

April 20, 2023

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:30 p.m. at 74 Ontario Street, Canandaigua, NY 14424, with Chairman Todd Campbell presiding.

The Pledge of Allegiance was led by Supervisor Robert Green, Town of Bristol.

Upon roll call, members of the Board were present with Supervisors Guard and Venuti declared necessarily absent.

Minutes of the preceding session was approved without being read by motion of Supervisor John Marren, seconded by Supervisor Tamara Hicks; motion carried.

Under reports of County Officials, Sheriff David Cirencioe shared that the law enforcement division has been undergoing their reaccreditation assessment. A team of three assessors from the NYS Division of Criminal Justice Services concluded their assessment and he was informed that they have been unanimously recommended for reaccreditation for another five years. He said this is a major accomplishment and shows that they are exceeding the standards set by NYS for professionalism in terms of their hiring practices, training, control procedures, and investigative tools. He said he is very proud of the men and women that work for them.

Under reports of County Officials, County Administrator Chris DeBolt reported on the Housing Study, noting their consultant, Urban Partners has completed the survey results and data analysis. He plans to have Urban Partners available remotely to discuss the housing study on May 1st at the committee meeting.

Chairman Campbell granted privilege of the floor to Attorney Allison Bartlett with Harter Secrest & Emery. Ms. Bartlett stated the following:

“Good evening and thank you for the time to speak with you all tonight. My name is Allison Bartlett, attorney at Harter Secrest & Emery, counsel for Victor Insulators.

I am here tonight to express the importance of rail service throughout Ontario County, particularly to Victor Insulators, and to gain clarification regarding future service amid abundant public speculation on this issue. Earlier this week, you should have all received a letter from us explaining Victor Insulators’ need for continued service and the issues surrounding any potential permanent abandonment.

First and foremost, continuous rail service is critically important to Victor Insulators’ business, and if the rails go away, the company’s ability to continue its manufacturing operations in Victor are severely threatened. Victor Insulators is unquestionably an important local employer, but its products also serve national importance.

The company manufactures high voltage porcelain insulators which are a critical component to insulating the electrical grid throughout the United States. These insulators can be seen on the top of any standard electric pole lining the streets and are used in transmission towers. The company provides critical products to utilities, public transit companies, and the U.S. military. The company is the only US source for many of its customer’s unique insulator needs – and is the last US-owned electric insulator manufacturer of its kind.

Currently, Victor Insulators employs 75 people, nearly all of whom are area residents. They added 15 employees in the last 10 months alone and, over the past 50 years have traditionally employed over 150 people at any given time. The company anticipates that it will return to these higher levels because its products remain in high demand and it has the equipment in place to accommodate increased production as soon as it gains more employees.

There’s been considerable public speculation about the future rail service and potential for removal of the rail infrastructure. Finger Lakes Railway and Ontario Central

Railroad filed papers with the federal Surface Transportation Board stating that rail operations on an approximately 4-mile stretch leading up to and serving Victor Insulators is being terminated and removed from the leased property under a proposed amended lease, which the railroad states “has been approved by the County subject to final negotiations of some remaining details.” In addition, the 2022 Victor Connectivity and Access Plan prepared by LaBella Associates for Genesee Transportation Council and the Town and Village of Victor states that “Negotiations to remove the railroad tracks and reuse the materials elsewhere in the Finger Lakes Railway system are underway, and it is expected that the rail line will be completely removed within the project area.”

It’s our understanding that the County approved a renewed lease with the railroad in January by way of Resolution No. 16-2023. To further understand future rail service, we submitted a Freedom of Information Law Request back in February, specifically asking for a copy of this lease and any other documents related to rail service. To date we have not received a copy of the lease or any other responsive documents. We respectfully request that the Board fulfill this request to hopefully clarify the future of rail service.

In the event the Board decides to remove the rails, we refer the Board to the issues raised in our April 18th letter, including the requirement to go through SEQRA.

Finally, we have received overwhelming support from the public in favor of continued rail service, both for Victor Insulators specifically, but also as a general matter to allow further economic growth in the region.

Rail service is truly imperative to the continued business of Victor Insulators in this community. I hope that you consider these points and would appreciate any further opportunity to discuss this important issue.”

The following Communications and reports are on file with the Board Clerk’s office:

Copies received of minutes of meetings held as follows:

- Health and Human Services Committee held on March 20, 2023
- Planning and Environmental Quality Committee held on March 20, 2023
- Public Works Committee held on March 20, 2023
- Public Safety Committee held on March 22, 2023
- Governmental Operations and Insurance Committee held on March 22, 2023
- Ways and Means Committee held on March 22, 2023
- Finger Lakes Visitors Connection Board of Directors Meeting held on July 19, 2022
- Finger Lakes Visitors Connection Board of Directors Meeting held on October 4, 2022
- Finger Lakes Visitors Connection Board of Directors Meeting held on November 29, 2022
- Finger Lakes Visitors Connection Board of Directors Meeting held on December 8, 2022

An official copy of the Notification of Grant Award and approved application for the Medicare Improvements for Patients and Providers Act – Aging and Disability Resources Center funding, received from Karen Jackuback, Deputy Director, Division of Finance and Administration, NYS Office for the Aging.

A letter to Mr. Alan Shaw, President and CEO of Norfolk Southern Corporation, requesting clear communications and partnerships between the Norfolk Southern Corporation and the City and a resolution entitled “A Resolution to Urge State and Federal Partners to Enact Policies to Prevent Further Accidents Like Train Derailments Occurring Across the Nation Since the Beginning of 2023”, received from Amie Hendrix, City Manager, City of Geneva.

Resolutions No. 138-323 entitled “Resolution in Support of Efforts to Improve Probation and Alternative to Incarceration in New York State to Protect the Public and Reduce Reliance on Prisons, Jails, and Detention” received from Orleans County Legislature.

Resolution No. 160-323 entitled “Resolution Urging the Governor and State Legislators to Enact Increases for Local Highway, Bridge, and Culvert Programs to Respond to a 22 Percent Increase in Construction Costs and Ongoing Funding Gaps”, received from Orleans County Legislature.

Resolution no. 161-323 entitled “Resolution Recognizing the Challenges Local highway Departments Face to Comply with the State’s Climate Goals and to Establish a Local highway Department Advisory Group”, received from Orleans County Legislature.

Resolution No. 167-323 entitled “Resolution in Opposition to Alter the New York Soil and Water Conservation District Law”, received from Orleans County Legislature.

Resolution No. 172-323 entitled “Resolution Urging the Governor and New York State Legislature to Restore Critical State Funding Support for child Welfare Services, Safety Net Programs and to Fully Fund the Recent Foster Care Rate Settlement with State Resources and Assist Counties in Locating Additional Child Care Providers”, received from Orleans County Legislature.

Resolution No. 173-323 entitled “Resolution Urging the Governor and New York State Legislature to Become a True Partner by Focusing on Rent Allowance and Standard of Need Which Must Include the Restoration of 50/50 Cost Sharing for Safety Net Programs, and Provide Actual Brick and Mortar Solutions by Making Permanent Housing the Central Focus”, received from Orleans County Legislature.

Resolution no. 190-323 entitled “Opposing New York Stat’s Poor Fiscal Policies Resulting in Private Employer FUTA Credit Reductions”, received from Orleans County Legislature.

A letter of appointment of Marguerite L. Puma to the Deputy Director of Finance for a term beginning April 3, 2023 through December 31, 2023, received from Mary M. Gated, Director of Finance, Ontario County.

Notice of Obligational Authority (NOA) #PY22-4 for Local Workforce Development Area – Ontario/Seneca/Wayne/Yates Counties, received from Russell Oliver, Director, Division of Employment and Workforce Solutions, NYS Department of Labor.

Acknowledge receipt of Resolution No. 118-2023 received from Stephen J. Acquario, Executive Director, NYSAC.

The 2022 Annual Report for GLOW Region Solid Waste Management Committee.

Community Update, March 2023, NYSDEC Region 8, received from NYS Department of Environmental Conversation.

The County Landscape: Roles and Responsibilities of America’s County Governments Report, received from Matthew D. Chase, CEO/Executive Director, NACO.

P2P peer to peer Feeding New York State, April 2023, Issue 5, received from Feeding New York State.

The Rochester Genesee Regional Transportation Authority (RGRTA) 2023-2026 Comprehensive Strategic Plan and 2023-2024 Financial Plan, received from Miguel Valázquez, CEO, RGRTA.

Under Reports of Standing Committees, Chairman David Phillips of the Planning and Environmental Quality Committee said in light of the May being Composting month, he asked Director of Sustainability and Solid Waste Management Carla Jordan to give a report on the County’s waste reduction efforts.

Ms. Jordan presented the 2022 Department Projects and Accomplishments impact flyer. She reviewed the collection events totals, the annual waste and diversion numbers in tons, the Waste Characterization Study, the new programs in 2022, municipal community support, and legislative resources. Ms. Jordan thanks the Board for their continued support and encouragement.

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

RESOLUTION NO. 219-2023
RESOLUTION OF SYMPATHY – MR. RAY MONTCRIEFF

WHEREAS, This Board of Supervisors was saddened to learn of the recent death of Mr. Ray Montcrieff, a former Supervisor representing the Town of South Bristol, from 1996 through 1999; and

WHEREAS, During his tenure on this Board, Mr. Montcrieff diligently served on the following standing committees: Planning and Research, Financial Management, Insurance, and Health and Medical; now, therefore, be it

RESOLVED, That this Board of Supervisors, on behalf of its members both past and present, mourns the death of Mr. Montcrieff and extends its sincere sympathy to his family; and further

RESOLVED, That this resolution be placed upon the minutes of this Board and a copy sent to the Montcrieff family.

Adopted.

Supervisor Richard Russell offered the following two resolutions as a block and moved for its adoption, seconded by Supervisor Frederick Wille:

RESOLUTION NO. 220-2023
AUTHORITY TO ESTABLISH PETTY CASH FUND
ONTARIO COUNTY – OFFICE OF COUNTY CLERK

WHEREAS, The County Clerk's Office is in need of a Petty Cash Fund; and

WHEREAS, Acting County Clerk by County Law 526(1), Pamela Keefe, is requesting a Petty Cash Fund be established in the amount of fifty dollars (\$50); and

WHEREAS, The Petty Cash Fund will be audited quarterly by appropriate Senior Fiscal Manager for the County Clerk's Office as directed by the Ontario County Department of Finance; and

WHEREAS, The Government Operations and Insurance and Ways and Means Committees have reviewed and approved the establishment of this Petty Cash Fund; now, therefore, be it

RESOLVED, That the County of Ontario Board of Supervisors does hereby authorize and direct the County Finance Officer to create a Petty Cash Fund for the Ontario County Office of County Clerk; and further

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

RESOLVED, That copies of this resolution be forwarded to Acting County Clerk by County Law 526(1), Pamela Keefe, by the Clerk of the Board.

**RESOLUTION NO. 221-2023
AUTHORIZING A CONTRACT WITH
THE ONTARIO COUNTY TOBACCO ASSET
SECURITIZATION CORPORATION FOR SUPPORT SERVICES**

WHEREAS, Pursuant to the Master Settlement Agreement (hereinafter, the 11 MSA11) and the Consent Decree and Final Judgment in the class action entitled State of New York et al. V. Phillip Morris Incorporated et al., dated December 23, 1998, the County of Ontario (the “County”) became entitled to receive payments (“Future Tobacco Revenues”); and

WHEREAS, Pursuant to Local Law 4 of 2001, the Ontario Tobacco Asset Securitization Corporation (the “TASC”) was incorporated as a New York 501(c)(3) not-for-profit corporation on July 2, 2001, to receive Future Tobacco Revenues in exchange for the County receiving a lump sum; and

WHEREAS, The TASC desires space and services to facilitate it’s powers pursuant to Local Law 4 of 2001 which provides that the power shall include, but not be limited to, the power to purchase from the County its right, title and interest in and to all or a portion of the Future Tobacco Revenues, to issue bonds, notes and other evidence of indebtedness and other securities and to incur other obligations, to create and transfer assets of the corporation to a trust or other entity, and to take all other actions as may be necessary in connection therewith; and

WHEREAS, The County desires to provide the TASC with space and support services at a total cost not to exceed \$15,000 per year for a term of January 1, 2023 through December 31, 2023; and

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

RESOLVED, That upon review and approval as to form by the County Attorney, the County Board of Supervisors hereby approves an agreement with the TASC to provide space and support for a cost not to exceed \$15,000 per year for a term of January 1, 2023 through December 31, 2023; and further

RESOLVED, That the County Administrator is hereby authorized and empowered to execute a contract on behalf of the County with the TASC and any and all other documents necessary to effectuate the purpose of this resolution; and further

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

The foregoing block of two resolutions was adopted.

Supervisor Daniel Marshall offered the following four resolutions as a block and moved for its adoption, seconded by Supervisor Jared Simpson:

**RESOLUTION NO. 222-2023
CONTRACT WITH PAIGE EASLING, RN**

WHEREAS, The Ontario County Public Health Department, Children with Special Needs Program desires to contract with Paige Easling, RN for 1:1 skilled nursing services for children in 4410 preschool programs and therapies; and

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

WHEREAS, The provider will be paid according to a mandated State rate schedule as specified in "Schedule A" of the contract; and

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

RESOLVED, That upon the review and approval by the County Attorney as to form, the Board of Supervisors hereby approves the contract with Paige Easling, RN for the period of May 1, 2023 through August 31, 2023; and further

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

**RESOLUTION NO. 223-2023
CONTRACT WITH CHELSIE VERDEHEM, LPN**

WHEREAS, The Ontario County Public Health Department, Children with Special Needs Program desires to contract with Chelsie Verdehem, LPN for 1:1 skilled nursing services for children in 4410 preschool and therapies; and

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

WHEREAS, The provider will be paid according to a mandated State rate schedule as specified in "Schedule A" of the contract; and

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

RESOLVED, That upon the review and approval by the County Attorney as to form, the Board of Supervisors hereby approves the contract with Chelsie Verdehem, LPN for the period of May 1, 2023 through August 31, 2023; and further

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

**RESOLUTION NO. 224-2023
CONTRACT WITH JUANITA COLYER, LPN**

WHEREAS, The Ontario County Public Health Department, Children with Special Needs Program desires to contract with Juanita Colyer, LPN for 1:1 skilled nursing services for children in 4410 preschool programs and therapies; and

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

WHEREAS, The provider will be paid according to a mandated State rate schedule as specified in "Schedule A" of the contract; and

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

RESOLVED, That upon the review and approval by the County Attorney as to form, the Board of Supervisors hereby approves the contract with Juanita Colyer, LPN for the period of May 1, 2023 through August 31, 2023; and further

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

**RESOLUTION NO. 225-2023
AUTHORIZATION TO ACCEPT ONYA AWARD - 2023**

WHEREAS, Ontario County Public Health aims to improve health outcomes among women and girls by providing hygiene supplies and menstrual products at no cost and increasing awareness of family planning and reproductive health resources through education; and

WHEREAS, Ontario County Public Health Department has been awarded \$1,000 from Ontario/Yates Fund for Women and Girls (ONYA); and

WHEREAS, The award will be used to purchase and assemble 108 toiletry bags. The bags will include hygiene products, menstrual products, and health education materials with family planning and reproductive health information. The kits will be distributed to schools within Ontario County and to the Ontario County Jail; and

WHEREAS, This resolution has been reviewed by the Health and Human Services committee and the Ways and Means committee and recommends the acceptance of the award; and

WHEREAS, The County Administrator recommends the acceptance of the award; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts said award from Ontario/Yates Fund for Women and Girls (ONYA) in the amount of \$1,000.00; and further

RESOLVED, That the following budget transfer is approved:

AA4010 41689	Other Health Department Income	\$1,000.00 +
AA4010 54730	Miscellaneous Expense	\$1,000.00 +

and further

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

The foregoing block of four resolutions was adopted.

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

**RESOLUTION NO. 226-2023
AGREEMENT BETWEEN ST. JOHN FISHER UNIVERSITY
AND ONTARIO COUNTY MENTAL HEALTH FOR STUDENT INTERNS**

WHEREAS, It is desirable to provide opportunities for neighboring colleges and universities and Ontario County Mental Health to work collaboratively to develop the professional skills of mental health professionals; and

WHEREAS, It is mutually beneficial to both parties and to the residents of Ontario County who are served by interns; and

WHEREAS, The Ontario County Mental Health Department is willing to provide clinical training experiences for students; and

WHEREAS, The Health and Human Services Committee recommends an agreement to establish the student placement program between the two agencies which will encompass the period of May 1, 2023 through December 31, 2028; now, therefore, be it

RESOLVED, Upon review and approval of the County Attorney as to form, this Board of Supervisors approves the agreement with St. John Fisher University; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and directed to sign the student placement agreement.

**RESOLUTION NO. 227-2023
AGREEMENT BETWEEN KEUKA COLLEGE
AND ONTARIO COUNTY MENTAL HEALTH FOR STUDENT INTERNS**

WHEREAS, It is desirable to provide opportunities for neighboring colleges and universities and Ontario County Mental Health to work collaboratively to develop the professional skills of Social Work; and

WHEREAS, It is mutually beneficial to both parties and to the residents of Ontario County who are served by interns; and

WHEREAS, The Ontario County Mental Health Department is willing to provide clinical training experiences for students; and

WHEREAS, The Health and Human Services Committee recommends an agreement to establish the student placement program between the two agencies which will

encompass the period of May 1, 2023 through December 31, 2028; now, therefore, be it

RESOLVED, Upon review and approval of the County Attorney as to form, this Board of Supervisors approves the agreement with Keuka College; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and directed to sign the student placement agreement.

The foregoing block of two resolutions was adopted.

Supervisor Daniel Marshall offered the following seven resolutions as a block and moved for its adoption, seconded by Supervisor James Kennedy:

RESOLUTION NO. 228-2023
CONTRACT WITH ONTARIO ARC DBA FINGER LAKES BUS SERVICE
FOR SENIOR TRANSPORTATION SERVICES

WHEREAS, The Ontario County Office for the Aging has funding from the New York State Office for the Aging to provide transportation to medical appointments, shopping and other essential appointments for Ontario County residents age 60; and

WHEREAS, The Office for the Aging finds it necessary to contract with multiple providers to meet the transportation needs of older adults and Ontario ARC dba Finger Lakes Bus Service with offices at 3071 County Complex Drive, Canandaigua, New York 14424 is one of those providers; and

WHEREAS, Ontario ARC, Finger Lakes Bus Service will be paid \$60 per hour for group rides or shopping shuttles and a flat rate of \$50.00 per one-way trip for door-to-door transportation; and

WHEREAS, The funds for this service are allocated in the Office for the Aging Budget; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Ontario ARC dba Finger Lakes Bus Service for the period of April 1, 2023 – March 31, 2024; and further

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

RESOLUTION NO. 229-2023
CONTRACT WITH FINGER LAKES HOME CARE, INC.
FOR PERSONAL CARE SERVICES

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), the Unmet Needs Program or the Caregiver Respite Program; and

WHEREAS, The purpose 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 programs and Finger Lakes Home Care, Inc. is one of those providers; 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 \$35.00 per hour for Personal Care Level I and \$35.05 per hour for Personal Care Level II; and further

RESOLVED, That this Board of Supervisors does hereby authorize the contract for the period April 01, 2023 to March 31, 2024; and further

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

RESOLUTION NO. 230-2023
CONTRACT WITH GOGO GRANDPARENT

WHEREAS, The Ontario County Office for the Aging has funding from the New York State Office for the Aging to provide transportation to medical and other essential appointments for Ontario County residents age 60 or over who have no other means of transportation; and

WHEREAS, The Office for the Aging has determined that the most efficient and convenient way to support the mobility of older adults is through a contract with GoGo Technologies aka GoGo Grandparent, 875 Vermont Street, Unit 203, San Francisco, CA 94107; and

WHEREAS, The Office for the Aging finds it necessary to contract with multiple providers to meet the transportation needs of older adults and GoGo Grandparent is one of those providers; and

WHEREAS, GoGo Grandparent will operate an automated senior rides hotline that arranges rides with Uber or Lyft with a phone call; and

WHEREAS, GoGo Technologies will be paid \$10 per month for each client the County approves for service plus the cost of the Uber/Lyft ride, a 15% tip for the driver,

when allowed by the vendor and the Contractor's concierge fee of \$.27 per minute, as described in Schedule "A" of the contract; and

WHEREAS, The funds for this service have been allocated in the Office for the Aging budget; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize this amended contract between the Office for the Aging and GoGo Technologies for the period of April 1, 2023 – March 31, 2024; and further

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

**RESOLUTION NO. 231-2023
AUTHORITY TO CANCEL UNCOLLECTABLE DEBTS
ONTARIO COUNTY OFFICE FOR THE AGING**

WHEREAS, There are balances on the accounts receivable ledger of the Ontario County Office for the Aging for specific client services that were provided during the year 2021 & 2022; and

WHEREAS, Efforts have been made to collect these unpaid amounts, and they now have been determined to be uncollectable; and

WHEREAS, The Health and Human Services Committee, and the Ways and Means Committee recommend discharging the unpaid balances; now, therefore, be it

RESOLVED, That said accounts totaling \$2,323.28 be, and hereby are deemed uncollectable, and the Ontario County Office for the Aging is hereby authorized to remove the unpaid balances from its books; and further

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

**RESOLUTION NO. 232-2023
AUTHORIZATION TO SUBMIT ANNUAL PLAN AND
FUNDING APPLICATION FOR APRIL 1, 2023 - MARCH 31, 2024
OFFICE FOR THE AGING**

WHEREAS, The Office for the Aging is required to submit an Annual Update to the 2020-2024 Four Year Plan and Funding Application for the period covering April 1, 2023 through March 31, 2024 for the programs/services that it intends to offer and for which it receives federal and state financial assistance; and

WHEREAS, Due to the delay by the New York State Office for the Aging in distributing the application to OFA, the plan and application will be submitted in April 2023; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, this Board of Supervisors does hereby authorize the and submission of the Annual Update to the Annual Implementation Plan and the Funding Applications for the following programs: Title III-B, III-D, III-C-1, III-C-2, III-E, CSI (Congregate Services Initiative) , WIN (Wellness in Nutrition Program), CSE (Community Services for the Elderly Program), EISEP (Expanded In-Home Services for the Elderly Program), NSIP (Nutrition Services Incentive Program), State Transportation, NY Connects, HIICAP (Health Insurance Information Counseling and Assistance Program) and Unmet Needs for the period April 1, 2023 – March 31, 2024; and further

RESOLVED, That the Chairman of this Board and the Director of the Office for the Aging are hereby authorized and directed to sign said plan on behalf of the County; and further

RESOLVED, That a certified copy of this resolution be sent to the Office for the Aging.

**RESOLUTION NO. 233-2023
APPOINTMENT TO THE ONTARIO COUNTY YOUTH BOARD
KELLI GAGE**

WHEREAS, Rohan Vyas was appointed to the Ontario County Youth Advisory Board for a term that expires on August 5, 2024; and

WHEREAS, Mr. Vyas has departed from the board to attend college leaving a vacancy on the Ontario County Youth Board; and

WHEREAS, The Executive Director of the Youth Board expresses full support of the decision of the board that Kelli Gage be appointed to fill the board vacancy on the Ontario County Youth Board; and

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

RESOLVED, That Ms. Gage is appointed to the Ontario County Youth Board term which will expire August 5, 2024; and further

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

RESOLUTION NO. 234-2023

**APPOINTMENT TO THE ONTARIO COUNTY YOUTH BOARD
ABIGAIL J. AARON**

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

- Abigail J. Aaron with the term expiring on June 6, 2026; and

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

The foregoing block of seven resolutions was adopted.

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

**RESOLUTION NO. 235-2023
RESOLUTION OF APPRECIATION
ONTARIO COUNTY DIRECTOR OF OFFICE FOR THE AGING
IRENE COVENY**

WHEREAS, Irene Coveny was appointed as the Director of the Ontario County Office for the Aging on July 1, 2013; and

WHEREAS, Irene has devoted nearly ten (10) years of service to Ontario County and its residents; and

WHEREAS, Throughout her time as director, Irene worked tirelessly on behalf of her staff and the population they serve; and

WHEREAS, Irene's leadership was paramount to seeing the department and the community through the COVID-19 pandemic; and

WHEREAS, Irene has endeavored to ensure the department is positioned to continue to succeed under the new Director; and

WHEREAS, Irene retired on April 15, 2023; now, therefore, be it

RESOLVED, That we, the members of the Ontario County Board of Supervisors, on behalf of the people of Ontario County do hereby recognize the contributions of Irene Coveny; and further

RESOLVED, Extend to her a warm and sincere thank you for her many years of noble and unselfish leadership in service to the people of Ontario County, and wish for her a long, healthy, and fulfilling retirement.

Adopted.

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

RESOLUTION NO. 236-2023

**RESOLUTION OF SUPPORT FOR ONTARIO COUNTY'S PARTICIPATION IN
EQUITABLE REVERSE MORTGAGE ASSISTANCE PROGRAM**

WHEREAS, The Equitable Reverse Mortgage Assistance (ERMA) Program is a Pilot Program launched in 2020 using settlement funds obtained by the New York State Office of the Attorney General to help property owners, particularly senior citizens, avoid loan default and/or property tax foreclosure; and

WHEREAS, ERMA is a statewide program with an allocation of up to three million dollars for administration of the program, distributed on a first-come-first-served basis through an application process with Enterprise Community Partners, Inc.; and

WHEREAS, Ontario County is not required to provide funding as a term of its participation and support of this program; and

WHEREAS, Ontario County participation in this program will be led by the Office for the Aging; and

WHEREAS, The Health and Human Services and Ways and Means Committees recommend adoption of this resolution; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors supports the County's participation in the Equitable Reverse Mortgage Assistance Program; and further

RESOLVED, That a copy of this resolution be sent by the Clerk of this Board to the Director of Enterprise Community Partners, Inc.

Adopted.

Supervisor David Phillips offered the following three resolutions as a block and moved for its adoption, seconded by Supervisor Christopher Vastola:

**RESOLUTION NO. 237-2023
RECOGNIZING NEW YORK STATE COMPOST AWARENESS WEEK**

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

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

WHEREAS, Composting is a way of returning organic resources to the soil and is a way of conserving water during extreme drought or flooding conditions, reducing water consumption and non-point pollution; a proven method of decreasing the dependence on chemical fertilizers and decreasing erosion; and a strategy to protect watersheds and lake health; and

WHEREAS, Composting is an effective form of waste reduction, reuse and recycling; and since organic materials make up approximately 30% of the material going to landfills, composting is becoming one of the primary methods communities use to

reach waste diversion goals; and

WHEREAS, Materials such as yard trimmings, vegetable cuttings, food scraps, biosolids, manures and hay shavings have all been composted and converted into a beneficial product known as compost; and

WHEREAS, Communities, through their local governments, highway departments, soil and water conservation districts, extension offices, and solid waste management professionals, can have a significant impact on clean water, soil, and landfill diversion by recognizing the importance of this solid waste management strategy; and

WHEREAS, Recognizing the first full week in May as New York State Compost Awareness Week will build awareness of the benefits of composting in Ontario County and encourage residents, businesses, industries, institutions, Ontario County partner agencies, and elected officials to consider composting as a solid waste management policy; and

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

RESOLVED, In recognition of the efforts of the Ontario County Department of Sustainability & Solid Waste Management, New York State Department of Environmental Conservation, Cornell Cooperative Extension Ontario County, Ontario County Soil & Water Conservation District, householders, landscapers, farmers, recyclers, public workers, composters, gardeners, and plant growers everywhere, the Ontario County Board of Supervisors do hereby recognize the first full week of May as New York State Compost Awareness Week; and further

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

Assemblyman Jeff Gallahan, Senator Pamela Helming, Assemblywoman Marjorie Byrnes,

Congresswoman Claudia Tenney, Ontario County Soil & Water Conservation District, and Cornell Cooperative Extension Ontario County.

RESOLUTION NO. 238-2023
AMENDMENT TO RESOLUTION NO. 135-2023
AUTHORIZING A CONTRACT WITH
OSWEGO COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR
TRANSFER OF SFY 2022-23 STATE GRANT FUNDING UNDER
THE FINGER LAKES-LAKE ONTARIO WATERSHED
PROTECTION ALLIANCE

WHEREAS, Resolution No. 37-2022 authorized Ontario County, to accept the Finger Lakes – Lake Ontario Watershed Protection Alliance, funds that were allocated by NYS Environmental Protection Funds administered by the Department of Environmental

Conservation (NYSDEC) for State Fiscal Year (SFY) 2022-23 in the amount of \$97,200.00, CFDA# N/A; MUNIS # 80902302 for its associated water quality program under the Finger Lakes – Lake Ontario Watershed Protection Alliance (FOLLOWPA); and

WHEREAS, It is now necessary to amend Resolution No. 135-2023 because the budget table needed to be amended to correct disbursement between lines; and

WHEREAS, NYSDEC has agreed to transfer funding for the 25-member Programs to the Oswego County Soil and Water Conservation District (DISTRICT) and the Water Resources Board of FOLLOWPA (WRB) via a single contract between NYSDEC, the DISTRICT and the WRB (NYS Contract # C311775-22-23); and

WHEREAS, The DISTRICT has proposed a contract (DISTRICT CONTRACT) to provide FOLLOWPA grant funding allocated to Ontario County in the SFY 2022-23 budget for water quality improvement projects approved by DEC as described in the Work Plan (Schedule A) and Budget (Schedule B) of the proposed contract, on file with the Clerk of the Board; and

WHEREAS, The DISTRICT shall advance payments by check according to the terms of the DISTRICT CONTRACT to Ontario County per the following schedule upon receipt of sufficient grant funds from NYSDEC:

Payment 1	Initial Advance Payment	\$72,900.00
Payment 2	Final Payment (Retainage)	\$24,300.00

and

WHEREAS, FOLLOWPA grant funding not expended on aquatic vegetation management in Honeoye Lake is normally added to the Planning Department Budget to be used for other approved water quality improvement projects contained in Schedule A of the DISTRICT CONTRACT; and

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

RESOLVED, Upon review and approval by the County Attorney as to form, the Board of Supervisors hereby authorizes and empowers the County Administrator to execute a contract with the Oswego County Soil and Water Conservation District for the Finger Lakes - Lake Ontario Watershed Protection Alliance to secure the transfer of SFY 2022-23 FOLLOWPA funding to Ontario County, and to act as the official representative of Ontario County in connection with all contracts between Ontario County and the DISTRICT for FOLLOWPA funds; and further

RESOLVED, That the following budget amendment is hereby approved:

Line	Description	Current Budget	Change	Revised Budget
Revenues:				
80902302 43910	State Aid Conservation Programs	0.00	\$60,047.00 +	\$60,047.0 0

AAC801 43910	State Aid Conservation Programs	\$45,990.0 0	\$8,837.00	\$37,153.0 0
Appropriation s:				
80902302 54260	Agency Contracts	0.00	\$60,047.00 +	\$60,047.0 0
AAC801 51800	Payroll	\$22,000.0 0	\$7,466.00	\$14,534.0 0
AAC801 58010	NYS Employees Retirement	\$2,354.00	\$799.00	\$1,555.00
AAC801 58020	FICA	\$1,364.00	\$463.00	\$901.00
AAC801 58021	Medicare	\$319.00	\$109.00	\$210.00

and further

RESOLVED, That any unspent appropriations and encumbrances related to the DISTRICT CONTRACT be transferred to future years; and further

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

**RESOLUTION NO. 239-2023
AUTHORIZING A CONTRACT WITH
CANANDAIGUA LAKE WATERSHED COUNCIL FOR
DEEP RUN RIPARIAN BUFFER EASEMENT AND RESTORATION PROJECT
FOLLOWPA SFY2022-23**

WHEREAS, Resolution No. 238-2023 amended Resolution No. 135-2023 that authorized a contract between Ontario County and Oswego County Soil and Water Conservation District for transfer of State Fiscal Year 2022-23 funding in the amount of Ninety-Seven Thousand Two Hundred Dollars (\$97,200) for the County’s Finger Lakes-Lake Ontario Watershed Protection Alliance (FOLLOWPA) workplan and budget approved by the New York State Department of Environmental Conservation (DEC); and

WHEREAS, Said workplan and budget includes Fifteen Thousand Dollars (\$15,000) to implement a riparian buffer project at a priority site along Deep Run, a tributary to Canandaigua Lake; and

WHEREAS, The Canandaigua Lake Watershed Council (CLWC), working in partnership with the Town of Gorham, has submitted a proposal and budget for said project in the amount of \$15,000, attached hereto as Schedule A and on file with the Clerk of this Board; and

WHEREAS, Adequate funding exists in Ontario County’s NYS SFY 2022-23 grant funded FOLLOWPA programs in budget line ZZ80902302 54260 (Agency Contracts); and

WHEREAS, The City of Canandaigua serves as the host agency for the Canandaigua Lake Watershed Council, including provision of bookkeeping and accounting services for CLWC’s grants and funding maintained through the City of

Canandaigua's accounting system, as fully described in a renewable agreement titled "Inter-municipal Cooperative Agreement between the City of Canandaigua and the Canandaigua Lake Watershed Council for Shared Employment Services" effective January 1, 2014, a copy of which is on file with the Clerk of this Board; and

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

RESOLVED, That subject to approval of the County Attorney as to form, this Board accepts CLWC's proposal to provide a Deep Run Riparian Buffer Easement and Restoration Project for a cost of \$15,000 and hereby authorizes and empowers the County Administrator to execute a contract with Canandaigua Lake Watershed Council for the not-to-exceed amount of \$15,000 in support of said Project; and further

RESOLVED, The Term of said agreement shall be January 1, 2023 through October 31, 2024; and further

RESOLVED, That if a no-cost time extension of up to six (6) months is necessary the BOS hereby approves such extension subject to review and approval by the Planning and Environmental Quality Committee; and further

RESOLVED, That payments from Ontario County pursuant to this agreement shall be made payable to the City of Canandaigua on behalf of the Canandaigua Lake Watershed Council; 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 Mr. Kevin Olvany, Canandaigua Lake Watershed Program Manager, 205 Saltonstall Street, Canandaigua, NY 14424, klo@canandaiguanewyork.gov.

The foregoing block of three resolutions was adopted.

Supervisor David Phillips offered the following three resolutions as a block and moved for its adoption, seconded by Supervisor Frederick Lightfoote:

**RESOLUTION NO. 240-2023
PROCLAMATION DESIGNATING MAY AS
FAIR HOUSING MONTH IN ONTARIO COUNTY IN 2023**

WHEREAS, Recognizing that housing opportunities should not be limited to individuals due to discriminatory practices in the sale or rental of housing, in Resolution No. 538-2020 this Board adopted the Ontario County Fair Housing Plan; and

WHEREAS, Implementation of said plan requires continuous public education and notice of this County's commitment to Fair Housing and dissemination of information to the public of where they may obtain assistance if they believe they have been unfairly

discriminated against in obtaining fair housing based upon age, color, familial status, handicap, national origin, race, religion, and sex; and

WHEREAS, The US Census estimates there are 52,416 dwelling units in Ontario County (2020 US Decennial Census) with approximately one in five being in a multi-family structure, and a home ownership rate of 73% (American Community Survey 2021 1 Year Estimates); and

WHEREAS, The Director of Planning has been designated as the Ontario County Fair Housing Officer; and

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

RESOLVED, The Ontario County Board of Supervisors does hereby proclaim May 2023 as Fair Housing Month in Ontario County; and further

RESOLVED, That any resident of Ontario County that believes they have been discriminated against in obtaining fair housing because of age, color, familial status, handicap, national origin, race, religion, and sex may obtain referral to the U.S. Department of Housing and Urban Development Office in Buffalo, LawNY, or other appropriate agency by contacting the Ontario County Director of Planning at (585) 396-4455 or via email at Thomas.Harvey@ontariocountyny.gov; and further

RESOLVED, That the Director of Planning is hereby authorized to print and distribute fair housing informational posters for display in County Buildings and to be distributed to municipalities for their use; and further

RESOLVED, That information on Fair Housing Month be displayed on the County's web page and Planning Department web page; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the official newspapers and other media outlets serving Ontario County.

**RESOLUTION NO. 241-2023
AUTHORIZATION TO CONTRACT WITH
THE TOWN OF WEST BLOOMFIELD TO
PROVIDE CODE ENFORCEMENT TECHNICAL ASSISTANCE**

WHEREAS, The Town of West Bloomfield has requested technical assistance related to administration of the New York State Uniform Fire Prevention and Building Code and its Zoning Law and Subdivision Regulations (collectively the 'Town Regulations') during a vacancy in the Town's Building Inspector/Zoning Officer, and/or Code Enforcement Officer position and in training of a new employee in said position; and

WHEREAS, The extent of the technical service requested is beyond the 40 hour of Professional Planning Service Technical Assistance that can be requested by any Ontario County municipality in a calendar year; and

WHEREAS, The County Planning Department has proposed to provide up to 50 hours of the services of a New York State Certified Building Inspector at no cost to the Town for the first 40 hours and at a rate of \$56.00/hour for up to an additional fifty (50) hours as directed by the Supervisor of the Town of West Bloomfield; and

WHEREAS, All work provided by the County Planning Department shall be in the form of recommendations made to the Supervisor of the Town of West Bloomfield or the Town's Building Inspector/Zoning Officer/Code Enforcement Officer whom shall be responsible for issuing any official notices, forms, permits, certificates, and/or other documents necessary for administration of the Town Regulations; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Intermunicipal Agreement with the Town of West Bloomfield wherein the County Planning Department shall provide technical assistance related to the Town's Regulations is hereby approved; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute said Intermunicipal Cooperation Agreement with the Town of West Bloomfield; and further

RESOLVED, That the term of said contract shall commence on January 14, 2023 and terminate on December 31, 2023; and further

RESOLVED, That a copy of this resolution be sent to the Town of West Bloomfield by the Clerk of this Board.

RESOLUTION NO. 242-2023
RESOLUTION DESIGNATING NATIONAL TOURISM WEEK IN
ONTARIO COUNTY - MAY 7-13, 2023

WHEREAS, May 7, 2023 through May 13, 2023 is National Travel and Tourism Week; and

WHEREAS, The County of Ontario has actively participated in the development of tourism in Ontario County and the Finger Lakes Region; and

WHEREAS, The Board of Supervisors created, and through a lodging tax, funds the Ontario County Four Seasons Local Development Corporation, d.b.a. Finger Lakes Visitors Connection to promote Ontario County as a tourism destination; and

WHEREAS, Finger Lakes Visitors Connection engages in a variety of cooperative efforts to market and promote Ontario County and the Finger Lakes region; and

WHEREAS, These promotional activities result in the sales and lodging tax collections, as well as employment in tourism; and

WHEREAS, The 2021 Empire State Development report from Oxford Economics detailed the economic impacts of the tourism industry across the state and the Finger Lakes Region providing for significant taxes in the form of \$243,285,000 in local taxes and \$174,110,000 in state taxes; and

WHEREAS, The Finger Lakes Region's tourism industry continues to create economic opportunities by employing 4,121 people in Ontario County, generating an annual labor income of \$126,900,000 for our residents; and

WHEREAS, National Travel and Tourism Week 2023 celebrates the industry's critical role in powering economies, communities, and connections, and businesses in every corner of the county rely on the travel industry for their success; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors in recognition and celebration of the importance of tourism declares May 7, 2023 through May 13, 2023 National Travel and Tourism Week in Ontario County; and encourages the public and private sectors to celebrate with appropriate activities and festivities; and further

RESOLVED, That a certified copy of this resolution be emailed by the Clerk of the Board of Ontario County Four Seasons Local Development Corporation.

The foregoing block of three resolutions was adopted.

Supervisor David Phillips offered the following resolution and moved for its adoption, seconded by Supervisor Christopher Vastola:

**RESOLUTION NO. 243-2023
AUTHORIZATION TO CONTRACT WITH THE
ONTARIO COUNTY FOUR SEASONS LOCAL DEVELOPMENT
CORPORATION FOR INTERPRETIVE SIGNAGE AS PART OF
THE DEVELOPMENT AND CONSTRUCTION OF
AN OUTDOOR INTERACTIVE "VIRTUAL MUSEUM" PROJECT
AND BUDGET TRANSFER**

WHEREAS, The Ontario County Four Seasons Local Development Corporation is the designated Tourism Promotion Agency for Ontario County; and

WHEREAS, The Ontario County Four Seasons Local Development Corporation, doing business as the Finger Lakes Visitors Connection (FLVC), has envisioned and proposed the development and construction of an outdoor interactive "Virtual Museum" program whereby interpretive markers would be placed across sites in Ontario County and can be "read" by a mobile phone using technology such as QR codes which lead to an augmented reality experience and directs participants to a curated website landing pages of said interpretive markers; and

WHEREAS, FLVC has received notice of award of a Market New York, Round 12 Tourism Capital grant/incentive by Empire State Development in the amount of \$180,000

as part of the \$900,000 Virtual Museum Project, a copy of which is on file with the Clerk of this Board; and

WHEREAS, FLVC is authorized to use this grant towards the content development, production, and installation of interpretive markers as part of said Virtual Museum Project upon execution of a grant agreement and December 31, 2024; and

WHEREAS, Said grant requires an 80% local match of \$720,000.00; and

WHEREAS, Assuming the Ontario County contribution to the 2024 FLVC budget is consistent with Resolution No. 817-2022 at \$1,042,529.00, FLVC has proposed to fund said Project as follows:

Source of funds	Amount
NYS Grant through Empire State Development	\$180,000.00
FLVC Capital Budget/Strategic Reserve in 2023	\$250,000.00
Ontario County Occupancy Tax Revenue Reserve 2023	\$210,000.00
FLVC 2024 Operating Budget	0.00
Ontario County Occupancy Tax Revenue Reserve 2024	\$210,000.00
FLVC Capital Budget/Strategic Reserve in 2024 (to be replenished from the 2025 FLVC Operating Budget)	\$50,000.00
Total Project:	\$900,000.00

and

WHEREAS, Ontario County placed \$210,000 of occupancy tax revenue received between September 1, 2021 and August 31, 2022 in a reserve fund for future tourism use; and

WHEREAS, The FLVC Board has requested Ontario County contribute said \$210,000 from said reserve account toward said Virtual Museum program in both 2023 and 2024; and

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

RESOLVED, That the following budget transfer is hereby approved:

Account Number	Description	Amount
AA1340 59023	Transfer to Reserve	- \$ 210,000.00
AAC101 54880	Contract – Ontario County Tourism	+ \$ 210,000.00

and further

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors does hereby approve a contract with the Four Seasons Local Development Corporation, 19 Susan B. Anthony Ln., Canandaigua, NY 14424 in the amount of Two Hundred Ten Thousand Dollars (\$210,000.00), to be used to implement the Virtual Museum Project and hereby authorizes and empowers the County Administrator to execute a contract with said Corporation for said amount for said project; and further

RESOLVED, That the term of said contract shall commence on June 1, 2023 and end on December 31, 2024; and further

RESOLVED, That the cost of said contract be paid from the Team Agencies budget, expense line AAC101 54880; and further

RESOLVED, That payment by the County shall be made on a reimbursement basis pursuant to terms established in said contract between the Ontario County Four Seasons Development Corporation and the County; and further

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

RESOLVED, That Director of Planning be administratively responsible for oversight of said contract; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the Four Seasons Local Development Corporation.

Adopted.

Supervisor Robert Green offered the following three resolutions as a block and moved for its adoption, seconded by Supervisor Daryl Marshall:

**RESOLUTION NO. 244-2023
CAPITAL PROJECT NO. H092-22
AUTHORIZATION TO EXECUTE CONTRACT WITH
FINGER LAKES COMMUNICATIONS FOR YEAR ONE OF
EMERGENCY COMMUNICATIONS NETWORK CORE UPGRADE**

WHEREAS, Ontario County maintains a P25 emergency radio communications network based on the L3 Harris equipment platform and operating software; and

WHEREAS, Resolution No. 820-2022 established Capitol Project No. H092-22 as the Emergency Communications Network Core Upgrade Project to provide necessary software and hardware upgrades for the County's emergency communications network to maintain compatibility with L3 Harris's scheduled operating system update to Version SR10.7+; and

WHEREAS, Finger Lakes Communications, Co., Inc. (Auburn, NY) is an authorized L3 Harris vendor and installer under contract per Resolution No. 474-2018 to monitor, install and maintain equipment in the County's emergency communications network; and

WHEREAS, At the request of the County, Finger Lakes Communications has submitted a five-year communications network upgrade and maintenance plan and detailed quote based on current NYS Office of General Services contract pricing, attached hereto as Schedule A and on file with the Clerk of this Board, including replacement of end-of-life hardware and application platforms, licensing, technical services and project management, installation, and maintenance per the summary schedule and cost table below:

Year	Equipment Upgrades	Implementation Services	L3 Harris Managed Services	Premium Maintenance	Total
1	\$879,746.21	\$559,300.00	\$244,790.00	\$60,000.00	\$1,743,836.21
2	\$167,384.00	\$37,420.00	\$250,608.50	\$70,370.00	\$525,782.50
3	\$176,351.00	\$22,040.00	\$256,566.80	\$72,480.00	\$527,437.80
4	-	-	\$439,962.44	\$74,650.00	\$514,612.44
5	-	-	\$268,923.97	\$76,890.00	\$345,813.97
TOTAL	\$1,223,481.21	\$618,760.00	\$1,460,851.71	\$354,390.00	\$3,657,482.92

and

WHEREAS, It is important to implement the upgrade of core components outlined in Year 1 of said quote in a timely fashion to provide compatibility with the L3 Harris operating system and maintain functionality of the County's emergency communications network; and

WHEREAS, Years 2-5 of the five-year upgrade and maintenance plan may be funded with future NYS Department of Homeland Security and Emergency Services grants or other County revenues only upon approval of this Board; and

WHEREAS, There is sufficient funding in Capitol Project No. H092-22 for the Year 1 work scope detailed in Schedule A; and

WHEREAS, The Public Safety Committee has reviewed this resolution and recommends acceptance of the Finger Lakes Communications quote to provide upgrade of components and related services as outlined in Year 1 of Schedule A at a cost of \$1,743,836.21; now, therefore, be it

RESOLVED, That upon approval of the County Attorney's office as to form, the County Administrator or their designee be, and hereby is, authorized and empowered to execute a contract at the not-to-exceed cost of \$1,743,836.21 with Finger Lakes Communications, Co., Inc., 305 Clark Street, Auburn, NY 13021 and all other documents necessary to effectuate the purposes of this resolution; and further

RESOLVED, That the term of said contract is April 1, 2023 through March 31, 2024; and further

RESOLVED, That the cost of said contract shall be paid from budget line HHH09222 52550, Equipment Signal/ Communication, of Capital Project No. H092-22; and further

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

RESOLVED, That the County's Department of Finance is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total Capital Project No. H092-22 budget of \$2,179,997; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Ontario County Department of Finance and a digital copy to Grant Reade, President, Finger Lakes Communications @ Grant@FingerLakesComm.com.

**RESOLUTION NO. 245-2023
ACCEPTANCE OF BID B23053
FOR PURCHASE OF REMOTE-CONTROL DRONE.
ONTARIO COUNTY SHERIFF'S OFFICE**

WHEREAS, The Purchasing Department advertised for and received, per the tabulation sheet on file with the Clerk of the Board, bids for the purchase of a Remote-Control Drone (B23053) for the Ontario County Sheriff's Office; and

WHEREAS, The apparent overall low responsive/responsible bidder is NM Electronics, LLC with offices at 5 Coventry Dr. Fulton, NY 13069, for the price of \$44,033.95; and

WHEREAS, There are sufficient funds in the Sheriff's Office budget specifically for drone and drone related equipment; and

WHEREAS, The Public Safety Committee recommends that this bid be accepted; now, therefore, be it

RESOLVED, That the Board of Supervisors authorize bid (B23053) be awarded to the above listed vendor at the above listed price; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Ontario County Sheriff and NM Electronics.

**RESOLUTION NO. 246-2023
ACCEPTANCE OF BID B23054
FOR PURCHASING OF A MOBILE APPLICATION FOR
PUBLIC SAFETY COMMUNICATIONS**

WHEREAS, The Ontario County Sheriff's Office has identified a need for a higher level of communication and engagement with the public by leveraging the latest mobile application technologies and customizing such to fit the needs of our local community; and

WHEREAS, The Purchasing Department advertised for and received, per the tabulation sheet on file with the Clerk of the Board, bids for the Mobile Application for Public Safety Communications (B23054); and

WHEREAS, The apparent overall low responsive/responsible bidder is OCV, LLC (TheSheriffApp.com) with offices at 809 2nd Avenue, Opelika, AL 36801; and

WHEREAS, The cost of the customized Public Communications Application will be

\$25,990 for initial production with one (1) year maintenance and support, then \$10,995 per year for continued maintenance and support through years two (2), three (3), and four (4); and

WHEREAS, There is sufficient funds in the Jail Commissary Budget to purchase and support this expenditure; and

WHEREAS, The Purchasing Department recommends award to the low bidder as listed above for a term commencing on April 21st, 2023 with an automatic renewal every twelve (12) months unless terminated by either party, per the terms of the approved service agreement; and

WHEREAS, The Public Safety Committee and the Ways and Means Committee recommend that this bid be accepted for the above term; now, therefore, be it

RESOLVED, That the Board of Supervisors authorize bid (B230054) be awarded to the above vendor for the recommended term; and further

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

The foregoing block of three resolutions was adopted.

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

**RESOLUTION NO. 247-2023
RECOGNIZING NATIONAL PUBLIC SAFETY
TELECOMMUNICATORS WEEK**

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

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

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

WHEREAS, Public Safety Dispatchers are often the first contact our citizens have with emergency services; and

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

WHEREAS, Public Safety Dispatchers of the Ontario County Office of Sheriff have contributed substantially to the apprehension of criminals, suppression of fires and

treatment of patients; and

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

RESOLVED, That the Ontario County Board of Supervisors, at the request of the Sheriff, declares the week of April 9 – 15, 2023 to be *National Public Safety Telecommunicators Week* in Ontario County in honor of the men and women whose diligence and professionalism keep our county and citizens safe; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Ontario County Sheriff, Director of the Office of Emergency Management and the Chief Communications Officer.

Adopted.

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

**RESOLUTION NO. 248-2023
CAPITAL PROJECT NO. H093-22
ONTARIO COUNTY COURT FACILITIES PLAN
AUTHORIZATION TO AWARD CONTRACT FOR
CONSULTING SERVICES TO THALER REILLY WILSON
AND APPROPRIATE FUND BALANCE**

WHEREAS, Resolution No. 846-2022 established Capital Project No. H093-22 “Ontario County Court Facilities Plan” to develop a long-term plan for Ontario County court facilities; and

WHEREAS, As part of that project, staff is recommending the County enter into a contract with a qualified design consultant to assist with development of viable concepts and cost estimates for facilities to house Ontario County Courts and related departments and programs; and

WHEREAS, Ontario County Purchasing released a request for proposal (RFP) R22076; and

WHEREAS, Thaler Reilly Wilson, of 25 Monroe St, Suite 202, Albany, NY 12210 (the Consultant) has submitted a proposal in response to said RFP dated 11/28/22 to complete this work for a cost not to exceed Eighty-Two Thousand, Eight Hundred Fifteen Dollars and Twenty Cents (\$82,815.20) (the Proposal); and

WHEREAS, There is currently \$80,000 in the project to fund the proposed contract; 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 following budget transfer is hereby approved:

AA 30599	Appropriated Fund Balance	+\$2,815.20
AA995099 59000	Interfund Transfers	+\$2,815.20

and further

RESOLVED, That the budget for Capital Project No. H093-22 is hereby amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH09322 54260	Consultation & Professional	\$0.00	+\$82,815.20	\$82,815.20
HHH09322 54731	Contingency	\$80,000.00	-\$80,000.00	0.00
Revenue:				
HHH09322 45031	Interfund Transfer	\$80,000.00	+\$2,815.20	\$82,815.20

and further

RESOLVED, That, subject to approval as to form by the County Attorney, the Board hereby authorizes execution of a contract with the Consultant for services as described in the Proposal for an amount not to exceed Eighty-Two Thousand, Eight Hundred Fifteen Dollars and Twenty Cents (\$82,815.20); and further

RESOLVED, That the term of the Contract shall begin on 4/21/23 and end on 4/21/24; and further

RESOLVED, That if one, six month no cost time extension of the Contract is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the Public Works Committee; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Contract and all other documents necessary to effect the intent of this resolution; and further

RESOLVED, That the cost of the Contract be paid from budget line HHH09322 54260, Consultation and Professional, of Capital Project No. H093-22; and further

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of \$82,815.20; and further

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

**RESOLUTION NO. 249-2023
CAPITAL PROJECT NO. H093-22
ONTARIO COUNTY COURT FACILITIES PLAN
AUTHORIZATION TO AWARD CONTRACT FOR
CONSULTING SERVICES TO
THE NATIONAL CENTER FOR STATE COURTS
AND APPROPRIATE FUND BALANCE**

WHEREAS, Resolution No. 846-2022 established Capital Project No. H 0 9 3 - 2 2 “Ontario County Court Facilities Plan” to develop a long-term plan for Ontario County court facilities; and

WHEREAS, As part of that project, staff is recommending the County enter into a contract with a qualified consultant to perform a courts needs assessment to better anticipate how the Courts as well as support functions may change over the next 20 years, and how that change will impact facility needs; and

WHEREAS, The National Center for State Courts, located at 300 Newport Ave, Williamsburg, VA 23185 (the Consultant) has submitted a proposal dated 12/21/22 to complete this work for a cost not to exceed Thirty-Eight Thousand Dollars (\$38,000.00) (the Proposal); and

WHEREAS, Equivalent funds need to be transferred into the appropriate line item to fund the proposed contract; 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 following budget transfer is hereby approved:

AA 30599	Appropriated Fund Balance	\$38,000.00
AA995099 59000	Interfund Transfers	\$38,000.00

and further

RESOLVED, That the following budget amendment for Capital Project H093-22 is approved:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH09322 54260	Consultation & Professional	\$82,815.20	+\$38,000.00	\$120,815.20
HHH09322 54731	Contingency	\$0.00	\$0.00	\$0.00
Revenue:				
HHH09322 45031	Interfund Transfer	\$82,815.20	+\$38,000.00	\$120,815.20

and further

RESOLVED, That, subject to approval as to form by the County Attorney, the Board hereby authorizes execution of a contract with the Consultant for services as described in the Proposal for an amount not to exceed Thirty-Eight Thousand Dollars (\$38,000.00); and further

RESOLVED, That the term of the Contract shall begin on 4/21/23 and end on 4/21/24; and further

RESOLVED, That if one, six month no cost time extension of the Contract is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the Public Works Committee; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Contract and all other documents necessary to effect the intent of this resolution; and further

RESOLVED, That the cost of the Contract be paid from budget line HHH09322 54260, Consultation and Professional, of Capital Project No. H093-22; and further

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to affect the intent of this resolution for a total project budget of \$120,815.20; and further

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

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 250-2023
RESCINDING RESOLUTION NO. 56-2023**

WHEREAS, Resolution No. 56-2023 established Capital Project No. H094-23, Ontario County Route 364 Sidewalk and Bike Path Capital Project, Accepted the New York State Revenue Contract, and created the budget for said project; and

WHEREAS, The budget created is incorrect; and

WHEREAS, Department of Public Works recommends rescinding Resolution No. 56-2023; and

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

RESOLVED, That Resolution No. 56-2023 is rescinded; and further

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

**RESOLUTION NO. 251-2023
ESTABLISH CAPITAL PROJECT NO. H094-23
ONTARIO COUNTY
ROUTE 364 SIDEWALK AND BIKE PATH CAPITAL PROJECT
AUTHORIZE THE IMPLEMENTATION AND FUNDING
IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID COSTS OF
A TRANSPORTATION FEDERAL-AID PROJECT
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, A project for a sidewalk and bike path on NY 364 between County Road 50 (aka Lakeshore Drive) and Marvin Sands Drive, (the "Project") has been

awarded a \$1,657,600.00 grant by New York State Department of Transportation under the Transportation Alternatives Program (TAP) – Congestion Mitigation and Air Quality Improvement Program (CMAQ), that calls for the apportionment of the costs of such projects to be borne at the ratio of 80% TAP-CMAQ funds and 20% local funds; and

WHEREAS, The FLCC Foundation, Inc. has agreed to provide \$300,000.00 of the local funding for this project; and

WHEREAS, The Town of Canandaigua has pledged an additional \$36,000.00 of the local funding for this project, to be contracted for at a later date; and

WHEREAS, The County share of this project is \$78,400 and will be funded by the D fund 2023 Capital Improvement Budget; and

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

RESOLVED, The Ontario County Board of Supervisors hereby establishes Capital Project No. H094-23 as the Ontario County Rt 364 Sidewalk and Bike Path Capital Project; and further

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

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

Appropriations:		
HHH09423 54495	Architectural/Engineering	\$420,000.00
HHH09423 54731	Contingency	\$294,400.00
Revenue:		
HHH09423 44597	Federal Aid	\$336,000.00
HHH09423 42705	Gifts and Donations	\$300,000.00
HHH09423 45031	Interfund Transfer	\$78,400.00

and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this Resolution for a total project budget of \$714,400.00; and further

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

RESOLVED, That the County Administrator be, and hereby is, authorized to execute all necessary Agreements and certifications on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the

Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and further

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

RESOLVED, That the Commissioner of Public Works be administratively responsible for this project; and further

RESOLVED, That the Director of Planning be responsible for grant compliance and reporting for this project to the NYS Department of Transportation; 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, Regional Project Liaison, Region 4 Office, 1530 Jefferson Road, Rochester, New York 14623.

RESOLUTION NO. 252-2023
CAPITAL PROJECT NO. H094-23
ONTARIO COUNTY
ROUTE 364 SIDEWALK AND BIKE PATH CAPITAL PROJECT
ACCEPTANCE OF STATE LOCAL AGREEMENT AND
AUTHORIZATION TO PAY 20% DEPOSIT TO NYSDOT
FOR STATE ADMINISTERED RIGHT-OF-WAY SERVICES

WHEREAS, A project for a sidewalk and bike path on NY 364 between County Road 50 (aka Lakeshore Drive) and Marvin Sands Drive, (the "Project") is eligible for funding under TAP and Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such TAP projects to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, Resolution No. 251-2023 established Capital Project No. H094-23 as the Ontario County Rt 364 Sidewalk and Bike Path Capital Project; and

WHEREAS, Resolution No. 150-2023 awarded the preliminary engineering phase of the Project to Fisher Associates; and

WHEREAS, The Department of Public Works and Fisher Associates desire to utilize the services of the NYSDOT Right-of-Way division for right-of-way incidentals; and

WHEREAS, An agreement has been received from the NYSDOT which establishes a budget of \$36,000 for state administered right-of-way services; and

WHEREAS, The NYSDOT requires a deposit from Ontario County equal to the local share of these funds in the amount of \$7,200; and

WHEREAS, The Department of Public Works have reviewed and approved the budget and scope for these services; and

WHEREAS, Sufficient funding for the deposit exists in the engineering line of Capital Project No H094-23 for said deposit; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby approves the agreement for the NYSDOT to provide Right-of-Way services on the project and approves payment to NYS DOT in the amount of \$7,200; and further

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

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

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

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

The foregoing block of three resolutions was adopted.

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

**RESOLUTION NO. 253-2023
CAPITAL PROJECT NO. H077-21
COUNTY ROAD 4 AT COUNTY ROAD 20 INTERSECTION IMPROVEMENTS
AWARD OF CONSULTANT AGREEMENT AMENDMENT FOR
CONSTRUCTION INSPECTION SERVICES AND
ACCEPTANCE OF SUPPLEMENTAL AGREEMENT #2 TO
NEW YORK STATE REVENUE CONTRACT**

WHEREAS, A project for the County Road 4 at County Road 20 Intersection Improvements, Town of Seneca, Ontario County, P.I.N. 4ON0.05 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such safety project to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, Resolution No. 159-2021 created Capital Project No. H077-21, County Road 4 at County Road 20 Intersection Improvements; and

WHEREAS, Resolution No. 159-2021 authorized the County Administrator to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and ROW Incidentals work for the Project or portions thereof; and

WHEREAS, Resolution No. 650-2021 authorized the acceptance of the New York State Supplemental Agreement #1 that provided Marchiselli funding for the Project; and

WHEREAS, Supplemental Agreement #2 has been received which adds funding for the construction phase and decreases funding for the right-of way phase; and

WHEREAS, Resolution No. 159-2021 approved an agreement with Bergmann Associates, 280 East Broad Street, Suite 200, Rochester, New York 14604, for Preliminary Engineering and ROW Incidentals (PE-ROWI) services for a cost not to exceed \$192,230 for the Project; and

WHEREAS, Resolution No. 532-2021 approved an amended agreement with Bergmann Associates for additional archeological studies in the amount of \$9,901; and

WHEREAS, Resolution No. 305-2022 authorized the execution of an amended agreement with Bergmann Associates, for detailed design, right-of-way acquisition, and bid phase services related to project at a cost not to exceed \$166,900, for a total amended contract price not to exceed \$369,031 and

WHEREAS, The County Public Works Department received a qualification-based proposal for construction inspection and construction support services related to the anticipated construction of 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 \$444,900; and

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

RESOLVED, That the Board of Supervisors hereby accepts Supplemental Agreement #2 to the New York State Revenue Contract for Capital Project No. H077-21; and further

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

RESOLVED, That the budget of Capital Project No. H077-21 be amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH07721 54495	Engineering	\$387,100.00	+ \$444,900.00	\$832,000.00
HHH07721 54820	Land	\$23,000.00		\$23,000.00
HHH07721 54865	Administration	\$2,000.00		\$2,000.00
HHH07721 54731	Contingency	\$29,183.00	\$3,122,783.00 ⁺	\$3,151,966.00
Revenue:				
HHH07721 43089	State Aid	\$29,183.00	+ \$269,109.00	\$298,292.00
HHH07721 44597	Federal Aid	\$370,890.00	\$3,208,599.00 ⁺	\$3,579,489.00
HHH07721 45031	Interfund Transfer	\$41,210.00	+ \$89,975.00	\$131,185.00

and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this Resolution for a total project budget of \$4,008,966.00; and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract amendment agreement with Bergmann Associates, at a cost not to exceed \$444,900, for a total amended contract price not to exceed \$813,931, said contract will expire December 31, 2024; and further

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

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

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

**COUNTY ROAD 4 AT COUNTY ROAD 20 INTERSECTION IMPROVEMENTS
AWARD OF CONTRACT FOR CONSTRUCTION
AND APPROPRIATE RESERVE**

WHEREAS, A project for the County Road 4 at County Road 20 Intersection Improvements, Town of Seneca, Ontario County, P.I.N. 4ON0.05 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such safety project to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, Resolution No. 159-2021 created Capital Project No. H077-21, County Road 4 at County Road 20 Intersection Improvements; and

WHEREAS, Resolution No. 159-2021 authorized the County Administrator to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and ROW Incidentals work for the Project or portions thereof; and

WHEREAS, Resolution No. 650-2021 authorized the acceptance of the New York State Supplemental Agreement #1 that provided Marchiselli funding for the Project; and

WHEREAS, Resolution No. 253-2023 authorized Supplemental Agreement #2 which provides funding for the construction phase for the Project; and

WHEREAS, Ontario County Purchasing Department received bids (B22071) for County Road 4 at County Road 20 Improvements, P.I.N. 4ON0.05; and

WHEREAS, Villager Construction Inc., 425 Old Macedon Center Road, Fairport, NY 14450, is the apparent lowest, responsive, responsible bidder with a bid of \$4,479,000.00; and

WHEREAS, The construction of the Project is estimated to cost \$4,702,950, which includes a 5% construction contract contingency of \$223,950; and

WHEREAS, An additional \$1,550,984 of funding is required to advance construction of the project; and

WHEREAS, The NYSDOT has agreed to allocate an additional \$1,317,000 in Federal funds, with the remainder of the shortfall to be funded by non-federal sources; and

WHEREAS, There is \$8,000 available in the Land Acquisition line of Capital Project No. H077-21; and

WHEREAS, There are sufficient funds in the D Fund Reserve for Roads and Bridges to fund the remaining balance needed of \$225,984; and

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

RESOLVED, The following budget transfer is hereby approved:

DD 30511 BR500	Appropriated Reserve	+\$225,984.00
DD995099 59000	Interfund Transfer	+\$225,984.00

and further

RESOLVED, That the budget of Capital Project No. H077-21 be amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH07721 54491	General Construction	\$0.00	+4,702,950.00	\$4,702,950.00
HHH07721 54495	Engineering	\$832,000.00		\$832,000.00
HHH07721 54820	Land	\$23,000.00	-\$8,000.00	\$15,000.00
HHH07721 54865	Administration	\$2,000.00		\$2,000.00
HHH07721 54731	Contingency	\$3,151,966.00	\$3,151,966.00	\$0.00
Revenue:				
HHH07721 43089	State Aid	\$298,292.00		\$298,292.00
HHH07721 44597	Federal Aid	\$3,579,489.00	+\$1,317,000.00	\$4,896,489.00
HHH07721 45031	Interfund Transfer	\$131,185.00	+\$225,984.00	\$357,169.00

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Villager Construction Inc., contingent upon delivery of a satisfactory DBE Utilization Plan or Good Faith Effort, at a cost not to exceed \$4,479,000, said contract will expire on November 3, 2023; and further

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Agreements with Villager Construction Inc. and all other documents necessary to effectuate the purpose of this resolution; 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 affect the intent of this Resolution; and further

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

The foregoing block of two resolutions was adopted.

Supervisor Frederick Lightfoote offered the following resolution and moved for its adoption, seconded by Supervisor Christopher Vastola:

RESOLUTION NO. 255-2023
RESOLUTION AUTHORIZING AN ORDER FOR
THE INCREASE AND IMPROVEMENT OF
THE HONEOYE LAKE COUNTY CONSOLIDATED SEWER DISTRICT
LOCATED IN THE COUNTY OF ONTARIO

WHEREAS, The New York State Comptroller has made an order on February 13, 2023 granting permission for the increase and improvement of the Honeoye Lake County Consolidated Sewer District, a copy of which has been duly filed in the Office of the Clerk of this Board of Supervisors; and

WHEREAS, It is now desired to adopt an order pursuant to County Law Sec. 259 authorizing the said increase and improvement of the previously authorized facilities; now, therefore, be it

RESOLVED, IT IS HEREBY ORDERED, By the Ontario County Board of Supervisors, as follows:

Section 1: The increase and improvement of the facilities of the previously established Honeoye Lake County Consolidated Sewer District is hereby authorized in accordance with the aforesaid order of the New York State Comptroller.

Section 2: The Clerk to the Ontario County Board of Supervisors is hereby authorized and directed to cause a certified copy of this Order to be recorded in the Office of the Clerk of the County of Ontario and filed in the Office of the New York State Comptroller - Department of Audit and Control at Albany, New York, in accordance with the provisions of County Law Sec. 259.

Section 3: This Order shall take effect immediately.

Adopted.

Supervisor Frederick Lightfoote offered the following resolution and moved for its adoption, seconded by Supervisor Norman Teed:

RESOLUTION NO. 256-2023

AN AMENDING AND RESTATING BOND RESOLUTION, DATED APRIL 20, 2023, OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ONTARIO, NEW YORK (THE “COUNTY”), AMENDING THE BOND RESOLUTION THAT WAS ADOPTED ON APRIL 22, 2021, AND AUTHORIZING THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE COUNTY OF ONTARIO HONEOYE LAKE COUNTY CONSOLIDATED SEWER DISTRICT (SUCH PROJECT IS COMMONLY KNOWN AS THE “HONEOYE LAKE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT”) AT AN ESTIMATED MAXIMUM COST OF \$10,150,000 AND AUTHORIZING (A) THE APPLICATION OF AT LEAST \$1,400,000 IN GRANT FUNDS FROM THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION (“EFC”) AND OTHER AVAILABLE COUNTY FUNDS AND (B) THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,750,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT OF BONDS TO BE OFFSET BY ANY ADDITIONAL FEDERAL, STATE AND/OR LOCAL FUNDS (INCLUDING, BUT NOT LIMITED TO, FUNDS FROM EFC) RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE COUNTY TREASURER.

WHEREAS, On April 22, 2021, the Board of Supervisors of the County of Ontario (the “Board”), New York (the “County”) adopted a certain bond resolution (the “Original Bond Resolution”) entitled:

“A BOND RESOLUTION, DATED APRIL 22, 2021, OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ONTARIO, NEW YORK (THE “COUNTY”), AUTHORIZING THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE COUNTY OF ONTARIO HONEOYE LAKE COUNTY CONSOLIDATED SEWER DISTRICT (SUCH PROJECT IS COMMONLY KNOWN AS THE “HONEOYE LAKE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT”) AT AN ESTIMATED MAXIMUM COST OF \$8,750,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,750,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE AND/OR LOCAL FUNDS (INCLUDING, BUT NOT LIMITED TO, FUNDS FROM THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION) RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE COUNTY TREASURER.”

WHEREAS, The Board has, pursuant to County Law, created the County of Ontario Honeoye Lake County Consolidated Sewer District (the “District”); and

WHEREAS, The County determined that it was the public interest to undertake a sewer system capital improvements project commonly known as the “Honeoye Lake Wastewater Treatment Plant Improvements Project” (the “Project”); and

WHEREAS, The cost of the Project increased from \$8,750,000 to \$10,150,000 due to a delay in the administration of grant funding as a result of the Covid-19 pandemic; and

WHEREAS, The County intends to pay for such increased maximum cost of \$1,400,000 through a combination of additional grants funds from the New York State Environmental Facilities Corporation (“EFC”) and available County funds; and

WHEREAS, The scope of the improvements has not materially changed from the Project identified in the Original Bond Resolution; and

WHEREAS, The Board of Supervisors adopted Resolution No. 415-2018 being a resolution setting forth and adopting certain findings reached in accordance with procedures called for under the New York State Environmental Quality Review Act and its implementing regulations at 6 NYCRR Part 617 (collectively, “SEQRA”) relating to the proposed improvements to the Honeoye Lake Wastewater Treatment Plant; and

WHEREAS, The provisions of Resolution No. 415-2018 are incorporated herein and by this reference and made a part hereof; and

WHEREAS, Pursuant to New York State County Law, application was made to the Office of the New York State Comptroller for permission to undertake the increase and improvement of facilities of the District at the increased estimated maximum amount; and

WHEREAS, The County received permission on February 13, 2023 from the Office of the New York State Comptroller that it may proceed with the increase and improvement of facilities of the District at the increased amount of \$10,150,000; and

WHEREAS, Pursuant to County Law §259, the Board of Supervisors adopted Resolution No. 255-2023, being a resolution authorizing the increase and improvement of facilities in accordance with the aforesaid order granting approval by the New York State Comptroller; and

WHEREAS, The Board of Supervisors, through the recommendation of its Ways and Means Committee, has determined to authorize such project and the financing of a portion of the cost of such project through the issuance of serial bonds (or notes issued in anticipation of such bonds) of the County in an aggregate principal amount not to exceed \$8,750,000 and has determined that such project is in the public interest of the County; and

WHEREAS, The amount of obligations authorized herein, and the plan of financing stated herein, have been determined to be consistent with the objectives and intent of the County’s adopted Debt Management Policy as now in effect; and

WHEREAS, The Public Works and Ways and Means Committees have reviewed and recommended this proposal; NOW, THEREFORE, BE IT

RESOLVED, By the Board of Supervisors (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Board of Supervisors is hereby authorized to undertake a capital improvements project generally consisting of the reconstruction and construction of improvements to the Honeoye Lake County Sewer District Wastewater Treatment Plant including, but not limited to, various hydraulic improvements to eliminate overflows from the equalization basins, replacement of the RBC biological treatment process, improvements to the filter system, installation of a new effluent disinfection system and associated improvements, and various electrical improvements, as well as other such improvements as may be more fully identified in (or contemplated by) the map, plan and report that was prepared in connection with such project, all of the foregoing to include certain necessary preliminary work and certain necessary equipment, materials, apparatus and related site work and other improvements and certain costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The amended estimated maximum cost of the Purpose is \$10,150,000.

SECTION 2. The Board of Supervisors plans to finance the maximum estimated cost of said purpose by (A) a combination of at least \$1,400,000 of grants funds from EFC and available County funds and (B) the issuance of serial bonds in an aggregate principal amount not to exceed \$8,750,000 of said County, hereby authorized to be applied and issued therefore pursuant to the Local Finance Law, said amount of bonds to be offset by any additional federal, state and/or local funds received, including, but not limited to, funds provided through EFC. Unless paid for from other sources, including the application of grant funds, the cost of such improvements is to be paid by the issuance of serial bonds, and by the assessment, levy and collection of assessments from the several lots and parcels of land within the District which the Board of Supervisors shall determine to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of said bonds and the interest on such bonds as the same shall become due and payable, except as provided by law.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. The Board of Supervisors recognizes, and hereby explicitly approves, that such plan of financing for the Purpose may be, and likely will be, for a period in excess of 20 years (given the long-term nature of the Purpose, and in order to utilize monies available under New York State or other funding programs, so as to maximize the potential economic benefit to the County).

SECTION 6. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such 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 bonds becoming due and payable in such year. There shall be the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Board of Supervisors shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds as the same become due and payable, except as

provided by law. Should the assessments or charges upon benefited real property be insufficient to pay the principal of and interest on such bonds, 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 bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Board of Supervisors pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the County Treasurer, the chief fiscal officer of the County. Without in any way limiting the scope of the foregoing delegation of powers, the County Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the County.

SECTION 8. The County Treasurer is hereby authorized to execute by manual or facsimile signature on behalf of the County all serial bonds issued pursuant to this resolution and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Clerk of the County is hereby authorized to affix the seal of the County (or to have imprinted a facsimile thereof) to or on all such serial bonds and all such bond anticipation notes and to attest such serial bonds and such bond anticipation notes.

SECTION 9. To the extent not previously authorized, the temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 10. This resolution shall constitute the declaration (or reaffirmation) of the County's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 11. 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 bonds authorized by this resolution, and any notes issued in anticipation thereof, 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 may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 12. To the extent applicable, the County Treasurer is hereby authorized to execute and deliver in the name and on behalf of the County a project financing agreement prepared by the New York State Environmental Facilities Corporation (the "Project Financing Agreement"). To the extent applicable, the County Treasurer, Clerk of the County, and the Clerk of the Board of Supervisors 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 Project Financing Agreement.

SECTION 13. In 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 14. The County Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, 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 15. The County Treasurer is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with County officials and the County's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Clerk of the Board of Supervisors.

SECTION 16. Prior to the issuance of obligations authorized to be issued by this resolution, the Board of Supervisors of the County shall comply (to the extent not previously accomplished) with all, if any, relevant provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal Laws and Regulations in connection with environmental quality review relating to the Project (collectively, the "Environmental Compliance Proceedings"). In the event that any of the applicable Environmental Compliance Proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Supervisors of the County will re-adopt, amend or modify this bond resolution prior to the issuance of obligations authorized to be issued herein upon the advice of bond counsel. It is hereby determined by the Board of Supervisors of the County that to the extent the Environmental Compliance Proceedings may apply to the Project, the Project will not have a significant effect on the environment.

SECTION 17. Following adoption of this resolution, the Clerk of the Board of Supervisors shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Finger Lakes Times and The Daily Messenger, newspapers having general circulation in the County and published in Geneva and Canandaigua, New York, respectively. The validity of such serial bonds (and of bond anticipation notes issued in anticipation of the issuance of such serial bonds) may be contested only if such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or the provisions of law which should have been complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

SECTION 18. Nothing in this Resolution shall affect the validity of the Original April 22, 2021 Bond Resolution, or any actions taken thereunder, and any such actions are hereby ratified.

SECTION 19. This Resolution is effective immediately.

By a two-thirds majority voice vote, all of those present voted "AYE", except Supervisors Guard and Venuti, who were not present. Resolution No. 256-2023 was declared adopted.

Supervisor Frederick Lightfoote offered the following four resolutions as a block and moved for its adoption, seconded by Supervisor Jack (John) Marren:

**RESOLUTION NO. 257-2023
AUTHORIZATION TO EXTEND
CONTRACT FOR JANITORIAL SERVICES
TEMCO SERVICE INDUSTRIES INC. (D/B/A ATALIAN GLOBAL SERVICES)**

WHEREAS, Resolution No. 652-2019 awarded bid B19071 for janitorial services at various County buildings; and

WHEREAS, All renewals allowed per the awarded bid B19071 have been exercised and all contracts were due to expire January 1, 2023; and

WHEREAS, Resolution Nos. 853-2022 and 104-2023 extended said contracts through April 30, 2023; and

WHEREAS, The Purchasing Department has received bids (B22075) for a new Janitorial Services contract; and

WHEREAS, Resolution No. 153-2023 awarded bid B22075 to both Duran Cleaning Service and Cleantec Services and assigned the buildings each was to service; and

WHEREAS, Duran Cleaning Services is able to start work on May 1, 2023; however, Cleantec Services is not able to start at that time; and

WHEREAS, Current janitorial service company, Temco Service Industries, Inc., 417 Fifth Avenue, 9th Floor, New York, New York, 10016 has agreed to an additional 2-month extension to their existing contract at the rates established per Resolution No. 104-2023 through June 30, 2023; and

WHEREAS, Both Temco Service Industries, Inc. and Duran Cleaning Services agreed to modified building service schedules to assure all buildings are properly serviced during this transition; and

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

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the contract extension of bid B19071 to Temco Service Industries, Inc. through June 30,

2023 and any revised building schedule and services at the current or bid price structure; and further

RESOLVED, That certified copy of this resolution be sent by the Clerk of this Board of Supervisors to Temco Service Industries, Inc., 417 Fifth Avenue, 9th Floor, New York, New York, 10016.

**RESOLUTION NO. 258-2023
REJECTION OF BID B23050 FOR
PURCHASE OF HVAC PARTS AND SUPPLIES**

WHEREAS, The Ontario County Purchasing Department issued bid B23050 for the purchase of HVAC Parts and Supplies for its Bureau of Buildings & Grounds; and

WHEREAS, Upon review of the sole bid received from Finger Lakes Comfort Inc. for HVAC Parts and Supplies, the Bureau of Buildings & Grounds finds that the bid received does not comply with the specification requirement that the vendor be a manufacturer's authorized dealer for the parts specified; and

WHEREAS, The Public Works Committee has reviewed and recommends rejection of the sole bid received for HVAC Parts and Supplies, Bid B23050; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby rejects the sole bid received from Finger Lakes Comfort Inc. for HVAC Parts and Supplies for its Bureau of Buildings & Grounds per bid B23050.

**RESOLUTION NO. 259-2023
AUTHORIZATION TO RENEW BID B22038
FOR REPAIR AND INSTALLATION OF COUNTY OWNED
MOBILE AND HAND-HELD RADIOS AND ASSOCIATED EQUIPMENT**

WHEREAS, Resolution No. 311-2022 awarded bid B22038 for the repair and installation of County owned mobile and hand-held radios and associated equipment on County vehicles; and

WHEREAS, Finger Lakes Communication Co. Inc., 305 Clark Street, Auburn, New York 13021 has agreed to renew the bid for this service for an additional twelve-month period at the current price structure; and

WHEREAS, The Ontario County Public Works Committee has reviewed the renewal proposal and recommends its approval; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes the renewal of Bid B22038 for a one-year period starting May 13, 2023 through May 12, 2024 to Finger Lakes Communication Co., Inc. as per the tabulation sheet on file with the Clerk of this Board; and further

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

**RESOLUTION NO. 260-2023
AUTHORIZATION TO RENEW CONTRACT WITH
GERBER COLLISION AND GLASS FOR
PUBLIC SAFETY EQUIPMENT UPFITTING**

WHEREAS, Resolution No. 310-2022 awarded a contract to Gerber Collision and Glass of Webster NY for upfitting County vehicles for emergency lighting, communication, and safety equipment; and

WHEREAS, The Public Works Department wishes to renew the contract with Gerber Collision and Glass for an additional twelve months; and

WHEREAS, The Public Works Committee has reviewed this proposal and recommends its acceptance; 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 renewal with Gerber Collision and Glass at 2111 Empire Boulevard, Rochester, New York 14580 at the current price structure for a one year term beginning May 16, 2023 through May 15, 2024; and further

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

The foregoing block of four resolutions was adopted.

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

**RESOLUTION NO. 261-2023
AUTHORIZE CONTRACTS FOR MOWING ROADSIDES
IN ONTARIO COUNTY**

WHEREAS, Resolution No. 421-93 authorized mowing contracts with any municipality within the County that wishes to contract for such services; and

WHEREAS, Due to time, equipment and labor constraints, the County Highway Department would not be able to maintain all the roadsides within the County without these contracts; and

WHEREAS, Resolution No. 819-2017 established rates for mowing equipment according to adjustments made to the NYS Department of Transportation Equipment Rental Schedule and for labor to be reimbursed on a cost basis; and

WHEREAS, It is prudent to review this contractual arrangement with the municipalities on a periodic basis; and

WHEREAS, Resolution No. 265-2022 offered a \$10/hr increase in equipment rental rates to cover fuel cost increases for the 2022 season; and

WHEREAS, While fuel costs have moderated some, Town Highway Departments still experience high fuel costs and increases in parts and supplies costs which we anticipate will continue through the 2023 roadside mowing season; now, therefore, be it

RESOLVED, That reimbursement rates will remain the same as offered in 2022; and further

RESOLVED, That the municipality shall be reimbursed at an equipment rate of \$36.36 per hour for one (1) tractor, regardless of size, with one (1) mower, \$38.89 per hour for one (1) tractor, regardless of size, with two (2) mowers used simultaneously or a single mower with a cutting path of more than eight (8) foot on said tractor, and \$46.90 per hour for boom style mower; and further

RESOLVED, That the municipality shall be reimbursed actual labor costs for wages and fringe benefits associated with said mowing services; and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with municipalities performing road side mowing for Ontario County for a one year term beginning April 22, 2023 through April 21, 2024; and further

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

RESOLVED, That certified copies of this resolution be sent to the municipalities within Ontario County.

**RESOLUTION NO. 262-2023
RENEWAL OF ON-DEMAND CONTRACTS WITH
CONSULTING AND ENGINEERING FIRMS FOR
PROJECT ASSISTANCE FOR ONTARIO COUNTY**

WHEREAS, Resolution No. 199-2021, authorized on-demand contracts for engineering services needed for minor infrastructure and facility project studies; and

WHEREAS, Resolution No. 264-2022 renewed said on-demand contracts from April 20, 2022 through April 19, 2023; and

WHEREAS, The following firms agree to renew their on-demand contract for an additional twelve month period at the same pricing structure; and

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

RESOLVED, The Board of Supervisors approves a one-year renewal of the on-demand contract to be established with the following firms starting April 20, 2023 through April 19, 2024:

General Civil Engineering	Erdman Anthony	145 Culver Rd., Suite 200
---------------------------	----------------	---------------------------

Heavy Structural Analysis & Review		Rochester, NY 14620
	McFarland Johnson	15 Fishers Rd., Suite 200 Pittsford, NY 14534
	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
	LU Engineers	280 East Broad Street, Suite 170 Rochester, NY 14604
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
Wastewater treatment, Sewer system evaluation, plan and design	LU Engineers	280 East Broad Street, Suite 170 Rochester, NY 14604
	C & S Companies	150 State Street, Suite 120 Rochester, NY 14614
	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
Traffic Analysis and design	Passero Associates	242 West Main Street, Suite 100 Rochester, NY 14614
	C & S Companies	150 State Street, Suite 120 Rochester, NY 14614
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
Right-of-Way Services	Erdman Anthony	145 Culver Rd. Suite 200 Rochester, NY 14620
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
Development Review	C & S Companies	150 State Street, Suite 120 Rochester, NY 14614
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	LU Engineers	280 East Broad Street, Suite 170 Rochester, NY 14604
Environmental Services Hazard Study	Fisher Associates	180 Charlotte Street, Rochester, NY 14607
	Larson Engineers	700 West Metro Park Rochester, NY 14623
	RAVI Engineering	2110 South Clinton Ave, Suite #1 Rochester, NY 14618
	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
	LU Engineers	280 East Broad Street, Suite 170 Rochester, NY 14604
Survey & Site Work	Erdman Anthony	145 Culver Rd, Suite 200 Rochester, NY 14620
	Ravi Engineering	2110 South Clinton Ave, Suite #1 Rochester, NY 14618
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
Building Services	McFarland Johnson	15 Fishers Rd., Suite 200

		Pittsford, NY 14534
	M/E Engineering	300 Trolley Blvd Rochester, NY 14606
	C & S	150 State Street Rochester, NY 14614
	SWBR	387 East Main Street Rochester, NY 14604
Meteorology Consulting: Inclement Weather forecast and Training and further	Flour City Weather	5976 Chelsea Place Farmington, NY 14425

RESOLVED, The Commissioner of Public Works, upon notice to the Public Works Committee, is hereby authorized to establish the scope of work and fees with selected firms from this list and order services to be provided up to a fee limit of \$10,000 for a particular project; and further

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

RESOLVED, The Commissioner of Public Works be, and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof, subject to the review and approval of the County Attorney as to form.

Supervisor David Baker offered the following two resolutions as a block and moved for its adoption, seconded by Supervisor Frederick Wille:

**RESOLUTION NO. 263-2023
CREATE TWO TYPIST, PART-TIME POSITIONS
AND ABOLISH AN OFFICE SPECIALIST I POSITION**

WHEREAS, Commissioner Eileen Tiberio, Ontario County Department of Social Services, has filed New Position Duties Statements for two positions she would like to create; and

WHEREAS, Said positions have been classified by the Director of Human Resources as Typist, Part-Time by Personnel Officer Classification Certification No. 22-2023; and

WHEREAS, Commissioner Tiberio would like to create these positions and abolish a vacant position of Office Specialist I; and

WHEREAS, Sufficient funding exists within the Department of Social Service’s budget for these position changes; and

WHEREAS, The Ways and Means Committee recommend the creation of two (2) Typist, Part-Time positions and the abolishment of a vacant Office Specialist I position, effective upon adoption; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the abolishment of a vacant position of Office Specialist I (#3046014) (Grade S3), and the creation of two (2) positions of Typist, Part-Time (Grade S3), both effective upon adoption; and further

RESOLVED, That the vacancy of these new positions is authorized to be filled immediately; and further

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

**RESOLUTION NO. 264-2023
DECLARING THE WEEK OF MAY 7-13, 2023 AS
“PUBLIC SERVICE RECOGNITION WEEK”**

WHEREAS, The citizens of the United States are served every day by public servants at the federal, state, county, town and city levels, and these public servants supply continuity to our democratic society; and

WHEREAS, Public employees make great contributions to their communities by serving in areas such as health, education, community development, human services, crime prevention, fire protection, and environmental protection; and

WHEREAS, The public employees of Ontario County are committed to exhibiting Ontario County’s Core Values and Behaviors to achieve its Vision of creating a vibrant community where every citizen has the opportunity to be healthy, safe and successful; and

WHEREAS, The effectiveness and efficiency of Ontario County’s government depend, in large measure, on public employees whose Mission is to provide strategic and responsive public services that are fiscally responsible and sensitive to the diverse and changing needs of our community; and

WHEREAS, The Ontario County Board of Supervisors recognizes the dedication and talents of public employees, as well as the importance of the services they render at all levels of government; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby declare May 7 – 13, 2023 as “PUBLIC SERVICE RECOGNITION WEEK” in Ontario County.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 265-2023
HOME RULE REQUEST FOR LEGISLATION**

WHEREAS, This Board of Supervisors by Resolution No.770-2022 requested that the New York State Legislature allow renewal of the additional one-eighth and three-eighths of one percent county sales tax; and

WHEREAS, Assemblyman Gallahan has introduced Assembly Bill No. A4128-A that will authorize the additional sales tax through November 30, 2025; and

WHEREAS, Senator Helming has introduced identical legislation in the Senate as Senate Bill No. S5002-A; and

WHEREAS, This Board has been advised that it must adopt a resolution authorizing the execution and filing of formal Home Rule Requests for each bill; and

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

RESOLVED, That the Board of Supervisors of the County of Ontario approves legislation as set forth in Assembly Bill No. A4128-A and Senate Bill No. S5002-A entitled "AN ACT to amend the tax law, in relation to extending the authorization for Ontario County to impose additional rates of sales and compensating use tax"; and further

RESOLVED, That this Board of Supervisors approves the home rule request for the passage of Assembly Bill No. A4128-A, and the home rule request for the passage of Senate Bill No. S5002-A; and further

RESOLVED, That the Clerk of this Board of Supervisors is authorized and directed to execute the required home rule requests and transmit the appropriate forms to the Assembly and Senate Home Rule Councils.

Adopted.

Supervisor David Baker offered the following three resolutions as a block and moved for its adoption, seconded by Supervisor Peter Ingalsbe:

RESOLUTION NO. 266-2023
AMENDMENT TO AND ADOPTION OF THE ONTARIO COUNTY
CASH MANAGEMENT AND INVESTMENT POLICY

WHEREAS, New York State General Municipal Law (Section 39) requires all counties, cities, towns, villages, school districts and district corporations to adopt, by resolution, a comprehensive investment policy; and

WHEREAS, Resolution No. 694-87, adopted December 11, 1987, established an Ontario County Cash Management and Investment Policy; and

WHEREAS, That Policy stipulates that at least annually, the Board of Supervisors shall review and amend, if necessary, the established Guidelines; and

WHEREAS, Changes are needed to the Policy as recommended by the Finance Department and have been reviewed and approved by the Ways and Means Committee; now, therefore, be it

RESOLVED, That the attached Ontario County Cash Management and Investment Policy is hereby amended.

ONTARIO COUNTY CASH MANAGEMENT AND INVESTMENT POLICY

~~~~~

### **I. SCOPE**

This investment policy applies to the investment and deposit of all funds, excluding the investment of employees' retirement, Deferred Compensation (457) and Savings Match Plan (401a) funds.

Except for cash in certain restricted and special funds, Ontario County will consolidate cash and reserve balances from all funds to maximize interest earnings and to increase efficiencies with regard to investment pricing, safekeeping and administration. Interest income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

### **II. OBJECTIVES**

The primary objectives of the Ontario County's investment activities are, in priority order:

- to conform with all applicable federal, State, and other legal requirements;
- to adequately safeguard principal;
- to provide sufficient liquidity to meet all operating requirements that may be reasonably anticipated; and,
- to obtain a reasonable rate of return.

### **III. DELEGATION OF AUTHORITY**

The Board of Supervisors' responsibility for administration of the investment program is delegated to the Manager of Financial Operations who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability and record keeping. These may be based on records in any form which incorporate descriptions, amounts of invoices, transaction dates, and any other relevant information.

### **IV. ETHICS AND PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that places County funds at unreasonable risk. Investments shall be made with judgment and care under circumstances prevailing at that time. Investments shall be made for safety of principal and probable income to be derived, but not for speculation.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

## **V. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

The County shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amounts of investments that can be made with each institution or dealer. All financial institutions with which Ontario County conducts business must be credit worthy, and have an appropriate level of experience, capitalization, size, and other factors that make the financial institution or the dealer capable and qualified to transact business with Ontario County. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of Ontario County. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

The Manager of Financial Operations is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners, and custodians. Such listing shall be evaluated at least annually.

The Ontario County Board of Supervisors authorizes only banks and trust companies that are located and authorized to do business in New York State to be designated as depositories.

## **VI. DIVERSIFICATION**

It is the policy of Ontario County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

## **VII. INTERNAL CONTROLS**

It is the policy of Ontario County for all money collected by any officer or employee of the County to deposit or transfer those funds to the Finance Office - Cash Unit within two business days of receipt, or within the time-period specified in law, whichever is shorter.

The Manager of Financial Operations is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly and are managed in compliance with applicable laws and regulations.

## **VIII. COLLATERALIZING OF DEPOSITS**

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the County, regardless of the type of account in-excess of, the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- By a pledge of "eligible securities" with an aggregate "market value" as provided by GML, Section 10, equal to the aggregate amounts of deposits from the categories designated in Appendix A to the policy.
- By an eligible surety bond payable to Ontario County for an amount at least equal to 100% of the aggregate amounts of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.
- As provided by GML, Amended Sections 10 and 11, Ontario County is authorized to use "reciprocal deposit" programs for their deposits and

investments; it provides an additional option for Ontario County to obtain coverage from the Federal Deposit Insurance Corporation.

NOTE: The market value of total obligations shall not fall below 102% at any given time; if such occurrence exists additional obligations will need to be pledged.

### **IX. COLLATERALIZATION AND SAFEKEEPING**

Eligible securities used for collateralizing deposits shall be held by the depository bank, and/or a third-party bank, or trust company subject to security and custodial agreements at the discretion of the county.

The security agreement shall provide that eligible securities are being pledged to secure Ontario County's deposits together with agreed upon interest, if any and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted, or released and the events which will enable the local government to exercise its rights against the pledged securities.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution, or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

The Ontario County Board of Supervisors that has designated one or more banks or trust companies for the deposit of public funds may, in its discretion, authorize the designated bank or trust company to arrange for the redeposit of Ontario County's funds in one or more banking institutions for the account of Ontario County, through a deposit placement program.

### **X. PERMITTED INVESTMENTS**

As provided by General Municipal Law Section 11, the County's governing body authorizes the Finance Officer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

1. Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in New York State;
2. Through a Deposit Placement Program, certificates of deposit in one or more "banking institutions", as defined in Banking Law Section 9-r;
3. Obligations of the United States of America;
4. Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
5. Obligations of the State; With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e.,

Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State other than The Entity;

6. General obligation bonds and notes of any state other than this state, provided that such bonds and notes receive the highest rating of at least one independent rating agency designated by the state comptroller.
7. Obligations of any corporation organized under the laws of any state in the United States maturing within two hundred seventy days, provided that such obligations receive the highest rating of two independent rating services designated by the state comptroller and that the issuer of such obligations has maintained such ratings on similar obligations during the preceding six months, provided, however, that the issuer of such obligations need not have received such rating during the prior six month period if such issuer has received the highest rating of two independent rating services designated by the state comptroller and is the successor or wholly-owned subsidiary of an issuer that has maintained such ratings on similar obligations during the preceding six month period or if the issuer is the product of a merger of two or more issuers, one of which has maintained such ratings on similar obligations during the preceding six month period, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one corporation.
8. Bankers' acceptances maturing within two hundred seventy days which are eligible for purchase in the open market by federal reserve banks and which have been accepted by a bank or trust company which is organized under the laws of the United States or of any state thereof and which is a member of the federal reserve system and whose short-term obligations meet the criteria outlined in clause (7). Provided, however, that no more than two hundred fifty million dollars may be invested in such bankers' acceptances of any one bank or trust company; or
9. Obligations of, or instruments issued by or fully guaranteed as to principal and interest by, any agency or instrumentality of the United States acting pursuant to a grant of authority from the Congress of the United States, including but not limited to, any federal home loan bank or banks, the Tennessee valley authority, the federal national mortgage association, the federal home loan mortgage corporation and the United States postal service, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one agency.
10. No-load money market mutual funds registered under the Securities Act of 1933, as amended, and operated in accordance with Rule 2a-7 of the Investment Company Act of 1940, as amended, provided that such funds are limited to investments in obligations issued or guaranteed by the United States of America or in obligations of agencies or instrumentalities of the United States of America where the payment of principal and interest are guaranteed by the United States of America (including contracts for the sale and repurchase of any such obligations) and are rated in the highest rating category by at least one nationally recognized statistical rating organization, provided, however, that no more than two hundred fifty million dollars may be invested in such funds.

**All investment obligations shall be payable or redeemable at the option of Ontario County within such times as the proceeds will be needed to meet expenditures for purposes for which the money was provided.**

**XII. PURCHASE OF INVESTMENTS**

The Manager of Financial Operations is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Board of Supervisors.
4. J P Morgan Securities is an authorized depository for investment purchases.

All purchased obligations, unless registered or inscribed in the name of Ontario County, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Ontario County by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for Ontario County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide Ontario County a perfected interest in the securities.

**XIII. REPURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed without the knowledge/agreement of Ontario County.
- The custodian shall be a party other than the trading partner.



**XIV. OPERATING PROCEDURES**

The Manager of Financial Operations is responsible for the investment of County funds. The Department of Finance staff authorized by the Manager of Financial Operations will make investments based upon projections of the County's cash flow needs, so that investments shall mature at such times when funds are estimated to be needed for the orderly payment of County obligations.

Investments will generally be made based upon competitive bids solicited by telephone and e-mail by the County's Department of Finance staff authorized by the Manager of Financial Operations and shall be awarded to the highest bidder who has and is willing and able to pledge sufficient and acceptable collateral.

The Department of Finance is authorized to transfer county funds using any electronic transfer system(s) that reasonably assures the safety of county funds.

Electronic transfer procedures and guidelines will be established between the county and the banking institutions with whom the county intends to use electronic means to transfer funds between or within banks. The Manager of Financial Operations will establish internal control procedures that will provide reasonable assurance that the county deposits are safeguarded against loss.

Funds will only be transferred between institutions in the name of the County of Ontario by using the Federal Reserve Wire Transfer (Fed Wire) system, the Automated Clearing House or by County check and only by staff as authorized in writing by the County Treasurer or his/her designee. Funds may be transferred within the same institution only between County accounts and by authorized County staff. A listing of authorized staff will be maintained by the Department of Finance and will be forwarded to the authorized depositories and investment trading partners.

The Department of Finance will maintain an investment log detailing the specific information relative to each investment. All investment transactions will be promptly reported to the Manager of Financial Operations for entry into the County's accounting system. Comparisons of the existing investments to those recorded in the accounting system will be performed routinely. A monthly report will be provided to the Manager of Financial Operations who will compare existing investments to those recorded in the County's accounting system.

The Department of Finance will compare the collateralized deposits with the bank deposits monthly to ensure sufficient coverage is in place.

The Department of Finance shall prepare and submit a quarterly investment report to the Ways and Means Committee.

At the time independent auditors conduct the annual audit of the accounts and financial affairs of the County, they shall audit the investments for compliance with the provisions of these investment guidelines.

At least annually, the Board of Supervisors shall review and amend, if necessary, the Investment Policy.

*Appendix A*

**General Municipal Law Section 10  
ELIGIBLE LIST OF SECURITIES FOR  
COLLATERALIZATION OF DEPOSITS**

1. Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States government sponsored corporation.
2. Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the InterAmerican Development Bank, the Asian Development Bank, and the African Development Bank.
3. Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
4. Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of this state or obligations of any public benefit corporation which under a specific state statute may be accepted as security for deposit of public moneys.
5. Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
6. Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
7. Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
8. Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
9. Commercial paper and bankers' acceptance issued by a bank, other than the Bank rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
10. Zero coupon obligations of the United States Government marketed as "Treasury STRIPS"
11. Municipal Line of Credit issued by a Federal Home Loan Bank of New York as an accepted form of collateralization with a value of at least 102% of the aggregate value of deposits.

**RESOLUTION NO. 267-2023  
AUTHORIZING CONTRACT WITH  
G&G MUNICIPAL CONSULTING AND GRANT WRITING  
GRANT CONSULTING SERVICES**

WHEREAS, Ontario County has need for on-demand contract assistance related to grant consulting; and

WHEREAS, These services may include grant research, the grant writing, grant training and general grant-related consulting services; and

WHEREAS, Ontario County has, through the Department of Finance, worked with G&G Municipal Consulting and Grant Writing, 131 S. Union Street, PO Box 39, Spencerport, NY 14559 on several grants and feels they are best suited to provide these services on an as needed basis; and

WHEREAS, The Ways and Means Committee recommends authorization of this contract as presented; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney, the Board of Supervisors hereby approves the agreement for Grant Coordination Services with G&G Municipal Consulting and Grant Writing for a one year term commencing on March 15, 2023 and terminating on March 14, 2024 for on-demand grant consulting to be billed hourly for an amount not to exceed \$14,500 annually with the option of two additional one year terms; and further

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

**RESOLUTION NO. 268-2023**  
**AUTHORIZATION TO CONTRACT FOR ARPA COMMUNITY GRANT**  
**ADMINISTRATION AND BUDGET TRANSFER**

WHEREAS, Ontario County received funding from the Federal American Rescue Plan Act (ARPA); and

WHEREAS, The Board of Supervisors wishes to prioritize funding a community grant opportunity with the ARPA resources to aid programs, businesses, and services that were impacted by the COVID-19 pandemic and provide new programs, businesses and services that were found to be deficient or lacking in resiliency during the COVID-19 pandemic; and

WHEREAS, County established an American Rescue Plan Act (ARPA) steering committee, comprised of the Board Chairman, Budget Officer, and county staff from the following departments: County Administration, County Attorney, Economic Development, Finance, and Planning; and

WHEREAS, County's ARPA steering committee, solicited proposals via RFP (R23040) for a qualified consultant to administer a community grant program using up to four million dollars (\$4,000,000.00) in funds allocated to the County through the American Rescue Plan Act (ARPA); and

WHEREAS, Following a thorough review of the nine proposals received, it is recommended to award the contract to H. Sicherman & Company, Inc. d/b/a The Harrison Studio, 160 Washburn Street, Suite 200, P.O. Box 473, Lockport, New York 14095, for a total project cost not to exceed \$327,500; and

WHEREAS, The County's ARPA steering committee has recommended the use of ARPA funds to cover the cost of this effort; and

WHEREAS, The Ways & Means Committee recommend adoption of this resolution; now therefore, be it

RESOLVED, The County Administrator is hereby authorized to sign the contract with The Harrison Studio upon review and approval of the County Attorney as to form and any other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That the following budget transfer be authorized:

| Line Item      | Title                         | Budget Change |
|----------------|-------------------------------|---------------|
| AA1340AR 44089 | Federal Aid - ARPA            | + \$327,500   |
| AA1340AR 54260 | Consultation and Professional | + \$327,500   |

and further

RESOLVED, That the term of said contract shall commence on April 21, 2023 and end on December 31, 2026; and further

RESOLVED, That the cost of said contract shall be paid from budget line AA1340AR 54260, Consultation and Professional; and further

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

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

The foregoing block of three resolutions was adopted.

At 7:07 p.m., Supervisor Peter Ingalsbe made the motion, seconded by Supervisor David Phillips to move into executive session for the purpose of discussing information regarding proposed, pending, or current litigation. The motion was carried.

At 7:43 p.m., motion was made by Supervisor Peter Ingalsbe, seconded by Supervisor David Phillips to move out of executive session; said motion was carried.

On motion of Supervisor David Phillips, seconded by Supervisor Tamara Hicks, the meeting was adjourned at 7:44 pm.