



# WAYS & MEANS COMMITTEE

Wednesday, November 8, 2023, Time: 3:00 PM  
Committee Room, 2nd floor, 74 Ontario Street,  
Canandaigua, NY 14424  
or

<https://ontariocountyny.webex.com>

Meeting number (access code): 2332 430 0856

Meeting Password: WM2023

Join by phone: 1-408-418-9388

## Committee Members

David Baker, Chair  
Robert Green  
Peter Ingalsbe  
Dan Marshall  
David Phillips  
Richard Russell  
Andrew Wickham

### 1. Call to Order:

- A. David Baker - Meeting - Roll Call

### 2. Approval of Minutes:

- A. Kristin Voss - Minutes - October 18, 2023

### 3. Planning Department & FLCC:

- A. Catherine Ahern - Resolution - Authorize Main Campus Rehearsal Hall Lighting Upgrade & Budget Amendment - 2019 FLCC Maintenance Capital Project
- B. Catherine Ahern - Resolution - Authorize Contract With PLAN Architectural Studio For Phase 3 Of Electrical Upgrades - 2022 FLCC Maintenance Capital Project
- C. Catherine Ahern - Resolution - Contract For Asbestos Testing And Budget Amendment - Capital Project No. H096-23 Academics Renovation
- D. Timothy Jensen - Resolution - Capital Project No. H033-16 - Authorization Of Contract Amendment - Design Of Swing Space - QPK
- E. Timothy Jensen - Resolution - Capital Project No. H033-16 - Interdepartmental Funds Transfer For Youth Care Facility Wireless Connection
- F. Timothy Jensen - Resolution - Capital Project No. H033-16 - 3010 Renovation - Authorization Of Project Labor Agreement
- G. Timothy Jensen - Resolution - Capital Project No. H033-16 - 3010 Renovation - Authorization For The Pike Co. To Sign Approved PLA

### 4. Public Works and Public Works Capital Projects:

- A. Steven Vanderbrook - Resolution - Award Bid B23073 Self-Propelled Access Spider Platform Lift
- B. Steven Vanderbrook - Resolution - Authorization For Admar Supply, Inc. To Repair Kubota Front End Loader

### 5. Governmental Operations & Insurance:

- A. Dennine Leeson - Resolution - Overages And Shortages For Levy Against Certain Towns In 2024
- B. Dennine Leeson - Resolution - Removal Of Health Hazard - Town Of Farmington
- C. Dennine Leeson - Resolution - Relevy Of Unpaid Fire Inspection Fees - Town Of Farmington

---

**Ways and Means Committee** oversees the activities, programs, or other matters related to the following departments, agencies, or activities: *County Treasurer, Department of Finance, County Budget, Capital Improvement Financing, County Purchasing, Fixed Assets Inventory, Finger Lakes Community Colleges, Human Resource, Employee Relations, Employee Assistance Program, Personnel Contracts, Affirmative Action, Americans with Disabilities Act Compliance, Civil Service.*

D. Dennine Leeson - Resolution - 2024 Tax Levy Flint Creek Small Watershed Protection District

**6. Health & Human Services:**

- A. Kate Ott - Approval - Coroner Budget Transfer - Autopsies From Contingency
- B. Kate Ott - Approval - Immunization Program Budget Transfer - Vaccine From Contingency
- C. Kate Ott - Approval - Early Intervention Budget Transfer - HC Edu. 0-2 From Contingency
- D. Jessica Mitchell - Resolution - Transfer Of Funds - 2023 County Budget Ontario County Department Of Mental Health

**7. Public Safety:**

- A. David Cirencione - Resolution - Fixing Date And Notice For The Public Hearing On Local Law 9 (Intro) 2023
- B. Leanne Lapp - Resolution - Acceptance Of Contract With Catholic Charities Of The Finger Lakes
- C. Leanne Lapp - Resolution - Acceptance Of Contract With John F. Finn Institute For Public Safety, Inc.
- D. Carrie Bleakley - Approval - Budget Transfer For Panel Attorney Increased Assigned Counsel Rates
- E. Carrie Bleakley - Resolution - Authorization To Accept Funding From The New York State Office Of Indigent Legal Services For Assigned Counsel Partial Reimbursement

**8. Human Resources:**

- A. Michael Flatt - Informational - Safety Chart Reports - October 2023
- B. Michele Smith - Resolution - Authorization To Contract With By The Numbers Actuarial Consulting
- C. Michele Smith - Resolution - Authorize MOA #3-2023 Between Ontario County And The Ontario County Sheriff And The Ontario County Police Benevolent Association Related To Holiday Pay
- D. Michele Smith - Resolution - Authorizing MOA #4-2023 With PBA For Stipend Calculations
- E. Michele Smith - Resolution - Authorize MOA #4-2023 With CSEA To Reallocate Nurse Title
- F. Michele Smith - Resolution - Authorize MOA #4-2023 With SGU To Exclude The Title Of Nutrition Services Coordinator From The Unit
- G. Michele Smith - Resolution - Create And Abolish Positions For 2024 Budget
- H. Michele Smith - Resolution - Fixing Date And Notice For Public Hearing For Local Law No. 8 Of 2023, County Employment Background Checks
- I. Michele Smith - Informational - 3Rd Quarter Retention Report

**9. Finance Department:**

**10. County Administrator:**

- A. Christopher Debolt - Resolution - Reappointment Of Mary M. Gates, Director Of Finance

---

**Ways and Means Committee** oversees the activities, programs, or other matters related to the following departments, agencies, or activities: *County Treasurer, Department of Finance, County Budget, Capital Improvement Financing, County Purchasing, Fixed Assets Inventory, Finger Lakes Community Colleges, Human Resource, Employee Relations, Employee Assistance Program, Personnel Contracts, Affirmative Action, Americans with Disabilities Act Compliance, Civil Service.*

- B. Alissa Bub - Informational - Resolution Granting A No-Cost Time Extension For Contract With Wendel Energy Services, LLC For Ontario County Energy Efficiency Study

**11. Addendum:**

- A. Jason Tack, Thomas Harvey - Resolution - Amendment To The Ontario County 2024-2029 Capital Improvement Plan To Include Three New FLCC Projects
- b. Holly Adams - Resolution - Authorization to Retain Outside Counsel

**12. Executive Session:**

- A. Benjamin Gilmour - Discussion - Collective Negotiations Pursuant To Article 14 Of The Civil Services Law (The Taylor Law)

Confirm next meeting date and time: *November 29, 2023*

**Adjournment:**

- A. David Baker - Meeting - Motion To Adjourn

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**CAPITAL PROJECT NO. H057-19**  
**AUTHORIZE MAIN CAMPUS REHEARSAL HALL LIGHTING UPGRADES**  
**AND BUDGET AMENDMENT**  
**2019 FLCC MAINTENANCE CAPITAL PROJECT**

WHEREAS, Resolution No. 360-2019 created Capital Project No. H057-19 as the 2019 FLCC Maintenance Capital Project; and

WHEREAS, Said project includes funding for classroom upgrades; and

WHEREAS, Finger Lakes Community College staff has found it necessary to replace the lighting in the Main Campus rehearsal hall as the current fluorescent lighting was installed in 1996 and LED replacements will be more energy efficient and will provide future cost savings; and

WHEREAS, Resolution No. 854-2022 approved the renewal of Bid #B22078 for the purchase of electrical supplies to Cooper Friedman Electric Supply Co. Inc., dba Cooper Electric, 315 Cranbury Half Acre Road, Cranbury, New Jersey, 08512; and

WHEREAS, FLCC received quote S053347302 for lighting material and controls in the amount of Eighteen Thousand Five Hundred Nine Dollars (\$18,509.00) dated October 24, 2023, from Cooper Electric, a copy of which is on file with the clerk of this Board; and

WHEREAS, FLCC staff will self-perform the removal and installation of said lighting fixtures; and

WHEREAS, Sufficient funds exist in the 2019 FLCC Maintenance Capital Project; and

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

RESOLVED, That the budget of Capital Project No. H057-19 be, and hereby is, amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH05719 52550	Signal & Communication	\$246,638.97	- \$15,911.79	\$230,727.18
HHH05719 54053	Construction Inspections	\$3,100.00	\$0.00	\$3,100.00
HHH05719 54101	Minor Equipment	\$76,961.03	\$0.00	\$76,961.03
HHH05719 54260	Consultation & Professional	\$185,000.00	\$0.00	\$185,000.00
HHH05719 54491	General Construction	\$363,955.00	\$0.00	\$363,955.00
HHH05719 54493	Electric	\$281,379.31	+ \$15,911.79	\$297,291.10
HHH05719 54494	Plumbing	\$24,945.00	\$0.00	\$24,945.00
HHH05719 54521	HVAC	\$30,620.69	\$0.00	\$30,620.69
HHH05719 54602	Equipment Computer Minor	\$26,400.00	\$0.00	\$26,400.00

HHH05719 54743	Change Order Contingency	\$35,000.00		\$35,000.00
HHH05719 54865	Administration	\$5,000.00	\$0.00	\$5,000.00
Revenues:				
HHH05719 42397	FLCC Revenue – Other	\$50,000.00	\$0.00	\$50,000.00
HHH05719 43297	State Aid	\$639,500.00	\$0.00	\$639,500.00
HHH05719 45031	A – Interfund Transfer	\$589,500.00	\$0.00	\$589,500.00

RESOLVED, That subject to review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts quote S053347302 for lighting materials and controls in the amount of Eighteen Thousand Five Hundred Nine Dollars (\$18,509.00) dated October 24, 2023, and authorizes and empowers the County Administrator to execute a contract with said vendor for said items at a cost not to exceed Eighteen Thousand Five Hundred Nine Dollars (\$18,509.00); and further

RESOLVED, That the cost of said contract be paid from budget line HHH057 19 54493 – Electric; and further

RESOLVED, That the term of said contract shall commence November 17, 2023, and terminate November 16, 2024; and further

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of One Million Two Hundred Seventy-Nine Thousand Dollars (\$1,279,000.00); and further

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

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**CAPITAL PROJECT NO. H083-22**  
**AUTHORIZATION TO CONTRACT WITH PLAN ARCHITECTURAL STUDIO, P.C.**  
**FOR DESIGN OF ELECTRICAL SYSTEMS UPGRADES – PHASE 3**  
**AND BUDGET TRANSFER**  
**2022 FLCC MAINTENANCE CAPITAL PROJECT**

WHEREAS, Resolution No. 296-2022 established Capital Project No. H083-22 as the 2022 FLCC Maintenance Capital Project in the amount of One Million Dollars (\$1,000,000.00); and

WHEREAS, Said project includes funding for electrical systems upgrades at Finger Lakes Community College (FLCC); and

WHEREAS, RFP R21050 solicited proposals for on-demand contracts for professional architectural and engineering consulting services needed for minor infrastructure and facility project studies at Finger Lakes Community College and PLAN Architectural Studio, P.C. (PLAN) is approved as one of two architectural and engineering consulting services; and

WHEREAS, PLAN submitted a proposal dated October 24, 2023, to provide architectural and engineering services associated with Phase 3 of the electrical systems upgrades at FLCC in the amount of Thirty-Three Thousand Five Hundred Dollars (\$33,500.00) plus reimbursable expenses, a copy of which is on file with the Clerk of this Board; and

WHEREAS, Sufficient funds exist in the 2022 FLCC Maintenance Capital Project to fund this contract; and

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

RESOLVED, That the budget of Capital Project No. H083-22 be, and hereby is, amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH08322 54038	Moving	\$595.36	\$0.00	\$595.36
HHH08322 54054	Gas / Heating Oil	\$5,267.22	\$0.00	\$5,267.22
HHH08322 54101	Equipment Minor	\$327.97	\$0.00	\$327.97
HHH08322 54491	General Construction	\$41,801.40	- \$16,056.52	\$25,744.88
HHH08322 54493	Electric Work	\$414,868.43	\$0.00	\$441,868.43
HHH08322 54495	Architectural & Engineering	\$18,443.48	+ \$16,056.52	\$34,500.00
HHH08322 54498	Asbestos & Related Testing	\$5,000.00	\$0.00	\$5,000.00
HHH08322 54521	HVAC	\$452,060.85	\$0.00	\$452,060.85
HHH08322 54743	Change Order Contingency	\$29,635.29	\$0.00	\$29,635.29

HHH08322 54865	Administration	\$5,000.00	\$0.00	\$5,000.00
Revenues:				
HHH08322 43297	State Aid	\$500,000.00	\$0.00	\$500,000.00
HHH08322 45031	General Fund – Interfund Revenue	\$500,000.00	\$0.00	\$500,000.00

and further

RESOLVED, That subject to review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts the October 24, 2023 proposal from PLAN Architectural Studio, P.C., 250 South Avenue, Suite 100, Rochester, New York 14604, to provide architectural and engineering services in regard to the design of Phase 3 of the electrical upgrades at FLCC for Thirty-Three Thousand Five Hundred Dollars (\$33,500.00), plus One Thousand Dollars (\$1,000) for reimbursable expenses, for a total contract price not to exceed Thirty-Four Thousand Five Hundred Dollars (\$34,500.00) and the County Administrator be, and hereby is, authorized and empowered to execute a contract with said firm for said services for said amount; and further

RESOLVED, That the term of said contract shall commence on November 17, 2023, and terminate on June 30, 2025; and further

RESOLVED, That the cost of said contract shall be paid from budget line HHH08322 54495 – Architectural & Engineering of Capital Project No. H083-22; and further

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

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

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**CAPITAL PROJECT NO. H096-23**  
**AUTHORIZE CONTRACT FOR ASBESTOS SURVEY AND BUDGET AMENDMENT**  
**FLCC ACADEMICS RENOVATION CAPITAL PROJECT**

WHEREAS, Resolution No. 375-2023 established Capital Project No. H096-23 as the FLCC Academics Renovation Capital Project in the amount of Two Hundred Thousand Dollars (\$200,000.00); and

WHEREAS, Said project includes funding for the renovation of Hemlock Hall, the first floor area adjacent to the library; and

WHEREAS, FLCC has no record of hazard testing of a wall in the Hemlock Hall area and the Ontario County Code Enforcement Officer requested testing be done before a building permit can be issued; and

WHEREAS, Lozier Environmental Consulting, Inc., 2011 East Main Street, Rochester, New York 14609, was contacted to perform an asbestos survey pre-renovation and provided Invoice No. 9507 in the amount of Three Hundred Seventy-Eight Dollars (\$378.00), based on pricing per Ontario County Resolution No. 329-2023 renewing Bid B21021; a copy of which is on file with the Clerk of this Board; and

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

RESOLVED, That the budget for Capital Project No. H096-23 be, and hereby is, amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH09623 52100	Furniture & Furnishings	\$15,000.00	-\$378.00	\$14,622.00
HHH09623 54491	General Construction	\$85,000.00	\$0.00	\$85,000.00
HHH09623 54493	Electric Work	\$10,000.00	\$0.00	\$10,000.00
HHH09623 54498	Asbestos & Related Testing	\$0.00	+\$378.00	\$378.00
HHH09623 54521	HVAC	\$90,000.00	\$0.00	\$90,000.00
Revenue:				
HHH09623 42397	FLCC Revenue	\$100,000.00	\$0.00	\$100,000.00
HHH09623 43297	State Aid	\$100,000.00	\$0.00	\$100,000.00

and further

RESOLVED, That subject to review and approval of the County Attorney as to form, the Board of Supervisors authorizes and empowers the County Administrator to execute a contract with Lozier Environmental Consulting, Inc., 2011 East Main Street, Rochester, New York 14609, to conduct a pre-construction asbestos survey of walls in the Hemlock Hall area at FLCC for a cost not to exceed Three Hundred Seventy-Eight Dollars (\$378.00); and further

RESOLVED, That the cost of said contract with Lozier Environmental Consulting, Inc., be paid from budget line HHH096-23 54498 – Asbestos and Related Testing of Capital Project No. H096-23; 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 Two Hundred Thousand Dollars (\$200,000.00); and further

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

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**CAPITAL PROJECT NO. H033-16**  
**AUTHORIZATION OF CONTRACT AMENDMENT**  
**ADDITIONAL SERVICES FOR DESIGN OF SWING SPACE - QPK**

WHEREAS, Resolution No. 375-2016 established Capital Project No. 02-2016, “Space Reorganization and Security Enhancement of Ontario County Human Services Building Project”, now known as Capital Project No. H033-16, which involves a comprehensive building wide interior renovation of 3010 County Complex Drive (the Project); and

WHEREAS, Resolution No. 428-2022 authorized a contract with QPK Design LLP at 450 South Salina St, Syracuse, NY 13202 (the Consultant), to provide related architectural design services; and

WHEREAS, Staff is recommending expanding the scope of services provided by the Consultant to include the design of the swing space inside 3010 County Complex Drive; and

WHEREAS, QPK Design LLP provided a proposal dated September 28, 2023, for the design of the swing space inside 3010 County Complex Drive for a total contract increase of \$37,500.00; and

WHEREAS, Board authorization of a budget amendment and contract are needed; and

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

RESOLVED, That the following budget transfer is hereby approved:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH03316 54260	Consultation and Professional	\$1,121,827.00	\$0.00	\$1,121,827.00
HHH03316 54495	Architectural/ Engineering	\$1,571,808.00	+\$37,500.00	\$1,609,308.00
HHH03316 54731	Contingency	\$3,857,365.00	-\$37,500.00	\$3,819,865.00
HHH03316 54865	Administration	\$4,000.00	\$0.00	\$4,000.00
Revenue:				
HHH03316 45031	Interfund Revenue	\$6,555,000.00	\$0.00	\$6,555,000.00

and further

RESOLVED, That, subject to approval as to form by the County Attorney, the Board hereby authorizes execution of a contract amendment with the Consultant for services as described in their proposal dated 9/28/23 for an amount not to exceed Thirty-Seven Thousand Five Hundred Dollars (\$37,500.00) for a total contract amount of One Million Five Hundred Sixty-Six Thousand Three Hundred Eight Dollars (\$1,566,308.00) (the Amendment); and further

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

RESOLVED, That the cost of the contract be paid from budget line HHH03316 54495, Architectural and Engineering, of Capital Project No. H033-16; and further

RESOLVED, That the term of said contract amendment shall commence November 16, 2023, and terminate July 15, 2024; 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 Six Million Five Hundred Fifty-Five Thousand Dollars (\$6,555,000.00); and further

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

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**CAPITAL PROJECT NO. H033-16**  
**INTERDEPARTMENTAL FUNDS TRANSFER FOR CONSULTANT SERVICES FOR**  
**DATA CONNECTION TO THE YOUTH CARE FACILITY INITIAL SITE SURVEY**  
**HUMAN SERVICES BUILDING RENOVATION CAPITAL PROJECT**

WHEREAS, Resolution No. 375-2016 established Capital Project No. 02-2016, “Space Reorganization and Security Enhancement of Ontario County Human Services Building Project”, now known as Capital Project No. H033-16, which involves a comprehensive building wide interior renovation of 3010 County Complex Drive (the project); and

WHEREAS, As part of the project, staff is recommending installation of a wireless data connection to the County-owned facility located at 3093 County Complex Dr (the Youth Care Facility) so that it can be used as swing space; and

WHEREAS, The Information Technology (IT) department is working with Integrated Systems of 50 Victor Heights Parkway Victor, NY 14564, to perform an initial site survey to determine an optimal path for the wireless connection; and

WHEREAS, The cost of said services from Integrated Systems is \$990, and a request to do work before weather changes has been made, and to do so, the cost will initially be paid from the IT department budget; and

WHEREAS, Staff is requesting to reimburse the IT department budget for said cost using funds from those allocated for Capital Project No. H033-16; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby accepts the request to reimburse Ontario County IT Department in the amount of Nine Hundred Ninety Dollars (\$990.00); and further

RESOLVED, That the following transfer of departmental expense be authorized and is hereby approved:

ACCOUNT	DESCRIPTION	DEBIT	CREDIT
HHH03316 54260	Consultation and Professional	\$990.00	
AA1680 54260	Consultation and Professional		\$990.00

and further

RESOLVED, That the Department of Finance is directed to make payment to Ontario County IT department as reimbursement for expenses incurred and paid by Ontario County IT from budget line HHH03316 54260, Consultation and Professional, of Capital Project No. H033-16; 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 Six Million Five Hundred Fifty Five Thousand Dollars (\$6,555,000.00); and further

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



**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**CAPITAL PROJECT NO. H033-16 AUTHORIZATION OF A PROJECT LABOR AGREEMENT  
FOR RENOVATION OF 3010 COUNTY COMPLEX DR**

WHEREAS, Resolution No. 375 - 2016 established Capital Project No. 02-2016 “Space Reorganization and Security Enhancement of Ontario County Human Services Building Project”, now known as Capital Project No. H033-16, which involves a comprehensive building wide interior renovation of 3010 County Complex Dr (the Project); and

WHEREAS, Resolution No. 207-2022 authorized a contract with Seeler Engineering, P.C. to undertake an analysis consistent with Section 222 of New York Labor Law, to understand the potential benefits of using a Project Labor Agreement (PLA) for the Project; and

WHEREAS, Seeler Engineering, P.C. has delivered a draft report indicating potential benefits to the Project including:

1. A potential labor cost savings of \$86,700,
2. Avoidance of costly delays from potential strikes or other disruptions arising from work disputes,
3. Flexibility in work scheduling and shift time that increase productivity,
4. Ensuring a reliable source of skilled and experienced labor,
5. Greater flexibility in application of the Wicks Law,
6. Avoiding favoritism by ensuring availability of the benefits of the PLA to all successful bidders regardless of union/non-union status or the status of their employees,
7. Obtaining the best work at the lowest possible price,
8. Preventing favoritism, fraud and corruption; and cost savings, efficiency of using a single prime contractor, and ensuring sufficient qualified workers will be available throughout the project; and

WHEREAS, Resolution No. 327-2023 authorized a contract with Seeler Engineering, P.C. to develop a draft PLA; and

WHEREAS, Seeler Engineering, P.C. has delivered a draft PLA dated 9/22/23 which has been reviewed by County staff and the Construction Manager for the Project (the Pike Company); and

WHEREAS, Board authorization of the PLA is needed; and

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

RESOLVED, That the Board of Supervisors finds that the use of a PLA on the Project fosters the purposes of the competitive bidding laws by providing fiscal benefits documented in the final report by Seeler Engineering, P.C. and avoiding favoritism, fraud and corruption as outlined above; and further

RESOLVED, That the Board of Supervisors hereby authorizes the use of the PLA for the Project, subject to approval of the form by the County Attorney; and further

RESOLVED, That copies of this resolution be sent by the Clerk of the Board to Mr. Tim Seeler of Seeler Engineering, P.C. and Mr. Mike Davis, Finger Lakes Building and Construction Trades Council.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**CAPITAL PROJECT NO. H033-16 - RENOVATION OF 3010 COUNTY COMPLEX DR -  
AUTHORIZATION TO ALLOW THE PIKE COMPANY TO SIGN THE PROJECT LABOR  
AGREEMENT**

WHEREAS, Resolution No. 375 - 2016 established Capital Project No. 02-2016 “Space Reorganization and Security Enhancement of Ontario County Human Services Building Project”, now known as Capital Project No. H033-16, which involves a comprehensive building wide interior renovation of 3010 County Complex Dr (the Project); and

WHEREAS, Resolution No. 429-2022 authorized a contract with The Pike Company, 1 Circle Street, Rochester, NY 14607 (“the Construction Manager”) to provide estimating and construction management services for the Project; and

WHEREAS, Resolution No. XXX -2023 authorized the use of a Project Labor Agreement (“PLA”) for the Project, a copy of which is on file with said resolution; and

WHEREAS, Said PLA requires the signature of the Construction Manager on behalf of the County as the Construction Manager will be administering the terms of the PLA; and

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

RESOLVED, That this Board of Supervisors hereby authorizes and empowers The Pike Company, 1 Circle Street, Rochester, NY 14607 to execute the PLA on behalf of Ontario County for the Project; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of the Board to the Director of Finance, and Mr. Mark Bolin of The Pike Company.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**AWARD BID B23073 FOR PURCHASE OF PLATFORM LIFT**

WHEREAS, Resolution No. 719-2021 awarded a bid for a Boom Type Man Lift to Skyworks, LLC; and

WHEREAS, Skyworks, LLC was unable to fulfill the order or commit to agreed upon pricing at that time; and

WHEREAS, Unused funding for purchase of a platform lift was transferred Equipment Reserve with Resolution No. 848-2022; and

WHEREAS, The Purchasing Department advertised and received, per tabulation sheets on file with the Clerk of the Board, bid (B23073) for the purchase of said Platform Lift; and

WHEREAS, Upon review of all bids received, it has been determined that it is in the County's best interest to award this bid to Skyworks LLC, with offices at 63 Pixley Industrial Ext., Rochester, NY 14624, based upon it offering the best value per specifications for the price of \$86,526 which includes selected options; and

WHEREAS, The Commissioner of Public Works recommends transferring funds from the Equipment Reserve; and

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

RESOLVED, That the following budget transfer is hereby approved:

Account	Description	Revenue	Appropriation
AA162099 52450	Equipment Building & Maintenance		\$86,526
AA 30511 BR104	Equipment Reserve	\$86,526	

and further

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

RESOLVED, The Ontario County Board of Supervisors hereby awards the bid received for a Platform Lift for the Bureau of Buildings & Grounds to Skyworks LLC, with offices at 63 Pixley Industrial Ext., Rochester, NY 14624 for the price of \$86,526; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board of Supervisors to Skyworks LLC, 63 Pixley Industrial Ext., Rochester, NY.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**AUTHORIZATION FOR ADMAR SUPPLY, INC. TO REPAIR KUBOTA FRONT END LOADER**

WHEREAS, The Bureau of Buildings & Grounds' fleet includes a Kubota front end loader (Fleet #1597) that is vital to its maintenance operations; and

WHEREAS, Said loader requires repair to return it to reliable service; and

WHEREAS, Admar Supply, Inc., a sole source provider, and an authorized Kubota construction equipment repair facility, has provided an estimate of \$20,657.10 to accomplish these repairs; and

WHEREAS, The total cost of the repairs is therefore not to exceed \$21,689.96 which includes a 5% contingency; and

WHEREAS, It has been determined, given said loader's age, condition and intended use, that said repair is cost effective; and

WHEREAS, It is recommended that funds be transferred from the Buildings & Grounds CIP to the Bureau's operating budget, equipment repair line; and

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

RESOLVED, that the following budget transfer be approved;

Account	Description	Amount
AA162099 54031	Renovations	(21,689.96)
AA1620 54300	Maintenance & Repair of Vehicles	21,689.96

and further

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

RESOLVED, That the Board of Supervisors hereby authorizes a Short Form Contract with Admar Supply, Inc. for the repair of said Kubota loader in the amount of \$20,657.10.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**OVERAGES AND SHORTAGES FOR LEVY AGAINST CERTAIN TOWNS IN 2024**

WHEREAS, There were overages and shortages of tax amounts billed and collected on the 2023 Tax Rolls due to rounding; now, therefore, be it

RESOLVED, That there is levied and assessed against the following names Towns the amount set opposite the name of said Town as its share of overage and shortages on previous tax rolls to be charged or credited against the various Towns of the County of Ontario on the 2024 Tax Rolls as follows:

TOWN	OVER (-)	SHORT +	COMBINED TOTALS
Bristol			
Canadice	(.18)		(.18)
Canandaigua	(.69)		(.69)
East Bloomfield	(.63)		(.63)
Farmington		3.68	3.68
Geneva Town	(.35)		(.35)
Gorham	(.57)		(.57)
Hopewell	(.08)		(.08)
Manchester	(.10)	1.05	.95
Naples	(.66)		(.66)
Phelps	(.19)	399.11	398.92
Richmond		1.61	1.61
Seneca		.49	.49
South Bristol	(.29)		(.29)
Victor	(1.08)		(1.08)
West Bloomfield	(.05)		(.05)
Town Totals	(4.87)	405.94	401.07

and further

RESOLVED, That the certified copies of this resolution be sent electronically by Clerk of this Board to each Town Supervisor.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**REMOVAL OF HEALTH HAZARD - TOWN OF FARMINGTON**

WHEREAS, The Farmington Town Board authorized their Code Enforcement Officer to take the necessary action for the maintenance of properties located in the Town of Farmington in accordance with Farmington Town Code 112; and

WHEREAS, The Code Enforcement Officer ordered the following parcels maintained, and submitted a request to the Ontario County Board of Supervisors for the unpaid mowing charges to be levied against said parcels on the 2024 Town of Farmington Tax Roll; now, therefore, be it

RESOLVED, That the amounts appearing below per attached reference be levied against the following properties:

Date Ordered	Tax Map #	Location	Owner	Amount
07/07/2023	41.08-2-42.000	32 Coachlight Cir	Debra Barmaster	\$375.00
07/31/2023				\$600.00
08/31/2023				<u>\$150.00</u>
			TOTAL	\$1,125.00
07/07/2023	41.08-2-55.000	48 Coachlight Cir	Willie Mae Herring/	\$375.00
07/31/2023			Harry Herring	\$600.00
08/31/2023		NEW OWNER:	Cameron Cummings	\$450.00
09/15/2023				\$450.00
10/01/2023				<u>\$150.00</u>
			TOTAL	\$2,025.00
07/31/2023	41.08-2-77.000	15 Coachlight Cir	Wendy Sulkey	\$450.00
08/31/2023				\$600.00
09/15/2023				\$450.00
10/01/2023				<u>\$150.00</u>
			TOTAL	\$1,650.00
07/31/2023	29.00-1-12.000	6132 St Rt 96	Case Realty 6132 LLC	\$2,550.00
08/31/2023				\$1,050.00
09/15/2023				\$525.00

10/01/2023				<u>\$450.00</u>
			TOTAL	\$4,575.00
07/31/2023	29.12-2-82.000	1101 Harlowe Lane	Jack Montesano Jr.	\$300.00
08/31/2023			Sarah D'Amico	\$300.00
09/15/2023				\$450.00
10/01/2023				<u>\$150.00</u>
			TOTAL	\$1,200.00
07/31/2023	41.12-1-96.112	1637 St Rt 332	RGSA LLC	\$750.00
08/31/2023				\$1,050.00
09/15/2023				\$525.00
10/01/2023				<u>\$450.00</u>
			TOTAL	\$2,775.00
09/15/2023	29.11-2-27.000	Corner St Rt 96	Steve Desgagnes	\$600.00
10/01/2023		& Glen Carlyn Dr		<u>\$150.00</u>
			TOTAL	\$750.00
			GRAND TOTAL	\$14,100.00

and further

RESOLVED, The amount of \$14,100.00 is to be paid to the Town of Farmington Supervisor by the Town Tax Collector; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Farmington Town Supervisor.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**RELEVY OF UNPAID FIRE INSPECTION FEES - TOWN OF FARMINGTON**

WHEREAS, The Farmington Town Board authorized their Code Enforcement Officer to take the necessary action to secure a fire and safety inspection of a professional building located at 1235 State Route 332 in accordance with Farmington Town Code 65 §74-14 & §74-9D & §74-9E; and

WHEREAS, On April 14, 2023 the Fire Marshal took the necessary action to inspect this parcel for fire and safety and submitted a request to the Ontario County Board of Supervisors for the unpaid fire inspection fees to be levied against said parcel on the 2024 Town of Farmington Tax Roll, now, therefore, be it

RESOLVED, The amount of \$900.00 is hereby assessed and levied against Tax Map #29.00-2-34.000, to be paid to the Town of Farmington by the Town Tax Collector, and be it further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Treasurer, Real Property Tax Services and to the Farmington Town Supervisor.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**2024 TAX LEVY FLINT CREEK SMALL WATERSHED PROTECTION DISTRICT**

WHEREAS, By Resolutions No. 616 of 1977 and No. 693 of 1978, this Board of Supervisors approved the establishment of the Flint Creek Small Watershed Protection District, pursuant to Article 5-D of the County Law; and

WHEREAS, The 2024 budget of the Flint Creek Small Watershed Protection District, approved by the Flint Creek Administrative Board on July 5, 2023, has been filed with the Clerk of this Board of Supervisors for inclusion in the 2024 Ontario County Budget, and a public hearing was duly held thereon; and

WHEREAS, Resolution No. 1-22 of the Flint Creek Administrative Board requested that Ontario County levy and collect assessments on their behalf against cleared and unclear acreage in the District, pursuant to paragraph 9 of the agreement between Yates and Ontario Counties, which agreement was approved by the Ontario County Board of Supervisors by Resolution No. 693 of 1978, in accordance with County Law 271; and

WHEREAS, The 2024 assessment roll for the Flint Creek Small Watershed Protection District has been filed with the Clerk of this Board; now, therefore, be it

RESOLVED, That the 2024 appropriation of \$4,920.75 be levied and assessed upon the property liable therefore, pursuant to the assessment roll filed with the Clerk of this Board for the fiscal year January 1, 2024, through December 31, 2024; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Flint Creek Small Watershed Protection District Administrative Board, C/O Edward Hansen, Jr., 3995 Old Mill Rd, Stanley, New York 14561.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**TRANSFER OF FUNDS - 2023 COUNTY BUDGET**  
**ONTARIO COUNTY DEPARTMENT OF MENTAL HEALTH**

WHEREAS, Computer equipment is needed for telehealth service expansion; and

WHEREAS, Opioid funding has been received, and can be utilized for this purchase; and

WHEREAS, The Health and Human Services Committee and the Ways and Means Committee have reviewed and approved the following transfer to fund this equipment; now, therefore, be it

RESOLVED, That the following transfer be made:

Account	Description	Revenue	Appropriation
AA1340MH 42770	Revenue Unclassified	\$3,990.00	
AA1340MH 54101	Equipment Minor		\$3,990.00

and further

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

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON LOCAL LAW 9 (INTRO) 2023**

WHEREAS, There has been introduced at a meeting of this Board held on November 16, 2023 a proposed local law entitled "A Local Law Establishing Residency Requirements for County Police Officers and Superseding Public Officers Law Section 3(1) and Local Law 8 of 1999, As Amended by Local Law 1 of 2016"; now, therefore, be it

RESOLVED, That a public hearing shall be held on December 7, 2023, at 6:30 p.m. at the Supervisors' Chambers, location 74 Ontario Street, 2<sup>nd</sup> Floor, Canandaigua, New York; and further

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

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**ACCEPTANCE OF CONTRACT WITH CATHOLIC CHARITIES OF THE FINGER LAKES**

WHEREAS, Ontario County has been awarded a competitive grant from the Bureau of Justice Assistance to improve, enhance, and expand Ontario County's Drug Treatment Court and Veterans Treatment Court; and

WHEREAS, Part of the grant awarded to Ontario County includes funding to retain Catholic Charities of the Finger Lakes, located at 94 Exchange Street, Geneva, New York, 14456, to provide personnel to assist the Treatment Court Coordinator with administrative support, case management, participant monitoring, and peer support; and

WHEREAS, Catholic Charities of the Finger Lakes has agreed to provide such services for an amount not to exceed \$139,880 in any grant contract year, including personnel costs and all related costs; and

WHEREAS, The Public Safety Committee has approved a contract period commencing November 1, 2023, and terminating December 31, 2024; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves an agreement with Catholic Charities of the Finger Lakes at a cost not to exceed \$139,880 in any grant contract year; and further

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

RESOLVED, That the contract period shall commence November 1, 2023, and terminate December 31, 2024.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**ACCEPTANCE OF CONTRACT WITH JOHN F. FINN INSTITUTE FOR PUBLIC SAFETY, INC.**

WHEREAS, Ontario County has been awarded a competitive grant from the Bureau of Justice Initiatives ("BJA") to improve, enhance, and expand Ontario County's Drug Treatment Court and Veterans Treatment Court; and

WHEREAS, Part of the grant awarded to Ontario County includes funding to retain John F. Finn Institute for Public Safety, Inc. ("Finn Institute"), located at 421 New Karner Road, Suite 12, Albany, NY 12205 to provide data collection evaluation; program process and performance evaluation, and quality improvement facilitation services for the BJA-funded Finger Lakes Treatment Court Enhancement Project; and

WHEREAS, the Finn Institute has agreed to provide such services for an amount not to exceed \$30,000 in any grant contract year, including personnel costs and all related costs; and

WHEREAS, this contract is on file with the Clerk of the Board's Office; and

WHEREAS, The Public Safety Committee has approved a contract period commencing November 1, 2023, and terminating December 31, 2024; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves an agreement with Finn Institute to provide data collection evaluation; program process and performance evaluation, and quality improvement facilitation services for the SAMHSA-funded Finger Lakes Drug Treatment Court Enhancement Project at a cost not to exceed \$30,000 in any grant contract year, and further

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

RESOLVED, That the contract period shall commence November 1, 2023, and terminate December 31, 2024.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**AUTHORIZATION TO ACCEPT FUNDING FROM  
THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES  
FOR ASSIGNED COUNSEL PARTIAL REIMBURSEMENT**

WHEREAS, The New York State Office of Indigent Legal Services has increased Assigned Counsel rates via an amendment to County Law § 722-b, effective April 1, 2023; and

WHEREAS, The New York State Office of Indigent Legal Services State FY 2023-24 enacted budget includes a \$92 million appropriation in the ILS Aid to Localities budget to reimburse counties and NYC 50% of their expenditures for this increased rate. The Ontario County Conflict Defender has an estimated \$150,000 reimbursement expected; and

WHEREAS, It is desirable for the Ontario County Conflict Defender’s Office to accept this funding from the New York State Office of Indigent Legal Services, 80 South Swan Street, Ste 1147, Albany, New York 12210, for the period April 1, 2023 through March 31, 2024, or until state funds are exhausted; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this resolution at their recent meetings, and recommend that the full Board of Supervisors resolve to accept this NYS Office of Indigent Legal Services funding; now therefore, be it

RESOLVED, That the Board of Supervisors, hereby accepts the funding awarded to the Conflict Defender's Office; and further

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

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

To:		Revenue	Appropriation
AAC107 43025	State Aid, ILS Funding	\$150,000.00	
AAC107 54231	Legal Services Criminal		\$50,000.00
AAC107 54232	Legal Services Family Court		\$100,000.00
<b>TOTAL:</b>		<b>+\$150,000.00</b>	<b>+\$150,000.00</b>

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**AUTHORIZATION TO CONTRACT WITH BY THE NUMBERS ACTUARIAL CONSULTING**

WHEREAS, Resolution No. 723-2018 authorized a two-year contract with By the Numbers Actuarial Consulting, Inc. to provide actuarial services for the Ontario County Mutual Self-Insurance Plan for a cost of \$6,000 per year, and Resolution No. 621-2020 authorized a three-year renewal with no increase in pricing which will expire on December 31, 2023; and

WHEREAS, By the Numbers Actuarial Consulting, Inc. has proposed to continue providing actuarial services for the Ontario County Mutual Self-Insurance Plan in 2024 through 2026 with the following annual fees:

- Report for Valuation as of 12/31/2023: \$6,000
- Report for Valuation as of 12/31/2024: \$6,250
- Report for Valuation as of 12/31/2025: \$6,250; and

WHEREAS, The Government Operations and Insurance Committee and the Ways and Means Committee recommend that the County enter into an agreement with By the Numbers Actuarial Consulting, Inc. for the aforementioned services for a three-year term of January 1, 2024 - December 31, 2026; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves a contract with By the Numbers Actuarial Consulting, Inc., 9 Forrest Blend Drive, Titusville, New Jersey 08560 for actuarial services for the Ontario County Mutual Self-Insurance Plan for Workers' Compensation for a term of January 1, 2024 through December 31, 2026; and further

RESOLVED, That the cost for these services shall not exceed \$6,000 for the first year and \$6,250 for two subsequent years; 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.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**AUTHORIZE MEMORANDUM OF AGREEMENT #3-2023 BETWEEN ONTARIO COUNTY AND  
THE ONTARIO COUNTY SHERIFF AND THE ONTARIO COUNTY POLICE BENEVOLENT  
ASSOCIATION RELATED TO HOLIDAY PAY**

WHEREAS, Ontario County and the Ontario County Sheriff are currently parties to a labor agreement with the Ontario County Police Benevolent Association (PBA) for the period of January 1, 2021 through December 31, 2024; and

WHEREAS, Resolution No. 727-2021 authorized Memorandum of Agreement #1-2021 with the PBA to allow a trial period during which Sergeants who work a 4-2 rotation were scheduled for 12-hour shifts; and

WHEREAS, Effective May 7, 2023, the parties extended the trial 12-hour shifts to include County Police Officers, subject to some exceptions for particular assignments; and

WHEREAS, Following the switch to 12-hour shifts for Police Officers, an issue arose concerning the interpretation and application of Article 5 of the CBA concerning payment for officers who work on a designated Holiday; and

WHEREAS, After discussion and review of the issue the parties agreed that officers working 12-hour shifts on designated holidays occurring after May 7, 2023 had been undercompensated; and

WHEREAS, The parties also determined that Sergeants had been undercompensated when working on a holiday dating back to the commencement of the 12-hour trial period on January 2, 2022; and

WHEREAS, Payroll adjustments have been made to correct the issue going forward and to make all impacted Police Officers whole back to and including the Memorial Day (2023) Holiday; and

WHEREAS, the parties wish to mutually address and resolve the underpayments for Sergeants working 12-hour shifts dating back to the commencement of the 12-hour trial period in a manner which is fair to both parties and which minimizes the administrative work of precise retroactive hourly rate calculations through Memorandum of Agreement No. 3-2023; and

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

RESOLVED, That Memorandum of Agreement No. 2-2023, reflecting the parties' agreement to compensate County Police Sergeants who worked a 12-hour day on a 4-2 rotation on named holidays, is hereby approved; and further

RESOLVED, That copies of this resolution shall be sent by the Clerk of this Board to Chris Drake, President of the PBA, Sheriff Cirencione, and to the Director of Human Resources.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**AUTHORIZE MEMORANDUM OF AGREEMENT #4-2023  
BETWEEN ONTARIO COUNTY AND THE ONTARIO COUNTY SHERIFF  
AND THE ONTARIO COUNTY POLICE BENEVOLENT ASSOCIATION RELATED TO STIPEND  
CALCULATIONS**

WHEREAS, Ontario County and the Ontario County Sheriff are currently parties to a labor agreement (CBA) with the Ontario County Police Benevolent Association (PBA) for the period of January 1, 2021 through December 31, 2024; and

WHEREAS, The CBA provides for several stipends which are set forth in an annual amount, but which are required to be paid out on a payroll basis, every two weeks; and

WHEREAS, The annual amounts for the various stipends are not evenly divisible by twenty-six (26), the number of pay periods in a calendar year, which has led to the need to round to the nearest cent when establishing the per pay period amount, causing slight variations in the annual amount actually paid; and

WHEREAS, The parties wish to address and resolve this issue for the term of the CBA; and

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

RESOLVED, That Memorandum of Agreement No. 4-2023, reflecting the parties' agreement to calculate stipends required to be paid under the CBA by dividing the annual amount by 26 and rounding to the nearest cent; and further

RESOLVED, That copies of this resolution shall be sent by the Clerk of this Board to Chris Drake, President of the PBA, Sheriff Cirencione, and to the Director of Human Resources.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**AUTHORIZING MEMORANDUM OF AGREEMENT NO. 4-2023**  
**BETWEEN ONTARIO COUNTY AND**  
**C.S.E.A., LOCAL 1000 AFSCME, AFL-CIO TO REALLOCATE NURSE TITLE**

WHEREAS, Ontario County is currently a party to a labor agreement with the C.S.E.A., Local 1000 AFSCME, AFL-CIO (CSEA) with said Agreement expiring December 31, 2025; and

WHEREAS, By Res. No 522-2022 this Board previously authorized the reallocation of salaries of Ontario County nursing positions; and

WHEREAS, A nursing title in the CSEA bargaining agreement, Licensed Practical Nurse, had not been recently filled and was inadvertently excluded from the list of affected positions listed in Memorandum of Agreement No.5-2022; and

WHEREAS, The parties to the Agreement do agree that the position of Licensed Practical Nurse should also be reallocated; now, therefore, be it

RESOLVED, That the title of Licensed Practical Nurse shall be reallocated from CSEA Grade A08 to Grade 09 effective immediately; and further

RESOLVED, That the County Administrator is authorized to execute Memorandum of Agreement #4-2023; and further

RESOLVED, That copies of this resolution shall be sent by the Clerk of this Board to Melodie Yannotti, President of the C.S.E.A. Unit, and to the Director of Human Resources, and to the County Attorney.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**AUTHORIZE MEMORANDUM OF AGREEMENT NO. 4-2023  
BETWEEN ONTARIO COUNTY, ONTARIO COUNTY SHERIFF AND  
THE ONTARIO COUNTY SHERIFF'S GENERAL UNIT**

WHEREAS, Ontario County and the Ontario County Sheriff are currently a party to a labor agreement with the Ontario County Sheriff's General Unit with said Agreement expiring December 31, 2024; and

WHEREAS, Said Agreement includes the part-time title of Nutrition Services Coordinator; and

WHEREAS, This vacant position has been advertised since July of 2023 with no qualified applicants to provide the required services; and

WHEREAS, The parties to the Agreement agree that the title can be excluded from the bargaining unit and the position abolished to allow the work to be performed by an outside agency; and

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

RESOLVED, That Memorandum of Agreement No.4-2023, is hereby approved with the above-named Unit; and further

RESOLVED, That pursuant to the Memorandum of Agreement No. 4-2023, the Allocation to Grade Listing shall be amended to exclude the title of Nutrition Services Coordinator and the title shall be excluded from this bargaining unit; and further

RESOLVED, That copies of this resolution shall be sent by the Clerk of this Board to Nicholas Schmitt, President of Ontario County Sheriff's General Unit, the Ontario County Human Resources Department, and the Ontario County Attorney.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**CREATE AND ABOLISH POSITIONS FOR  
2024 ONTARIO COUNTY BUDGET**

WHEREAS, During the budget process each year, the County Administrator and Management Compensation Committee review the creation, deletion, and reclassification of County positions; and

WHEREAS, The County Administrator and the Management Compensation Committee have reviewed the current position requests and are recommending that the following position changes be made in the 2024 Budget; and

WHEREAS, The Ways and Means Committee have reviewed and approved these position changes;

NOW, THEREFORE, BE IT RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the following position changes for January 1, 2024, unless otherwise noted:

1. Board of Elections:

- a) Eliminate restriction of part-time hours of two ELECTION CUSTODIANS (#9601001 and 9601003) and authorize full-time hours and benefits; and
- b) Abolish two ELECTION CLERK (#9600001 & #9600002) positions when they become vacant.

2. Community Mental Health Services:

- a) Create MENTAL HEALTH SERVICE COORDINATOR position (POCC #78-2023), which shall be allocated to CSEA salary schedule Grade A15; and
- b) Create LICENSED PRACTICAL NURSE (POCC #79-2023), which position shall be reallocated to grade A09 as agreed to by a Memorandum of Agreement with CSEA.

3. District Attorney:

- a) Create two (2) ASSISTANT DISTRICT ATTORNEY (Pending civil service jurisdictional classification) (one to be advertised and filled at MCP – Band 8 and one to be advertised and filled at MCP Band 5) positions (POCC #80-2023); and
- b) Abolish VICTIM ASSISTANCE CASE MANAGER, PART-TIME position (#4010001).

4. Emergency Management Services:

- Create FIRE TRAINING INSTRUCTOR (COUNTY) position (A14) (POCC #81-2023); and

5. Finance Department:

- a) Create a MANAGER OF FINANCIAL OPERATIONS (MCP Band 5) (POCC #-82-2023); and
- b) Allocate a stipend of \$ for an employee to serve in the role of Deputy Director of Finance in the absence or vacancy of the Director of Finance; and
- c) Create an ACCOUNTANT I position (A15) (POCC #83-2023).

6. Office for the Aging:

- Create a SPECIALIST, SERVICES FOR THE AGING (PART-TIME) (AP1) (POCC #84-2023) position to be filled after March 1, 2024.

7. Office of the Sheriff:

- a) Create a COUNTY POLICE LIEUTENANT position (L73) (POCC #85-2023); and
- b) Create DISPATCHER II (Q12/13) (POCC #86-2023) position; and
- c) Abolish COOK MANAGER II position (#5004001); and

d) Abolish NUTRITION SERVICES COORDINATOR position (#5506001) and authorize MOA # 4 of 2023 with SGU to exclude this title from the bargaining unit.

8. Public Works (Bureau of Buildings and Grounds):

a) Create a CARPENTER (POCC #77-2023) (pending civil service jurisdictional classification) (grade A13) position; and

b) Abolish an AUTOMOTIVE MECHANIC position (#3102001)

9. Purchasing:

Abolish a vacant SENIOR CLERK position (#3070003).

10. Real Property Tax Services:

Abolish two (2) DATA COLLECTOR positions (#3144001 & 3144002).

11. Treasurer:

Create a SENIOR CLERK (POCC #87-2023) (grade A07) position.

12. Social Services:

a) Create CASE SUPERVISOR, GRADE B (grade A17) position (POCC #88-2023); and

b) Abolish the vacant DEPUTY COMMISSIONER OF SOCIAL SERVICES position (#1021001); and further be it

RESOLVED, That these positions are created and authorized to be filled on or after January 1, 2024 or as indicated above; and be it further

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

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON  
LOCAL LAW NO. 8 (INTRO.) OF 2023**

WHEREAS, There has been introduced at a meeting of this Board held on November 16, 2023, a proposed local law entitled "Background Checks for Ontario County Employment"; now, therefore, be it

RESOLVED, That a public hearing shall be held on December 7, 2023, at 6:30 P.M. at 74 Ontario Street, Canandaigua, New York and via WebEx at <https://ontariocountyny.webex.com>; and further

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

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**REAPPOINTMENT OF MARY M. GATES**  
**DIRECTOR OF FINANCE**

WHEREAS, Ms. Mary M. Gates' appointment as Director of Finance will expire on December 31, 2023; and

WHEREAS, The County Administrator has reviewed the performance of the Director of Finance and recommends reappointment; and

WHEREAS, The Ways and Means Committee supports the County Administrator's recommendation and recommends reappointment of Ms. Mary M. Gates to the Board of Supervisors effective January 1, 2024 through December 31, 2025; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby reappoints Ms. Mary M. Gates to the position of Director of Finance for a term of two years to commence on January 1, 2024; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the Acting County Clerk and Ms. Gates.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**RESOLUTION GRANTING A NO-COST TIME EXTENSION FOR CONTRACT WITH WENDEL ENERGY SERVICES, LLC FOR ONTARIO COUNTY ENERGY EFFICIENCY STUDY**

WHEREAS, Resolution number 632-2022 authorized Ontario County to enter into a contract with Wendel Energy Services, LLC (Wendel) for consulting services to conduct a study of energy efficiency and usage across County buildings and identify opportunities for construction of photovoltaic (solar) generation facilities (the “Energy Efficiency Consulting Work”); and

WHEREAS, Resolution number 632-2022 established the original contract period to be October 28, 2022 and terminating on September 30, 2023; and

WHEREAS, Wendel has made progress in their contracted tasks, completing utility analysis, facility interviews, and building surveys of lighting, building envelope, plug load, mechanical equipment, and water conservation. However, additional tasks within the original scope of work are still outstanding; and

WHEREAS, This study is funded 50% through the New York State Energy Research and Development Authority (NYSERDA) Flexible Technical Assistance Program (aka “FlexTech”) and 50% through the County’s Federal American Rescue Plan Act funds; and

WHEREAS, The Public Works Committee recommends approval of a no-cost time extension; now, therefore, be it

RESOLVED, Subject to review and approval of the County Attorney as to form the County Administrator be and hereby is authorized and empowered to execute a no-cost time extension is with Wendel Energy Services, LLC in regard to the Energy Efficiency Consulting Work extending the contract for a period of seven (7) months, making the new contract ending date May 31, 2024.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**AMENDMENT OF THE ONTARIO COUNTY 2024-2029 CAPITAL IMPROVEMENT PLAN TO  
INCLUDE THREE NEW FLCC PROJECTS**

WHEREAS, Resolution No. 606-2023 approved the 2024-2029 Ontario County Capital Improvement Plan; and

WHEREAS, Finger Lakes Community College has identified three additional projects that if included in the County’s 2024-2029 Capital Improvement Plan, 50% funding can be obtained from New York State in 2024 as follows:

#	Name/Description	Local Funding/Source	State Funding	Total Project
1.	Campus Security Cameras (add 35 new cameras at main campus and 25 at the Suites at Laker Landing)	\$ 75,000.00/FLCC Association, Inc. and FLCC Student Corp.	\$75,000.00	\$150,000.00
2.	Muller Field Station Bunkhouse Addition (24 bed building and parking lot)	\$1,700,000.00/Donations to the FLCC Foundation, Inc.	\$1,700,000.00	\$3,400,000.00
3.	Physical Plant Equipment (Tool Kat and Auto Scrubber to be replaced)	\$40,000.00/Ontario County Strategic Investment Fund	\$40,000.00	\$80,000.00

; and

WHEREAS, FLCC has proposed the local share for all three projects to come from non-Ontario County government sources and thus will have no impact on the County’s tax levy; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby amends the 2024-2029 Ontario County Capital Improvement Plan to add the three projects listed herein; and further

RESOLVED, That copies of this resolution be sent to the Director of Planning for submission to the State University of New York to be considered for inclusion in the State’s Fiscal Year 2024-2025 Budget; and further

RESOLVED, That this resolution take effect immediately.

**Ontario County**  
**Board of Supervisors**  
**Canandaigua, New York 14424**

**AUTHORIZATION TO RETAIN OUTSIDE COUNSEL**

WHEREAS, The County Attorney's Office is unable to represent the County's interest in reviewing certain matters for Capital Project No. H033-16; and

WHEREAS, The firm of Bond, Schoeneck, and King, PLLC, has proposed to represent the County in this matter upon accepted terms, pursuant to the County Attorney's authorization to retain counsel to defend the County; and

WHEREAS, Initial funding for this retention is available in the Labor Relations (AA142054284) line in the County Attorney Budget; and

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

RESOLVED, That the County Attorney is hereby authorized to review and execute an engagement letter with Bond, Schoeneck and King, PLLC, and that initial funding for this representation shall be the Labor Relations Line (AA142054284) in the County Attorney Budget; and further

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

RESOLVED, That certified copies of this resolution be sent to the Ontario County Department of Finance and to Bond, Schoeneck and King, PLLC.