTE); and

WHEREAS, The Director of Human Resources has determined that such action will maintain the same number of FTE's within the Office of Sheriff; and

WHEREAS, the incumbent in said Investigator, Part-Time position shall not work more than 1040 hours per year performing predominately casual work and therefore the incumbent does not require a health insurance offering under the Affordable Care Act; and

WHEREAS, The Ways and Means Committee recommends the increase of hours of the Investigator, Part-Time position from quarter-time (0.25 FTE) to half-time (0.50 FTE), and abolishment of one County Police Officer, Part-Time (0.25 FTE) position; and

WHEREAS, Sufficient funds exist within the Office of Sheriff Budget for this position change; now, therefore, be it

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

- a) Abolishment of County Police Officer, Part-Time position (0.25 FTE) (12272/#13), effective upon adoption, originally classified by POCC No. 66-2008 and created by BDS RES 403-2008; and
- b) Increase the allowable hours of the Investigator, Part-Time (11271/#2) from quarter-time (0.25 FTE) to half-time (0.50 FTE), effective upon adoption, budgeted to work 1040 hours per year, 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. 312-2019  
ABOLISH COUNTY POLICE OFFICER, PART-TIME  
AND CREATION OF CORRECTION OFFICER, PART-TIME  
OFFICE OF SHERIFF**

WHEREAS, Sheriff Kevin Henderson has requested that a position of County Police Officer, Part-Time, in the Unified Court be abolished, and that a position of Correction Officer, Part-Time for use at the Courts be created; and

WHEREAS, The Director of Human Resources has classified a position of Correction Officer, Part-Time by Personnel Officer Classification Certification No. 43-2019; and

WHEREAS, The Ways and Means Committee has reviewed and recommends the abolishment of the County Police Officer, Part-Time position in the Unified Court, and creation of the Correction Officer, Part-Time in the Office of Sheriff; and

WHEREAS, Sufficient funds exist within the Office of Sheriff Budget for the Correction Officer, Part-Time, position change; now, therefore, be it

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

- a. The abolishment of a County Police Officer, Part-Time position (12272#28), from the Unified Court; and
- b. Creation of one position of Correction Officer, Part-Time (12261/#21) effective upon adoption; 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. 313-2019  
SALARY ADJUSTMENT – ALEXANDER COLBURN  
OFFICE OF SHERIFF**

WHEREAS, Sheriff Kevin Henderson, has recommended the salary adjustment of Mr. Alexander Colburn, to Grade R15, Step 2, \$26.75/hour, effective retroactive to his appointment to County Police Officer on April 15, 2019, based on his experience as a Police Officer for the City of Geneva; and

WHEREAS, The Ways and Means Committee has reviewed and approved the salary adjustment for this employee, effective retroactive to his appointment; and

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

RESOLVED, That the pay rate for Mr. Alexander Colburn shall be set at Grade R15, Step 2, \$26.75/hour, effective retroactive to his appointment to the position of County Police Officer on April 15, 2019; and further

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

**RESOLUTION NO. 314-2019  
CREATION OF POSITION – LABORER (SEASONAL) AND  
ABOLISHMENT OF TWO POSITIONS – LABORER, PT (SEASONAL)  
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Mr. William Wright, Commissioner of Public Works, has requested to abolish two (2), 20-hour per week positions of Laborer, PT (Seasonal) assigned to the Highway Department and to create one position of Laborer (Seasonal); effectively consolidating two quarter-time positions into one half-time position; and

WHEREAS, Mr. Wright has filed the New Position Duties Statement with the Department of Human Resources to create a position of Laborer (Seasonal); and

WHEREAS, The Director of Human Resources has classified a position of Laborer (Seasonal) by POCC# 42-2019; and

WHEREAS, This creation of position will have no impact on the budget, but will provide a more reliable work schedule; and

WHEREAS, all the Laborer, PT (Seasonal) County positions have been created in a way that severely limits the hours worked, specifically to 20 hours per week, such limitation is not conducive for productive seasonal scheduling; and

WHEREAS, The Director of Human Resources has recommended that all Laborer, PT (Seasonal) positions be allowed to work an amount not to exceed 540 hours each season; and

WHEREAS, The Ways and Means Committee has reviewed and approved the creation of an additional position of Laborer (Seasonal) and the adjustment of the allowable work hours for the existing Laborer, PT (Seasonal) positions; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby create one position of Laborer, (Seasonal) for the Public Works Department (43106/#12), designated to work seasonally, which means that the total hours worked in a calendar year shall not exceed 1040 hours; and further

RESOLVED, That two positions of Laborer, PT (Seasonal) (43106/#9 & 10) shall be abolished; and further

RESOLVED, That the remaining Laborer, PT (Seasonal) positions shall be allowed to work up to 540 hours per season; and further

RESOLVED, That the Department of Public Works has sufficient funds to cover the cost of these changes in the budget; and further

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

The foregoing block of five resolutions was adopted.

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

**RESOLUTION NO. 315-2019  
CREATE SENIOR CLERK AND ABOLISHMENT OF SENIOR  
TYPIST DEPARTMENT OF SUSTAINABILITY AND SOLID WASTE  
MANAGEMENT**

WHEREAS, Carla Jordan, Director of Sustainability and Solid Waste Management, has a Senior Typist position in the department in which the incumbent, Deborah Henderson, will be retiring in June of this year; and

WHEREAS, Pursuant to Resolution No. 417-2017, this position of Senior Typist is to be abolished upon the retirement of Ms. Henderson; and

WHEREAS, The Department of Sustainability and Solid Waste Management will continue to have clerical duties and responsibilities that must be fulfilled; and

WHEREAS, Director Jordan had submitted a New Position Duties Statement to ensure proper classification of a new position; and

WHEREAS, The Director of Human Resources has classified a position of Senior Clerk by Personnel Officer Classification Certification No. 41-2019; and

WHEREAS, The Ways and Means Committee recommends creating the position of Senior Clerk (01002/#20) upon the abolishment of the position of Senior Typist (01009/#5) when it becomes vacant upon retirement of the incumbent; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby create the position of Senior Clerk (01002/#20) in the Department of Sustainability and Solid Waste Management upon the abolishment of the position of Senior Typist (01009/#5) pursuant Resolution No. 417-2017; and further

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

**RESOLUTION NO. 316-2019  
APPROVING MEMORANDUM OF AGREEMENT No. 3-2019  
BETWEEN ONTARIO COUNTY AND  
ONTARIO COUNTY GENERAL UNIT, C.S.E.A.**

WHEREAS, Ontario County is currently a party to a labor agreement with the Ontario County General Unit, C.S.E.A., with said Agreement expiring December 31, 2020; and

WHEREAS, An amendment to said Agreement (Memorandum of Agreement No.3-2019) has been negotiated, subject to the approval of this Board, and has been filed with the Clerk of the Board of Supervisors; and

WHEREAS, The Ways and Means Committee recommends the approval of this Resolution authorizing said amendment to the Agreement; now, therefore, be it

RESOLVED, That Memorandum of Agreement No.3-2019, is hereby approved with the above-named Unit; and further

RESOLVED, That pursuant to the Memorandum of Agreement No. 3-2019, the title of "Supervisor, Bureau of Wastewater Management" shall be excluded from the bargaining unit, effective May 9, 2019; and further

RESOLVED, That, effective May 9, 2019, the title of “Supervisor, Bureau of Wastewater Management” shall be placed in the Management Compensation Plan in Band 8; and further

RESOLVED, That copies of this resolution shall be sent by the Clerk of this Board to Mr. Stephen Healy, President of the C.S.E.A. Unit, and to the County Attorney.

**RESOLUTION NO. 317-2019  
SALARIES FOR MANAGERIAL/CONFIDENTIAL PERSONNEL FOR  
2020 MANAGEMENT COMPENSATION PLAN**

WHEREAS, The Board of Supervisors adopted Resolution No. 374-2018, on May 31, 2018, which approved the 2019 Management Compensation Plan for Full-Time Managerial Confidential Personnel; and

WHEREAS, Employees covered under the Management Compensation Plan are not represented by employee organizations under the Taylor Law, and their salaries have not or will not be fixed under employment contracts between the County and employee organizations; and

WHEREAS, The County Administrator and the Management Compensation Committee have reviewed the Plan and recommend a 3.0% increase to management salaries for 2020; and

WHEREAS, The Ways and Means Committee has reviewed and recommends that the schedule setting forth salaries and step increments for 2020, hereto annexed and made a part of this resolution, be adopted; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby adopt the salary and step schedules entitled, “2020 Management Compensation Plan for Salaried, Exempt Employees,” and the “2020 Management Compensation Plan for Salaried, Non-Exempt Employees,” which are hereto annexed and made a part of this resolution, effective January 1, 2020.

**RESOLUTION NO. 318-2019  
2020 RATES OF PAY FOR PART-TIME HOURLY/DAILY PERSONNEL**

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

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

RESOLVED, That the Board of Supervisors does hereby adopt the attached pay schedule entitled, “2020 Rates of Pay for Part-Time Hourly/Daily Personnel,” effective January 1, 2020.

The foregoing block of four resolutions was adopted.

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

**RESOLUTION NO. 319-2019  
VACANCY REVIEW POLICY FOR 2020**

WHEREAS, The Ways and Means Committee recommend the adoption of a Vacancy Review Policy to save an anticipated \$500,000 in fiscal year 2020; and



WHEREAS, This policy will delay the filling of County vacancies as they occur during 2020 for at least 90 days; and

WHEREAS, The adoption of this policy is necessary to balance the county budget for fiscal year 2020; now, therefore, be it

RESOLVED, That the attached Vacancy Review Policy be, and it hereby is, adopted effective January 1, 2020.

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

**RESOLUTION NO. 320-2019  
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON  
LOCAL LAW NO. 3 (INTRO.) 2019**

WHEREAS, There has been introduced at a meeting of this Board held on May 9, 2019, a proposed local law entitled "A Local Law Applying the Management Compensation Program to Certain County Officers Appointed for Definite Terms for the Year 2020"; now, therefore, be it

RESOLVED, That a public hearing shall be held on May 30, 2020, at 6:30 p.m. at the Ontario County Safety Training Facility, 2914 County Road 48, Canandaigua, New York; and further

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

**RESOLUTION NO. 321-2019  
REVISION OF THE ONTARIO COUNTY PURCHASING PROCEDURES**

WHEREAS, Ontario County policy calls for an annual review and update of the Purchasing Policies and Procedures; and

WHEREAS, The State of New York now requires municipalities using procurement cards to review and revise these policies as necessary on an annual basis; and

WHEREAS, The Purchasing Director and the Ways and Means Committee have done this review and incorporated changes necessary for compliance with General Municipal Law, Sections 103 and 104-b; now, therefore, be it

RESOLVED, That the Ontario County Purchasing Procedures and Ontario County Purchasing Card User's Guide and Policy Manual, as revised, and on file with the Clerk of this Board, be adopted and implemented immediately.

**RESOLUTION NO. 322-2019  
2020 - 2021 COUNTY BUDGET GUIDELINES**

WHEREAS, Ontario County continues to experience reductions in State and Federal Aid, increases in unfunded and underfunded mandates, a permanent tax cap and an unprecedented diversion by New York State of county sales tax revenues to cover state expense in the form of Aid and Incentives for Municipalities (AIM) payments to cities, towns and villages; and

WHEREAS, This Board of Supervisors desires that County Departments prepare their annual budgets with those constraints in mind; now, therefore, be it

RESOLVED, That the Ways and Means Committee recommends the following guidelines for use in the preparation of the 2020 and 2021 County Department budgets:

1. It is the intent of the Board of Supervisors that the 2020-2021 Budget will not exceed the mandated New York State Tax Cap.
2. It is the intent of the Board of Supervisors that there will be no tax levy supported debt used to fund the operating budget or Capital Improvement Plan.
3. Only essential needs required to maintain the operations of the department may be budgeted. Departments will make every effort to actively reduce or maintain contractual, equipment, overtime, and compensatory costs at 2019 levels. Departments are expected to complete the *Departmental Budget – Executive Summary* form for their Standing Committee and the Ways and Means Committee review which will highlight details of line item changes from the approved 2019 budget and reasoning for the proposed budget modification. This report must also include a description of, and reasoning for, any changes in operations, including but not limited to increases in contractual expenditures, additional equipment purchases, staffing adjustments and new, revised or eliminated programs.
4. Changes in the number of full-time equivalent positions due to program changes will be considered through the normal process, once the County Administrator has approved the request to move forward. The County does not anticipate a net increase in full-time equivalent positions however, changes in staffing to support County operations will be considered on a case by case basis in compliance with the Vacancy Review Policy.
5. Departments will continue to comply with the Vacancy Review Policy.
6. Total funding for Team Agencies in 2019 will be reviewed by the County Administrator prior to presentation to their Standing Committee. Funding to support continued operations will be considered on a case by case basis. Each team agency is undergoing a compliance audit the outcome of which may affect funding eligibility.
7. Departments which pass State and Federal aid through to contract agencies will continue to maintain a net zero or stable County cost for those programs by passing along any reductions in aid to those contract agencies.
8. The Capital Improvement Project expenses for County Departments are excluded from these Budget Guidelines and are handled through a separate process.
9. Acceptance of grant money will be evaluated for existing projects, programs or equipment, and to fund new programs with zero (0) county match whenever possible. Request for County matching dollars or in-kind services will be considered on a case by case basis. The Department of Finance, through the Grant Coordinator position, will continue to research potential funding sources for new, expanding and existing programs and equipment purchases. Any

programs or positions funded through grants will be flagged for review upon the completion of the grant.

10. The General Fund Contingency Budget will be no more than .25% of total budgeted appropriations.

11. County expectations are that the Finger Lakes Community College (FLCC) will operate its expanded facilities within the revenues generated by SUNY, tuition and other revenues. County funding to FLCC consists of sponsor contribution and capital contribution. The total funding level for FLCC will be comprehensively reviewed as it relates to the budgetary constraints placed on the County by New York State including unfunded and underfunded mandates and the permanent tax cap requirements.

and further

RESOLVED, that a certified copy of the resolution be sent by the Clerk of this Board to each member of the Board of Supervisors, each Department Head, the Chair of the FLCC Board of Trustees and the Finance Department.

**RESOLUTION NO. 323-2019**  
**AUTHORIZATION TO AMEND CONTRACT WITH FISCAL**  
**ADVISORS & MARKETING, INC. TO INCLUDE FINANCIAL**  
**ADVISOR SERVICES FOR REFUNDING SERIAL BONDS**

WHEREAS, Pursuant to Resolution No. 862-2018, Ontario County contracted with Fiscal Advisors & Marketing, Inc., 120 Walton Street, Suite 600, Syracuse, NY, 13202, for financial advisor services associated with the issuance of Bond Anticipation Notes (BANS) and Serial Bonds; and

WHEREAS, Due to market conditions and a call date on the County's 2012 Series Bonds, it is fiscally advantageous for Ontario County to participate in an issuance of Refunding Serial Bonds in the amount of \$9,075,000, the outstanding principal balance on said bonds; and

WHEREAS, Fiscal Advisors has agreed to provide financial services in connection with the issuance of the Refunding Serial Bonds for a fee of \$24,500, which is to be paid from issuance premium from Underwriter and not out of pocket by the County; and

WHEREAS, The Ontario County Finance department recommends and the Ways and Means Committee concurs to amend the existing contract with Fiscal Advisors & Marketing to provide these additional services; now therefore, be it

RESOLVED, That the Ontario County Board of Supervisors Board desires to amend the existing contract with Fiscal Advisors & Marketing, Inc., 120 Walton Street, Suite 600, Syracuse, NY 13202, for financial advisor services as indicated herein; and further

RESOLVED, That said contract shall continue to be in effect through December 31, 2019; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and directed to execute a contract amendment with Fiscal Advisors & Marketing, Inc.; and further

RESOLVED, That certified copies of this resolution be sent to Ontario County Attorney and Fiscal Advisors & Marketing, Inc., by the Clerk of this Board.

The foregoing block of five resolutions was adopted.

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

**RESOLUTION NO. 324-2019  
REFUNDING BOND RESOLUTION DATED MAY 9, 2019  
AUTHORIZING THE ISSUANCE OF REFUNDING BONDS IN AN  
AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$9,150,000  
OF THE COUNTY OF ONTARIO, NEW YORK, PURSUANT TO THE  
LOCAL FINANCE LAW AND PROVIDING FOR OTHER MATTERS  
IN RELATION THERETO**

WHEREAS, the County of Ontario, New York (the "County") heretofore issued its Public Improvement Serial Bonds, 2012, dated June 15, 2012, in the original aggregate principal amount of \$13,450,000, with \$9,075,000 of such bonds being scheduled to mature in the years 2020 through 2032 , inclusive (collectively, the "Refunded Bonds"); and

WHEREAS, in order for the County to realize the potential for certain long-term debt service savings with respect to the Refunded Bonds, the Board of Supervisors of the County (the "Board") has determined, after consultation with the County's Department of Finance and the municipal advisory and bond counsel firms retained by the County, that it would be in the public interest for the County to refinance the Refunded Bonds by the issuance of refunding bonds of the County pursuant to Section 90.00 of the Local Finance Law (the "Refunding Law"); and

WHEREAS, on June 15, 2019, the Refunded Bonds are, by their terms, either scheduled for payment or subject to the possibility of the call for redemption prior to their stated maturity dates, and the County has determined to conduct such a call for redemption, to achieve future debt service savings; and

WHEREAS, the Refunded Bonds were issued pursuant to two separate bond resolutions, each of which was duly adopted by the Board on June 25, 2009, to pay the costs of (A) the expansion and improvement of the facilities of the Canandaigua Campus of Finger Lakes Community College, and (B) the expansion and improvement of the facilities of the Geneva Campus of Finger Lakes Community College, as more fully set forth in each such respective bond resolution, the terms of which are incorporated herein by this reference; and

WHEREAS, the County has the power and authority to issue refunding bonds of the County for the purpose of refunding (and thereby refinancing) the Refunded Bonds at more favorable rates of interest, including provision for the payment of incidental costs of issuance in connection therewith, pursuant to the provisions of the Refunding Law; and

WHEREAS, the County has received two draft refunding summaries/ refunding financial plans (one assuming the issuance of refunding bonds with an early call feature, and the other assuming the issuance of refunding bonds without an early call feature), each dated as of April 18, 2019 (collectively, the "Refunding Financial Plan") from Roosevelt & Cross Incorporated (the "Underwriter") in connection with the proposed refunding of the Refunded Bonds, and such Refunding Financial Plan is attached hereto as Exhibit A; and

WHEREAS, the Board has reviewed and considered the Refunding Financial Plan in consultation with the County's Director of Finance, and the municipal advisory and bond counsel firms retained by the District; and

WHEREAS, the County desires to refund all or a portion of the Refunded Bonds by issuing certain refunding bonds and selling such bonds pursuant to a private sale to the Underwriter in accordance with the Refunding Financial Plan; and

WHEREAS, the Refunding Law requires that the County adopt a refunding bond resolution which includes a refunding financial plan setting forth all of the pertinent details in connection with the proposed refunding transaction;

NOW, THEREFORE, BE IT RESOLVED, by the Board (by the favorable vote of not less than two-thirds of the total voting strength of the Board) as follows:

SECTION 1. Based on the recommendation of Fiscal Advisors & Marketing, Inc. ("Fiscal"), the municipal advisor retained by the County, the Board hereby determines to undertake a current refunding of the Refunded Bonds, through the issuance of refunding bonds of the County, such refunding bonds to be offered and sold at private sale to the Underwriter under arrangements that are to be in general accord with the Refunding Financial Plan (with the question regarding the presence or absence of a call feature to be determined by the County Treasurer, working in consultation with Fiscal).

SECTION 2. For the object or purpose of refunding the Refunded Bonds (scheduled to mature in the years 2020 through and including 2032), including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (A) the applicable outstanding principal amount of the Refunded Bonds, (B) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date(s) on which the Refunded Bonds mature or are to be redeemed in accordance with the Refunding Financial Plan, (C) redemption premiums, if any, payable on the Refunded Bonds as of such redemption date(s), (D) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including, but not limited to, the development of the Refunding Financial Plan, the fees and costs of the municipal advisor to the County, the fees and costs of the bond counsel to the County, the costs and expenses of executing and performing the terms and conditions of the escrow contract, as hereinafter defined, and the fees and charges of the escrow holder, as hereinafter defined, and (E) the premium or premiums for the policy or policies of municipal bond insurance or other form of credit enhancement facility or facilities for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued the Refunding Serial Bonds, 2019 of the County in an aggregate principal amount not to exceed \$9,150,000 (the "Refunding Bonds") pursuant to the provisions of the Refunding Law, it being anticipated that the principal amount of the Refunding Bonds actually to be issued will be approximately \$8,060,000 (if the Refunding Bonds are ultimately structured, in the discretion of the County Treasurer, to include an early redemption feature) or \$7,920,000 (if the Refunding Bonds are ultimately structured without such an early redemption feature), all as described in the Refunding Financial Plan and in Section 6 hereof. The Refunding Bonds shall be dated such date as shall hereafter be determined by the County Treasurer pursuant to Section 6 hereof, shall be of the denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of each respective maturity (unless a bond of an odd denomination is required), shall mature annually and shall bear interest semi-

annually thereafter on such dates as shall be determined by the County Treasurer pursuant to Section 6 hereof, at the rate or rates of interest per annum as may be necessary to sell the same, all as shall be determined by the County Treasurer.

SECTION 3. The County Treasurer is hereby delegated all of the powers of this Board with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for the Refunding Bonds including, but not limited to, the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

SECTION 4. The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the County Treasurer and the County's corporate seal (or a facsimile thereof) shall be imprinted thereon and attested by the County Clerk. The Refunding Bonds shall contain the recital(s) required by the Refunding Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals as the County Treasurer shall determine.

SECTION 5. It is hereby determined that:

(A) The maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by the Local Finance Law; and

(B) The maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each of the objects or purposes for which the Refunded Bonds were issued is as shown in Exhibit B; and

(C) The last installment of the Refunding Bonds will mature not later than the expiration of the maximum period of probable usefulness of each of the objects or purposes for which the Refunded Bonds were issued, or in the alternative, the weighted average remaining period of probable usefulness of the objects or purposes (or classes of objects or purposes) financed with the Refunded Bonds or the weighted average remaining period of probable usefulness of all objects or purposes (or classes of objects or purposes) financed with the Refunded Bonds, in accordance with the provisions of the Refunding Law; and

(D) The estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of the Refunding Law, is as shown in the Refunding Financial Plan described in Section 6 hereof.

SECTION 6. The Refunding Financial Plan showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, is set forth in Exhibit A attached hereto and hereby made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the principal amount of \$9,150,000 and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in Exhibit A. This Board recognizes that the amount and/or structure of the Refunding Bonds, and the maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be

different from such assumptions and that the final details of the sale will also most probably be different from that attached hereto as Exhibit A. The County Treasurer is hereby authorized and directed to determine the amount and particular maturities of the Refunded Bonds to be refunded, the details as to the redemption of the Refunded Bonds, including the date and amount of such redemption or redemptions and authorizing and directing the escrow holder, as hereinafter defined, to cause notice of such redemption, the amount and particular maturities of the Refunding Bonds to be issued, the date of such bonds and the date of issue, maturities and terms thereof, the provisions relating to any redemption of the Refunding Bonds prior to maturity (including the presence or absence of an early call feature, as referred to above), whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, the escrow arrangements (if any) to be entered into with respect to the proceeds of the Refunding Bonds, the terms of the private sale of the Refunding Bonds to the Underwriter, the amount of the annual installments of the Refunding Bonds to be paid pursuant to the Refunding Law, whether the Refunding Bonds shall be sold at a discount in the manner authorized by Section 57.00(e) of the Local Finance Law, and the rate or rates of interest to be borne thereby, and to prepare, or cause to be prepared a final Refunding Financial Plan for the Refunding Bonds, and all powers in connection therewith are hereby delegated to the County Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of the Refunding Law.

SECTION 7. The County Treasurer shall file a copy of his certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the County Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

SECTION 8. The County Treasurer is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in this State as he shall designate (the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunded Bonds, as the escrow holder to perform the services described in the Refunding Law.

SECTION 9. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such Refunding Bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

SECTION 10. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder. Accrued interest, if any, on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds on the next bond payment date of such Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with the Refunding Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow

Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

SECTION 11. In accordance with the provisions of Section 53.00 of the Local Finance Law, subject to the determination by the County Treasurer regarding the redemption of the Refunded Bonds described in Section 6 above, the County hereby elects to redeem the Refunded Bonds with the proceeds of the Refunding Bonds prior to their stated maturity dates on the date or dates provided in the Refunding Financial Plan. The sums to be paid therefor on such redemption date or dates shall be the par value thereof plus the redemption premium, if any, and the accrued interest to such redemption date or dates. The Escrow Holder is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunding Financial Plan. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Refunded Bonds and the direction to cause notice thereof to be given as provided in this section shall become irrevocable, provided that this section may be amended from time to time as may be necessary in order to comply with the publication requirements of Section 53.00(a) of the Local Finance Law, or any successor law thereto.

SECTION 12. The County Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Refunding Bonds as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, if applicable, to designate the Refunding Bonds authorized by this resolution as "qualified tax-exempt obligations" in accordance with Section 265 of the Code.

SECTION 13. The County Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the Refunding Bonds authorized by this resolution, if required, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 14. The County hereby determines that the issuance of the Refunding Bonds is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 15. Subject to compliance with the provisions of the Refunding Law, the Refunding Bonds shall be sold at private sale to the Underwriter and the County Treasurer is hereby authorized to negotiate for such private sale. The County Treasurer is hereby authorized to execute and deliver a bond purchase agreement with the Underwriter for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the County Treasurer in accordance with such bond purchase agreement upon the receipt by the County of such purchase price, including any premium or accrued interest.



SECTION 16. The County Treasurer, the County Attorney, the County Clerk, and the Clerk of the Board and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the bond purchase agreement.

SECTION 17. All other matters pertaining to the terms and manner and details of issuance of the Refunding Bonds shall be determined by the County Treasurer and all powers in connection therewith are hereby delegated to the County Treasurer.

SECTION 18. In the event of the absence or unavailability of the County Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the County Treasurer in this resolution.

SECTION 19. The Clerk of the Board is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of such Local Finance Law, in the official newspaper(s) of the County for such publications.

SECTION 20. The validity of the Refunding Bonds may be thereafter contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which such County is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or

(2) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 21. This resolution shall take effect immediately upon its adoption.

By a two-thirds majority vote, all of those present voted "AYE", Resolution No. 324-2019 was declared adopted.

At the Request of Supervisor Singer, unanimous consent was given to waive the provision of Rule No. 31 of the "Rules and Order of Business of this Board so that action could be taken on the following resolution at this meeting.

**RESOLUTION NO. 325-2019  
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING  
FOR PACTIV, LLC COMMUNITY DEVELOPMENT BLOCK GRANT  
APPLICATION**

WHEREAS, the Ontario County Economic Development Corporation has requested that the Board of Supervisors assess the advisability of submitting a Community Development Block Grant ("CDBG") application to the New York State Office of Community Renewal (the "OCR") for a grant to support the expansion of the Pactiv, LLC operations at 5250 North Street, Canandaigua, New York, and

WHEREAS, Ontario County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the plan proposal prior to submitting an application for CDBG funding; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby calls for a Public Hearing whereat all interested parties shall be heard regarding the CDBG program, the County's community development and economic development programs, and the proposed funding application. Such Public Hearing to be held on May 30, 2019, at 6:30 P.M. at the Safety Training Facility, 2914 County Road 48, Canandaigua, New York; and further

RESOLVED, That at least eight (8) days' notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the Supervisors' bulletin board at the Ontario County Court House, and by publishing such notice at least once in the official newspapers of the County.

Adopted.

On motion of Supervisor Gallahan, seconded by Supervisor Campbell, the meeting was adjourned at 6:55 p.m.