

September 14, 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 Norm Teed, Town of Phelps.

Upon roll call, members of the Board were present with Supervisors William Namestnik, Robert Green, Fred Lightfoote, Christopher Vastola, and Tamara Hicks were declared necessarily absent. Supervisor Daryl Marshall was granted privilege to attend remotely.

Minutes of the preceding session was approved by motion of Supervisor David Baker, seconded by Supervisor Mark Venuti; motion carried.

There were no comments under Reports of County Officials.

Chairman Campbell granted privilege of the floor to Supervisor David Phillips. Supervisor Phillips noted that last Monday was the anniversary of 9/11. He reminded us of how it changed the nation. He said to keep the memory alive and to remember 9/12 as well, that was noted by a fire chief. That was when they all came together and put aside their differences. He said the first responders are heroes and thanked them for making our lives safer everyday.

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 August 14, 2023
- Planning and Environmental Quality Committee held on August 14, 2023
- Public Works Committee held on August 14, 2023
- Public Safety Committee held on August 16, 2023
- Ways and Means Committee held on August 16, 2023

The July 2023 Director's Report, received from William E. Martin, Happy Tails Ontario County Humane Society.

A List of Certified 2023 State Equalization Rates, received from Brian Moon, Real Property Analyst 2, NYS Dept. of Taxation and Finance, Office of Real Property Tax Services.

Resolution No. 259-23 entitled "Resolution in Opposition to Senate Bill S6637 Regarding Amending Section 606 of the Tax Law", received from Greene County.

Resolution No. 260-23 entitled "Resolution in Opposition to New York State Senate Bill S139B & New York State Assembly Bill A1358B an Act to Amend the Uniform Justice Court Act, the Town Law and the Village Law, in Relation to Requiring Certain Town and Village Justices be Admitted to Practice Law in the State", received from Greene County.

A letter to Governor Hochul and Commissioner Visnaukas thanking them for the states' willingness to help with homeowners impacted by recent flooding in Ontario County and requesting that the eligibility requirements be amended, received from Senator Pamela A. Helming and Assemblyman, Jeff Gallahan.

Certification of the inclusion of predominantly viable agricultural land in Ontario County District No. 1, by Res. No. 354-2023, as proposed, is feasible, received from Richard A. Ball, Commissioner, NYS Agriculture and Markets.

Acknowledgement of receipt of filing to Ontario County a copy of Local Law No. 4 of 2023 entitled “The Ontario County Room Occupancy Tax Law” received from State Records and Law Bureau, State of NY, Department of State.

Notice of Public Hearing regarding the adoption of a Local Law of the Village of Phelps entitled “A Local Law Establishing a Second Moratorium on Large-Scale Solar Energy Systems in the Village of Phelps”, received from the Village of Phelps.

Town of Naples Resolution in Opposition of the Russet Ridge Wind Project Proposal, received from the Town of Naples.

Under Reports of Standing Committees, Chairman Campbell gave a brief update in regards to the Campbell Commission. A community survey was done last year and a contract with the Partnership of Ontario County as our Community Liaison was a result of that. They will be hosting public engagement meetings in the next few weeks but will contact the Town first.

Under Reports of Standing Committees, Chairman Dan Marshall of the Health and Human Services Committee granted privilege of the floor to Marsha Foote, Director of Ontario County Youth Bureau. Ms. Foote announced new funding provided by Office of Children and Family Services for youth sports teams. Such as little league community programs in the towns or cities. She said there will be an application with a short form contract. She said this is not for schools. She said they will be funding up to \$53K, with some of that used for administration fees. Approximately \$49K will be available to the communities to “divvy” out.

Under Reports of Standing Committees, representing the Health and Human Services Committee, Chairman Campbell granted privilege of the floor to Chris Lankenau and Isaac Kwon with Urban Partners. Mr. Lankenau gave a brief presentation on the Ontario County Housing Needs Assessment. He reviewed the process, and six key takeaways and conclusions of their findings. Mr. Lankenau reviewed the housing goals and the recommended strategies for each goal.

Supervisor Rich Russell offered the following resolution and moved for its adoption, seconded by Supervisor Fred Wille:

**RESOLUTION NO. 483-2023
AUTHORIZATION TO PROFESSIONALLY ENGAGE
HABBERFIELD KASZYCKI, LLP**

WHEREAS, Ontario County is self-insured and self-administered for New York State Disability benefits; and

WHEREAS, Ontario County collaborates with consultants in reviewing claims under New York State Disability Law to ensure compliance with the law; and

WHEREAS, Habberfield Kaszycki, LLP has the ability to consult and represent Ontario County in litigation of statutory disability claims, if needed; and

WHEREAS, The Government Operations and Insurance Committee and Ways and Means Committee have reviewed and recommend the County professionally engage Habberfield Kaszycki, LLP to provide counsel for claims brought under New York State Disability Law; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney, the Ontario County Board of Supervisors hereby approves the professional engagement of Habberfield Kaszycki, LLP, 295 Main Street, Suite 852, Buffalo, New York 14203, to provide counsel regarding claims brought under New York State Disability Law; and further

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

Adopted.

Supervisor Rich Russell offered the following resolution and moved for its adoption, seconded by Supervisor Fred Wille:

**RESOLUTION NO. 484-2023
APPOINTMENT OF DENNINE LEESON AS DIRECTOR OF
REAL PROPERTY TAX SERVICES**

WHEREAS, There is a vacancy in the position of Director of Real Property Tax Services; and

WHEREAS, The Board of Supervisors had convened a Search Committee to evaluate candidates to fill this position; and

WHEREAS, The selection process has been concluded by the Search Committee; and

WHEREAS, Based upon the Search Committee's work, the Search Committee recommends to the County Administrator that Ms. Dennine Leeson be appointed as Director of Real Property Tax Services to fill the unexpired term through September 30, 2025 at which time she will be eligible for reappointment to a 6-year term; and

WHEREAS, The County Administrator recommends to the Governmental Operations and Insurance Committee and to the Board of Supervisors, the appointment of Ms. Dennine Leeson effective September 25, 2023; and

WHEREAS, The Governmental Operations and Insurance Committee has approved the recommendation of the Search Committee and the County Administrator; now, therefore, be it

RESOLVED, That Ms. Dennine Leeson is hereby appointed as Director of Real Property Tax Services, effective September 25, 2023 at an annual starting salary of \$93,497 as established in the 2023 Management Compensation Plan; and further

RESOLVED, That this position shall be allowed to overlap with Robin Johnson, Acting Director of Real Property Tax Services through December of 2023, if the Acting Director is willing to continue in that capacity; and further

RESOLVED, That a copy of this resolution be sent by the Clerk of the Board to Ms. Dennine Leeson, the Acting County Clerk, and Ms. Robin Johnson.

Adopted.

Supervisor Dan Marshall offered the following two resolutions as a block and moved for its adoption, seconded by Supervisor Dave Phillips:

**RESOLUTION NO. 485-2023
AUTHORIZATION TO ACCEPT ADDITIONAL GRANT FUNDS
FROM THE NEW YORK STATE STOP-DWI FOUNDATION, INC.,
AND TO AMEND THE CURRENT GRANT BUDGET**

WHEREAS, The New York State STOP-DWI Foundation has notified the Ontario County STOP-DWI Program that we are eligible for additional funding to supplement our DWI High Visibility Engagement Campaign (HVEC) Special Patrols; and

WHEREAS, The initial award was approved pursuant to Resolution No. 792-2022 (CFDA #20.616); and

WHEREAS, It is desirable for the Ontario County STOP-DWI Program to accept these additional grant funds from the NYS STOP-DWI Foundation; and

WHEREAS, Funding from this grant would allow additional reimbursement of HVEC enforcement in the amount of \$4,000.00, with no match required from Ontario County; and

WHEREAS, It is necessary to amend the current budget to properly reflect the appropriations of this grant; and

WHEREAS, The Health and Human Services Committee and the Ways and Means Committee have reviewed this resolution, and recommend its approval; now, therefore, be it

RESOLVED, That this Board of Supervisors authorizes and directs the Ontario County STOP-DWI Program to accept the amendment to this grant, and execute contract documents from the New York State STOP-DWI Foundation; and further

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

Account	Description	Revenue	Appropriations
33152227 41589	Other Public Safety Departmental Income	\$4,000.00	
33152227 51920	Overtime		\$2,000.00
33152227 54260	Consultation and Professional		\$2,000.00

and further

RESOLVED, That unused HVEC overtime funding in the current budget can be utilized by the City of Canandaigua and City of Geneva Police Departments, as well as the Finger Lakes Community College Campus Police, and the following budget transfer is hereby approved:

Account	Description	Revenue	Appropriations
33152227 51920	Overtime		-\$6,400.00
33152227 54260	Consultation and Professional		+\$6,400.00

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; and further

RESOLVED, That a certified copy of this resolution be emailed by the Clerk of this Board to Pamela A. Aini, Administrator, at StopDwiAssoc@gmail.com.

**RESOLUTION NO. 486-2023
AUTHORIZATION TO ACCEPT FUNDS FROM THE NEW YORK STATE
GOVERNOR’S TRAFFIC SAFETY COMMITTEE**

WHEREAS, The New York State Governor’s Traffic Safety Committee (GTSC) has notified the Ontario County STOP-DWI Program that we are eligible for funding to supplement our traffic safety programs for driving while intoxicated; and

WHEREAS, The NYS GTSC has informed the Ontario County STOP-DWI Program Specialist that we will be receiving \$16,500.00; and

WHEREAS, It is desirable for the Ontario County STOP-DWI Program to accept this funding from the NYS GTSC; and

WHEREAS, This funding will be available for the 2023 and 2024 budget years; and

WHEREAS, The Health and Human Services Committee and the Ways and Means Committee have reviewed this resolution, and recommend its approval; now, therefore, be it

RESOLVED, That this Board of Supervisors authorizes and directs the Ontario County STOP-DWI Program to accept this funding from the New York State Governor’s Traffic Safety Committee; and further

RESOLVED, That the following revenue and appropriation budget for the 2023 calendar year is hereby approved, with unused funds rolling over to 2024:

Account	Description	Revenue	Appropriation
AAC309 43089	State Aid Other	\$16,500. 00	
AAC309	Charges from Other County		\$16,500.00

54539	Departments		
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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; and further

RESOLVED, That a certified copy of this resolution be emailed by the Clerk of this Board to Renée Borden, Statewide DRE Coordinator, at STOP.DWI.PROGRAM@dmv.ny.gov.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 487-2023
AUTHORITY TO CANCEL UNCOLLECTIBLE DEBTS
ONTARIO COUNTY PUBLIC HEALTH – 2021**

WHEREAS, There are balances on the accounts receivable ledger of the Ontario County Department of Public Health for specific patient services that were provided during 2021; and

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

WHEREAS, The Health and Human Services Committee and the Ways and Means Committee have reviewed this resolution, and are recommending that these unpaid balances be discharged; now, therefore, be it

RESOLVED, That said accounts, totaling \$3,285.00, which includes \$1,685.00 that remains to be written off, as well as \$1,600.00 that has already been written off, be, and hereby are, deemed uncollectible, and the Ontario County Department of Public Health is hereby authorized to remove the unpaid balances from its accounts receivable ledger; 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.

**RESOLUTION NO. 488-2023
AUTHORIZATION TO AMEND CONTRACT WITH
PLANNED PARENTHOOD OF CENTRAL & WESTERN NEW YORK 2022-2024**

WHEREAS, Resolution No. 451-2022 authorized Ontario County Public Health to enter into a contract with Planned Parenthood of Central & Western New York for the provision of services for Public Health Department programs; and

WHEREAS, It is now necessary to amend the contract due to Medicaid rate updates and additional procedure codes added; and

WHEREAS, Funds have been budgeted for said contracts; and

WHEREAS, The provider will be paid as specified in “Schedule A” of the contract; and

WHEREAS, The Director of Public Health and the Health and Human Services Committee recommend acceptance of the amendment; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby approves the amended contract with Planned Parenthood of Central & Western New York, 114 University Avenue, Rochester, NY 14605 for a term of January 1, 2022, through December 31, 2024; and further

RESOLVED, That the County Administrator be, and is hereby, authorized and empowered to execute the Agreement with Planned Parenthood of Central & Western New York and all other documents necessary to effectuate the purposes of this resolution; and further

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

The foregoing block of two resolutions was adopted.

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

RESOLUTION NO. 489-2023
REAPPOINTMENT TO THE ONTARIO COUNTY YOUTH BOARD
CATIE GINTHER

WHEREAS, Youth Board member Ms. Catie Ginther’s term of office expired on March 26, 2023; and

WHEREAS, Ms. Ginther has expressed interest in reappointment to the Youth Board; and

WHEREAS, The Executive Director of the Youth Board expresses full support of the decision of the board as well as appreciation and gratitude of past services as well as the willingness to continue to serve at the will of the Ontario Board of Supervisors; and

WHEREAS, The Youth Board and Health and Human Services Committee recommend Ms. Ginther’s reappointment; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby reappoint Catie Ginther to the Ontario County Youth Board for a new three year term to expire September 26, 2026; and further

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

**RESOLUTION NO. 490-2023
TRANSFER OF FUNDS - 2023 COUNTY BUDGET
OFFICE FOR THE AGING**

WHEREAS, The current steamer at the jail kitchen is in disrepair and needs to be replaced; and

WHEREAS, The Ontario County Office for the Aging has emergency COVID funding available to purchase a steamer for the jail kitchen; and

WHEREAS, The Health and Human Services and Ways and Means Committees have reviewed and approved the following transfer to fund the replacement steamer purchase, now, therefore, be it

RESOLVED, That the following transfer be made:

	ACCOUNT	REVENUES	EXPENSE
AAA080CV 52050 A0420	EQUIPMENT		\$25,000
AAA090CV 52050 A0420	EQUIPMENT		\$25,000
AAA080CV 44772	C1 COVID FED AID	\$25,000	
AAA090CV 44772	C2 COVID FED AID	\$25,000	

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

The foregoing block of two resolutions was adopted.

Supervisor Dave Phillips offered the following two resolutions as a block and moved for its adoption, seconded by Supervisor Jack Marren:

**RESOLUTION NO. 491-2023
APPOINTMENT TO THE
ONTARIO COUNTY INDUSTRIAL DEVELOPMENT AGENCY
MARK F. PRUNOSKE**

WHEREAS, The Ontario County Board of Supervisors, in accordance with Resolution No. 318-1981, provided for seven members to be appointed to the Ontario County Industrial Development Agency; and

WHEREAS, A vacancy exists on this board due to the resignation of Lewis Zulick; and

WHEREAS, The Planning and Environmental Quality Committee recommends that Mark F. Prunoske, 5234 Parrish Street Ext. Canandaigua, New York be appointed as a board member of the Ontario County Industrial Development Agency; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby appoint Mark F. Prunoske to fill said vacancy for a five-year term to expire September 15, 2028; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Industrial Development Agency, Secretary of State, the County Clerk, and Mark F. Prunoske.

**RESOLUTION NO. 492-2023
APPOINTMENT TO THE
ONTARIO COUNTY LOCAL DEVELOPMENT CORPORATION
MARK F. PRUNOSKE**

WHEREAS, The Ontario County Board of Supervisors, in accordance with Resolution No. 318-1981, provided for seven members to be appointed to the Ontario County Local Development Corporation; and

WHEREAS, A vacancy exists on this board due to the resignation of Lewis Zulick; and

WHEREAS, The Planning and Environmental Quality Committee recommends that Mark F. Prunoske, 5234 Parrish Street Ext. Canandaigua, New York be appointed as a board member of the Ontario County Local Development Corporation; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby appoint Mark F. Prunoske to fill said vacancy for a five-year term to expire September 15, 2028; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Local Development Corporation, Secretary of State, the County Clerk, and Mark F. Prunoske.

The foregoing block of two resolutions was adopted.

Supervisor Lou Guard offered the following eight resolutions as a block and moved for its adoption, seconded by Supervisor Mark Venuti:

**RESOLUTION NO. 493-2023
AUTHORIZATION TO ENTER INTO A CONTRACT
WITH JERID M. FISHER, PH.D., BRAIN INJURY CONSULTANTS, INC.
FOR EXPERT SERVICES**

WHEREAS, This Board of Supervisors, by Resolution Nos. 50-2018, 580-2018, 196-2022, and 672-2022, accepted grant funds from the New York State Office of

Indigent Legal Services for quality improvements and caseload relief in the provision of indigent legal services in Ontario County; and

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

WHEREAS, Jerid M. Fisher PhD, Brain Injury Consultants, Inc., has agreed to provide said services at the rate of \$375.00 per hour not to exceed \$25,000.00, for the period January 1, 2023 to December 31, 2023, on the terms and conditions contained in the contract, a copy of which is on file with the Clerk of this Board; and

WHEREAS, The Public Safety Committee has reviewed and approves this contract; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Jerid M. Fisher PhD, Brain Injury Consultants, Inc. for a term of one year a cost not to exceed \$25,000.00, to be paid with said grant funds; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Agreement with Jerid M. Fisher PhD, Brain Injury Consultants, Inc., and all other documents necessary to effectuate the purposes of this resolution; and further

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

**RESOLUTION NO. 494-2023
AUTHORIZATION TO EXTEND SECOND
DISTRIBUTION 9 GRANT (C900032)
FROM OFFICE OF INDIGENT LEGAL SERVICES**

WHEREAS, Pursuant to Resolution No. 536-2022, this Board of Supervisors authorized Ontario County to accept an award of \$271,911 (\$90,637 per year for 3 years) from the State of New York Office of Indigent Legal Services for funding distributed by the Indigent Legal Services Board, Distribution 9 Grant (Contract No. C900032, MUNIS #11702215, CFDA# n/a), for a term commencing on January 1, 2019 through December 31, 2021; and

WHEREAS, The Ontario County Public Defender would like to request an extension of this grant through December 31, 2022; and

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

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this

request and recommend the grant extension; now, therefore, be it

RESOLVED, That the Indigent Legal Services Grant (C900032) that will expire on December 31, 2021 be extended for an additional twelve months starting January 1, 2022 through December 31,2022; and further

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

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

RESOLVED, That a copy of this resolution be emailed to the Public Defender's Office.

**RESOLUTION NO. 495-2023
ACCEPTANCE OF CONTRACT WITH
THE LEGAL AID BUREAU OF BUFFALO
ONTARIO COUNTY PUBLIC DEFENDER'S OFFICE**

WHEREAS, Ontario County has been awarded a competitive grant from the Office of Indigent Legal Services to create and maintain a Regional Immigration Assistance Center ("RIAC") in the Western region of New York; and

WHEREAS, The grant awarded to Ontario County includes funding to retain The Legal Aid Bureau of Buffalo, located at 290 Main Street, Suite 400, Buffalo, New York, 14202, to provide personnel to operate the RIAC, along with supplies, equipment, phones, and ancillary services to operate the RIAC; and

WHEREAS, The Legal Aid Bureau of Buffalo has agreed to provide such services for an amount not to exceed \$532,881 annually, including personnel costs and all related costs; and

WHEREAS, The Public Safety Committee has approved a contract period commencing January 1, 2023, and terminating December 31, 2023; 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 The Legal Aid Bureau of Buffalo at a cost not to exceed \$519,404.33 annually; and further

RESOLVED, That the contract period shall commence January 1, 2023, and terminate December 31, 2023; and further

RESOLVED, That the County Administrator is authorized to sign the agreement.

**RESOLUTION NO. 496-2023
AUTHORIZATION TO ACCEPT FUNDING FROM
THE NYS OFFICE OF CHILDREN AND FAMILY SERVICES FOR
SUPERVISION AND TREATMENT SERVICES FOR JUVENILES PROGRAM**

WHEREAS, The Office of Children’s and Family Services (OCFS) provides an allocation to offset 62% of costs related to the detention of juveniles up to \$101,837.64; and

WHEREAS, The total cost of these services are \$164,254.25; and

WHEREAS, Allocated funds from the state not used for detention can be redirected to offset 62% of costs up to \$101,837.64 for alternatives to detention and placement of juveniles (STSJP) instead; and

WHEREAS, The County is responsible for 38% of the cost up to \$62,416.61; and

WHEREAS, The Probation Department has found the programs paid for through STSJP funding are effective in reducing detention cost; and

WHEREAS, The Public Safety and Ways and Means Committees have approved acceptance of these funds; now, therefore, be it

RESOLVED, That the following budget be established, with unused portions flowing into future years:

		Revenue	Appropriation
31402231 43389	State Aid, Other Public Safety	101,837.64	
31402231 54260	Consultation and Professional		164,254.25
ZZ 30599	Appropriated Fund Balance	62,416.61	
TOTAL		164,254.25	164,254.25

and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves accepting the STSJP funding from the NYS Office of Children and Family Services; and further

RESOLVED, 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; and further

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

**RESOLUTION NO. 497-2023
REAPPOINTMENT OF RICHARD FROST TO
THE ONTARIO COUNTY FIRE ADVISORY BOARD**

WHEREAS, The term of one member of the Ontario County Fire Advisory Board expired on June 30, 2023, with said member willing to serve another term; and

WHEREAS, Mr. Frost failed to take his oath of office, and such failure disqualifies the appointment; now, therefore, be it

RESOLVED, That Mr. Richard Frost be reappointed to the Ontario County Fire Advisory Board for a term of three years, commencing on July 1, 2023, and expiring on June 30, 2026; and further

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

**RESOLUTION NO. 498-2023
RESOLUTION SUPPORTING
DIRECT PAY REIMBURSEMENT OF AMBULANCE SERVICES**

WHEREAS, NYS Bill S1446A/A250 has passed the NYS Assembly and Senate; and
WHEREAS, Insurance companies want to pay as little as possible on commercial (non-Medicare/Medicaid) claims and have ambulance agencies accept as little as 40% of their rates in order to send payment to the provider directly or they will continue to mail a check directly to the patient; and

WHEREAS, Ambulance agencies are burdened with having to pursue the patient to get paid for services already provided and the patient has already cashed the check received from the insurance company without knowing the check was for ambulance services they received; and

WHEREAS, To better support Ambulance agencies and not the insurance lobbyists, the Ontario County EMS Advisory Board requests that Governor Kathy Hochul signs this important legislation into law; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby support the signing of NYS Bill S1446A/A250 and asks that Governor Kathy Hochul support this important legislation by signing the bill to ensure the sustainability of Ambulance Services that serve our communities as the delay of this signing is causing hardship and critically affecting Ambulance agencies due to lack of payment for services; and further

RESOLVED, That certified copies of this Resolution be sent to Governor Kathy Hochul, New York Legislators representing Ontario County Senator Pam Helming, Assembly Jeff Gallahan, Assemblywoman Marjorie Byrnes, the Ontario County Emergency Management Office and others deemed necessary and proper.

**RESOLUTION NO. 499-2023
PROCLAMATION IN RECOGNITION OF SHERIFF'S WEEK
SEPTEMBER 17-23, 2023**

WHEREAS, The Office of Sheriff has been an integral part of the criminal justice system in New York State and in Ontario County throughout our history, having been

established in the State’s first Constitution in 1777 and continued in every succeeding Constitution, and having been one of the original Constitutional offices guaranteed to the People upon the founding of our County; and

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

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

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

WHEREAS, As a Constitutionally empowered Office directly responsible to the People, the ancient Office of Sheriff remains, even today, responsive and accountable to the public it serves; and

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

RESOLVED, That we, the Ontario County Board of Supervisors do recognize the important services provided to the citizens of this County by Sheriff Cirencione and the members of the Sheriff’s Office, and do hereby proclaim September 17 to 23, 2023 to be Sheriffs’ Week in Ontario County.

**RESOLUTION NO. 500-2023
TRANSFER OF FUNDS - 2023 COUNTY BUDGET
ONTARIO COUNTY SHERIFF’S OFFICE**

WHEREAS, The Ontario County Sheriff’s Office would like to request use of Federal Forfeiture Reserve Funds; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed and approved the following transfer to fund certain public safety expenses; now, therefore, be it

RESOLVED, That the following transfer be made:

	ACCOUNT	REVENUES	EXPENSE
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Service Contracts	AAR301 54270		\$11,000
Appropriated Reserve	AA 30511 BR301	\$11,000	

and further

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

The foregoing block of eight resolutions was adopted.

Supervisor Peter Ingalsbe offered the following four resolutions as a block and moved for its adoption, seconded by Supervisor Dave Phillips:

RESOLUTION NO. 501-2023
CAPITAL PROJECT NO. H095-23
AUTHORIZATION OF CONTRACT FOR LAB STOOLS
2023 FLCC MAINTENANCE CAPITAL PROJECT

WHEREAS, Resolution No. 289-2023 established Capital Project No. H095-23 as the 2023 FLCC Maintenance Capital Project; and

WHEREAS, Sufficient funds are available in this capital project to purchase the necessary furniture and equipment to furnish the 3rd Floor Science Laboratory Room 3256; and

WHEREAS, KI, 1330 Bellevue Street, Green Bay, WI 54302, submitted quote #23LMZ-651195/C dated August 18, 2023, for the purchase of twenty-four (24) Intellect Wave task stools in the amount of Four Thousand Three Hundred Eighty Dollars (\$4,380.00) per NYS Contract PC68367, a copy of which is on file with the Clerk of this Board; and

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

RESOLVED, That subject to review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts quote #23LMZ-651195/C and authorizes and empowers the County Administrator to execute a contract with KI for the purchase of twenty-four (24) Intellect Wave task stools for the 3rd Floor Science Laboratory Room 3256 for an amount not to exceed Four Thousand Three Hundred Eighty Dollars (\$4,380.00) as proposed in said quote; and further

RESOLVED, That the term of said contract shall commence on September 15, 2023, and terminate on September 14, 2024; and further

RESOLVED, That the cost of said contract be paid from budget line HHH09523 52100 – Furniture and Furnishings of Capital Project No. H095-23; and further

RESOLVED, That the Department of Finance is directed to make all necessary budget and accounting entries to effect the intent of this resolution for a total project budget of One

Million Five Hundred Thousand Dollars (\$1,500,000.00); 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.

**RESOLUTION NO. 502-2023
CAPITAL PROJECT NO. H096-23
AUTHORIZATION TO REIMBURSE FLCC FOR
EXPENSES INCURRED IN PREPARING HEMLOCK HALL
AS THE FLCC ACADEMICS RENOVATION CAPITAL PROJECT**

WHEREAS, Resolution No. 712-2022 approved the 2023-2028 Ontario County Capital Improvement Plan (CIP); and

WHEREAS, Said CIP contained the FLCC Hemlock Hall Capital Project at \$200,000 in 2023 to be funded 50% by State funding through the State University of New York (SUNY funding) and a 50% local share through a contract with the FLCC Foundation, Inc.; and

WHEREAS, Resolution No. 375-2023 approved the FLCC Academics Renovation Capital Project No. H096-2023 to implement the renovations to the first floor of the Main Campus Building to create Hemlock Hall; and

WHEREAS, In order for the renovations to be ready for the start of the Fall 2023 semester, FLCC staff began improvements before the Spring 2023 semester ended resulting in expenses which FLCC is now requesting reimbursement for from said capital project in the amount of Two Thousand Eight Hundred One Dollars and Forty-Five Cents (\$2,801.45) for ceiling tiles, paint, paint supplies, exterior door repair, and hallway signage; and

WHEREAS, Sufficient funds exist in the FLCC Academics Renovation Capital Project to fund the proposed reimbursement; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby accepts the request to reimburse FLCC in the amount of Two Thousand Eight Hundred One Dollars and Forty-Five Cents (\$2,801.45); and further

RESOLVED, That the Department of Finance is hereby directed to make payment to FLCC as reimbursement for expenses incurred and paid by FLCC from budget line HHH 09623 54491 of Capital Project No. H096-23 and is authorized to make the necessary accounting and budget entries to effect the intent of this resolution; and further

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

**RESOLUTION NO. 503-2023
CAPITAL PROJECT NO. H083-22
FLCC REIMBURSEMENT FOR EXPENSES RELATED TO THE
ELECTRICAL SHUTDOWN AND BUDGET TRANSFER
2022 FLCC MAINTENANCE CAPITAL PROJECT**

WHEREAS, Resolution No. 600-2021 adopted the Ontario County 2022-2027 Capital Improvement Plan; and

WHEREAS, Said CIP includes One Million Dollars (\$1,000,000.00) for the 2022 FLCC Maintenance Capital Project, funded 50% (\$500,000.00) by the State of New York through the State University of New York (SUNY), and 50% (\$500,000.00) by Ontario County; and

WHEREAS, The State University of New York State (SUNY) has approved the 2022 FLCC Maintenance Capital Project to be used for electrical and mechanical upgrades at the main campus of Finger Lakes Community College; and

WHEREAS, For a period of two weeks while new electrical equipment was being installed the original Main Campus building operated on emergency generator power while the Student Services Center was fully operational; and

WHEREAS, FLCC incurred expenses to prepare critical areas of the building for emergency power, for fuel delivery for the generator during the electrical shutdown, and fees to FLCC’s printer/copier/scanner vendor to move two machines to the Student Services Center; and

WHEREAS, Copies of invoices for all said expenses incurred by FLCC are on file with the Clerk of this Board; and

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

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

RESOLVED, That the Ontario County Board of Supervisors hereby accept the request to reimburse FLCC in the amount of Six Thousand Five Hundred Fifty-Six Dollars and Fifty-Two Cents (\$6,556.52); and further

RESOLVED, That the following budget transfer for Capital Project No. H083-22 be, and hereby is approved:

Line	Description	Current Budget	Change	Revised Budget
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Appropriations:				
HHH08322 54038	Moving	\$0.00	+ \$595.36	\$595.36
HHH08322 54054	Gas/Heating Oil	\$0.00	\$5,267.22 ⁺	\$5,267.22
HHH08322 54101	Equipment Minor	\$0.00	+ \$327.97	\$327.97
HHH08322 54491	General Construction	\$41,801.40	\$0.00	\$41,801.40
HHH08322 54493	Electric Work	\$441,502.4 6	+ \$365.97	\$441,868.4 3
HHH08322 54495	Architectural & Engineering	\$25,000.00	- \$6,556.52	\$18,443.48
HHH08322 54498	Asbestos & Related Testing	\$5,000.00	\$0.00	\$5,000.00
HHH08322 54521	HVAC	\$452,060.8 5	\$0.00	\$452,060.8 5
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	\$500,000.0 0	\$0.00	\$500,000.0 0
HHH08322 45031	General Fund – Interfund Revenue	\$500,000.0 0	\$0.00	\$500,000.0 0

and further

RESOLVED, That the Department of Finance is directed to make payment to FLCC as reimbursement for expenses incurred and paid by FLCC from the following budget lines of Capital Project No. H083-22:

Line	Description	Payment
HHH08322 54038	Moving	\$595.36
HHH08322 54054	Gas and Heating Oil	\$5,267.22
HHH08322 54101	Equipment Minor	\$327.97
HHH08322 54493	Electrical Work	\$365.97

and further

RESOLVED, That the Department of Finance is authorized to make the necessary 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 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.

**RESOLUTION NO. 504-2023
CAPITAL PROJECT NO. H068-20
AUTHORIZATION TO AMEND CONTRACT FOR FURNITURE &
FURNISHINGS AND BUDGET TRANSFER,
FLCC NURSING EXPANSION CAPITAL PROJECT**

WHEREAS, Resolution No. 302-2020 established Capital Project No. H068-20 as the

FLCC Nursing Expansion Capital Project; and

WHEREAS, Resolution No. 433-2023 authorized a contract with KI, 1330 Bellevue Street, Green Bay, WI 54302, for purchase and installation of furniture for the 4th Floor Nursing Classrooms in the amount of Nineteen Thousand Two Hundred Ninety-Three Dollars and Five Cents (\$19,293.05) per NYS Contract PC 68367 based on a quote provided on March 28, 2023 and updated June 12, 2023; and

WHEREAS, Said quote expired prior to issuance of a purchase order and KI updated quote 23LMZ-630319/C on August 25, 2023 in the amount of Nineteen Thousand Four Hundred Twenty Two Dollars and Sixty Five Cents (\$19,422.65) to reflect the current pricing valid through September 29, 2023, a copy of which is on file with the Clerk of this Board; and

WHEREAS, Resolution No. 407-2020 hired the firm of LeChase Construction Services, LLC to provide Construction Management Services in regard to phase I of the FLCC Nursing Expansion Project; and

WHEREAS, All work due under the contract with LeChase Construction Services, LLC has been completed and all invoices from said contractor in regard to said contract have been paid, leaving \$48,291.66 unbilled under said contract; and

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

RESOLVED, That the budget of Capital Project No. H068-20 be, and hereby is amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH06820 52100	Furniture & Furnishings	\$260,204.36	+ \$129.60	\$260,333.96
HHH06820 52300	Equipment, Computer	\$276,533.08	\$0.00	\$276,533.08
HHH06820 54053	Construction Tests/Inspections	\$20,000.00	\$0.00	\$20,000.00
HHH06820 54260	Consultation & Professional	\$432,627.70	- \$129.60	\$432,498.10
HHH06820 54444	Financing of Debt	\$82,122.00	\$0.00	\$82,122.00
HHH06820 54491	General Construction	\$3,887,103.03	\$0.00	\$3,887,103.03
HHH06820 54493	Electric Work	\$532,049.03	\$0.00	\$532,049.03
HHH06820 54494	Plumbing Work	\$573,169.00	\$0.00	\$573,169.00
HHH06820 54495	Architectural/Engineering	\$523,000.00	\$0.00	\$523,000.00
HHH06820 54498	Asbestos and Related Testing	\$2,000.00	\$0.00	\$2,000.00
HHH06820	HVAC	\$633,692.59	\$0.00	\$633,692.59

54521				9
HHH06820 54731	Contingency	\$2,525.20	\$0.00	\$2,525.20
HHH06820 54743	Change Order Contingency	\$2,252.01	\$0.00	\$2,252.01
HHH06820 54865	Administration	\$5,000.00	\$0.00	\$5,000.00
Revenues:				
HHH06820 42397	FLCC Revenue	\$7,200.00	\$0.00	\$7,200.00
HHH06820 42705	Gifts and Donations	\$750,000.00	\$0.00	\$750,000.00
HHH06820 43297	State Aid	\$3,575,078. 00	\$0.00	\$3,575,078. 00
HHH06820 45710	Serial Bonds	\$2,900,000. 00	\$0.00	\$2,900,000. 00

and further

RESOLVED, That subject to review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts quote #23LMZ-630319/C revised on August 25, 2023 and authorizes and empowers the County Administrator to execute a contract amendment with KI for the purchase and installation of furniture for the 4th Floor Nursing Classrooms increasing said contract by One Hundred Twenty Nine Dollars and Sixty Cents for a total contract amount not to exceed Nineteen Thousand Four Hundred Twenty-Two Dollars and Sixty-Five Cents (\$19,422.65) as proposed in said quote; and further

RESOLVED, That the cost of said contract be paid from budget line HHH06820 52100 – Furniture and Furnishings of Capital Project No. H068-20; and further

RESOLVED, That the Department of Finance is directed to make all necessary budget and accounting entries to effect the intent of this resolution for a total project budget of Seven Million Two Hundred Thirty-Two Thousand Two Hundred Seventy-Eight Dollars (\$7,232,278.00); 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.

The foregoing block of four resolutions was adopted.

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

**RESOLUTION NO. 505-2023
AUTHORIZATION TO CONTRACT WITH THE TOWN OF GORHAM
REGARDING PROPERTY AT 4642 STATE ROUTE 364**

WHEREAS, Donald J. Mekeel and Katherine J. Kanada, owners of private property located at 4642 State Rt 364 in the Town of Gorham have been notified by the New York

State Department of Transportation (DOT) that a portion of said property lying west of the centerline of State Rt 364 being part of an earlier alignment of State Rt 364 and upon a which a free-standing garage is situate is actually owned by DOT; and

WHEREAS, In 1931 Ontario County acquired property to the east of 4642 State Rt 364 and deeded same to DOT to allow DOT to move the centerline of State Rt 364 to the east; and

WHEREAS, In 1989 the County executed a quit claim deed recorded at Liber 892 of Deeds Page 151 in the Office of the Ontario County Clerk to the estate of Charles Fadden, then the owner of said property at 4642 State Rt 364; and

WHEREAS, Subsequent to the recording of said quit claim deed in 1989, surveys and deeds of the property at 4642 State Rt 364 indicated the DOT ownership was limited to the present alignment of the state highway; and

WHEREAS, The Town of Gorham Water District has a water main located along the former alignment of State Rt 364 at 4642 State Rt 364 and desires to have an easement for said water main; and

WHEREAS, County Planning and Public Works staff worked with DOT to identify a portion of the State's property that DOT is willing to abandon to the County so that the County can abandon said property to Mr. Mekeel and Ms. Kanada after granting a utility easement to the Town of Gorham for said water main; and

WHEREAS, DOT has specific standards for a survey, a subdivision map, and deed transfer it requires to approve an abandonment; and

WHEREAS, Fisher Associates is experienced in meeting said requirements of DOT and submitted a proposal to provide said professional consultant services, including a water line easement and description thereof for the Town of Gorham, at a cost not to exceed Ten Thousand Dollars (\$10,000.00) as detailed in their proposal dated March 23, 2022, as revised January 10, 2023 and July 20, 2023, a copy of which is on file with the Clerk of the Board; and

WHEREAS, Mr. Mekeel has agreed to contribute Five Hundred Dollars (\$500.00) toward the cost of services proposed by Fisher Associates; and

WHEREAS, The Town of Gorham has agreed to contribute Fifteen Hundred Dollars (\$1,500.00) toward the cost of services proposed by Fisher Associates; and

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

RESOLVED, That subject to review and approval of the County Attorney as to form, the Board of Supervisors hereby authorizes and empowers the County Administrator to execute a contract with the Town of Gorham wherein the County will accept a One

Thousand Five Hundred Dollar (\$1,500.00) contribution toward the cost of proving a survey, map, and deed to NYS Department of Transportation to allow abandonment to the County of a portion of state owned property adjacent to 4642 State Rt 364 in the Town of Gorham and showing an easement for a water main on said property to be granted to the Town of Gorham; and further

RESOLVED, That the term of said contract shall commence on September 15, 2023 and terminate on December 31, 2023; and further

RESOLVED, That this resolution take effect immediately.

**RESOLUTION NO. 506-2023
AUTHORIZATION TO CONTRACT WITH DONALD MEKEEL REGARDING
MAPPING OF PROPERTY AT 4642 STATE ROUTE 364**

WHEREAS, Donald J. Mekeel and Katherine J. Kanada, owners of private property located at 4642 State Rt 364 in the Town of Gorham have been notified by the New York State Department of Transportation (DOT) that a portion of said property lying west of the centerline of State Rt 364 being part of an earlier alignment of State Rt 364 and upon a which a free-standing garage is situate is actually owned by DOT; and

WHEREAS, In 1931 Ontario County acquired property to the east of 4642 State Rt 364 and deeded same to DOT to allow DOT to move the centerline of State Rt 364 to the east; and

WHEREAS, In 1989 the County executed a quit claim deed recorded at Liber 892 of Deeds Page 151 in the Office of the Ontario County Clerk to the estate of Charles Fadden, then the owner of said property at 4642 State Rt 364; and

WHEREAS, Subsequent to the recording of said quit claim deed in 1989, surveys and deeds of the property at 4642 State Rt 364 indicated the DOT ownership was limited to the present alignment of the state highway; and

WHEREAS, The Town of Gorham Water District has a water main located along the former alignment of State Rt 364 at 4642 State Rt 364 and desires to have an easement for said water main; and

WHEREAS, County Planning and Public Works staff worked with DOT to identify a portion of the State's property that DOT is willing to abandon to the County so that the County can abandon said property to Mr. Mekeel and Ms. Kanada after granting a utility easement to the Town of Gorham for said water main; and

WHEREAS, DOT has specific standards for a survey, a subdivision map, and deed transfer it requires to approve an abandonment; and

WHEREAS, Fisher Associates is experienced in meeting said requirements of DOT and submitted a proposal to provide said professional consultant services, including a water

line easement and description thereof for the Town of Gorham, at a cost not to exceed Ten Thousand Dollars (\$10,000.00) as detailed in their proposal dated March 23, 2022, as revised January 10, 2023 and July 20, 2023, a copy of which is on file with the Clerk of the Board; and

WHEREAS, Mr. Mekeel has agreed to contribute Five Hundred Dollars (\$500.00) toward the cost of services proposed by Fisher Associates; and

WHEREAS, The Town of Gorham has agreed to contribute Fifteen Hundred Dollars (\$1,500.00) toward the cost of services proposed by Fisher Associates; and

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

RESOLVED, That subject to review and approval of the County Attorney as to form, the Board of Supervisors hereby authorizes and empowers the County Administrator to execute a contract with Donald J. Mekeel, 4642 State Rt 364, Canandaigua, NY 14424 wherein the County will accept a Five Hundred Dollars (\$500.00) contribution toward the cost of proving a survey, map, and deed to NYS Department of Transportation to allow abandonment to the County of a portion of state owned property adjacent to 4642 State Rt 364 in the Town of Gorham and showing an easement to be granted to the Town of Gorham for a water main on said property; and further

RESOLVED, That the term of said contract shall commence on September 15, 2023 and terminate on December 31, 2023; and further

RESOLVED, That this resolution take effect immediately.

**RESOLUTION NO. 507-2023
AUTHORIZATION TO CONTRACT WITH FISHER ASSOCIATES FOR
SURVEY AND MAPPING SERVICES FOR THE
ABANDONMENT OF PROPERTY AT 4642 STATE ROUTE 364**

WHEREAS, Donald J. Mekeel and Katherine J. Kanada, owners of private property located at 4642 State Rt 364 in the Town of Gorham have been notified by the New York State Department of Transportation (DOT) that a portion of said property lying west of the centerline of State Rt 364 being part of an earlier alignment of State Rt 364 and upon a which a free-standing garage is situate is actually owned by DOT; and

WHEREAS, In 1931 Ontario County acquired property to the east of 4642 State Rt 364 and deeded same to DOT to allow DOT to move the centerline of State Rt 364 to the east; and

WHEREAS, In 1989 the County executed a quit claim deed recorded at Liber 892 of Deeds Page 151 in the Office of the Ontario County Clerk to the estate of Charles Fadden, then the owner of said property at 4642 State Rt 364; and

WHEREAS, Subsequent to the recording of said quit claim deed in 1989, surveys and deeds of the property at 4642 State Rt 364 indicated the DOT ownership was limited to the present alignment of the state highway; and

WHEREAS, The Town of Gorham Water District has a water main located along the former alignment of State Rt 364 at 4642 State Rt 364 and desires to have an easement for said water main; and

WHEREAS, County Planning and Public Works staff worked with DOT to identify a portion of the State’s property that DOT is willing to abandon to the County so that the County can abandon said property to Mr. Mekeel and Ms. Kanada after granting a utility easement to the Town of Gorham for said water main; and

WHEREAS, DOT has specific standards for a survey, a subdivision map, and deed transfer it requires to approve an abandonment; and

WHEREAS, Fisher Associates is experienced in meeting said requirements of DOT and submitted a proposal to provide said professional consultant services, including a water line easement and description thereof for the Town of Gorham, at a cost not to exceed Ten Thousand Dollars (\$10,000.00) as detailed in their proposal dated March 23, 2022, as revised January 10, 2023 and July 20, 2023, a copy of which is on file with the Clerk of the Board; and

WHEREAS, Mr. Mekeel and Ms. Kanada have agreed to contribute Five Hundred Dollars (\$500.00) toward the cost of services proposed by Fisher Associates; and

WHEREAS, The Town of Gorham has agreed to contribute Fifteen Hundred Dollars (\$1,500.00) toward the cost of services proposed by Fisher Associates; and

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

RESOLVED, That the following budget amendment is hereby approved:

Line	Description	Change
DD5020 54820	Easement/Land Acquisition	- \$5,000.00
DD5020 54260	Consultation & Professional	+ \$7,000.00
DD5020 42705	Gifts and Donations	+ \$2,000.00

and further

RESOLVED, That subject to review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts the proposal from Fisher Associates, 180 Charlotte Street, Rochester, NY 14607 dated March 23, 2022, as revised January 10, 2023 and July 20, 2023 and authorizes and empowers the County Administrator to execute a contract with Fisher Associates to provide professional consultant services in regard to conducting a survey, preparing a subdivision map, and deed description in accordance with the requirements of the New York State Department of Transportation and showing an

easement to be granted to the Town of Gorham for a water main on said property in an amount not to exceed Ten Thousand Dollars (\$10,000.00); and further

RESOLVED, That the term of said contract shall commence on September 15, 2023 and terminate on December 31, 2023; and further

RESOLVED, That the cost of said contract will be paid from budget line DD5020 54260; and further

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

RESOLVED, That this resolution take effect immediately.

The foregoing block of three resolutions was adopted.

Supervisor Peter Ingalsbe offered the following four resolutions as a block and moved for its adoption, seconded by Supervisor Jack Marren:

RESOLUTION NO. 508-2023
CAPITAL PROJECT NO. H077-21
COUNTY ROAD 4 AT COUNTY ROAD 20 INTERSECTION IMPROVEMENTS,
ACCEPTANCE OF SUPPLEMENTAL AGREEMENT #3 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. 40N0.05 (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 New York State Supplemental Agreement #1 that provided Marchiselli funding for the Project; and

WHEREAS, Resolution No. 253-2023 authorized the acceptance of New York State Supplemental Agreement #2 which added funding for the construction phase and decreased funding for the right-of-way phase; and

WHEREAS, Supplemental Agreement #3 has been received which provides additional funding for the construction phase; 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 #3 to the New York State Revenue Contract for Capital Project No. H077-21; 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	\$4,702,950.00		\$4,702,950.00
HHH07721 54495	Engineering	\$832,000.00		\$832,000.00
HHH07721 54820	Land	\$15,000.00		\$15,000.00
HHH07721 54865	Administration	\$2,000.00		\$2,000.00
HHH07721 54731	Contingency	\$0.00	\$110,818.00 +	\$110,818.00
Revenue:				
HHH07721 43089	State Aid	\$298,292.00	\$109,832.00 +	\$408,124.00
HHH07721 44597	Federal Aid	\$4,896,489.00	+ \$986.00	\$4,897,475.00
HHH07721 45031	Interfund Transfer	\$357,169.00		\$357,169.00

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 \$5,662,768.00; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute New York State Supplemental Agreement #3, 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.

**RESOLUTION NO. 509-2023
AUTHORIZATION TO RENEW QUOTE Q21076
FOR PEST CONTROL SERVICES**

WHEREAS, Resolution No. 534-2021 accepted quote Q21076 for pest control services from High Quality Pest Control Inc.; and

WHEREAS, Resolution No. 507-2022 renewed said quote from October 19, 2022 through October 18, 2023; and

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

WHEREAS, The Purchasing Department recommends the quote renewal; and

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

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the renewal of quote Q21076 with High Quality Pest Control, Inc., P.O. Box 271, Canandaigua, NY 14424, for pest control services per the tabulation sheets for a 1-year period starting October 19, 2023 through October 18, 2024; and further

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

**RESOLUTION NO. 510-2023
AUTHORIZE PAYMENT TO
NEW YORK STATE GAS AND ELECTRIC (NYSEG)
TO RELOCATE UTILITY POLE AND UPGRADE SERVICE
AT ONTARIO BEACH PARK**

WHEREAS, Ontario County is in the planning phases of Improvements to Ontario Beach Park and the current utility pole that provides electrical service to the park is located on the waterfront; and

WHEREAS, Public Works requested a quote from the Ontario Beach Park's utility provider, New York State Electric and Gas (NYSEG), for the removal of the existing utility pole, installation of a new utility pole, disconnection and reconnection of services; and

WHEREAS, NYSEG has provided a quote for these services in the amount of \$9,392.85; and

WHEREAS, There are adequate funds in Parks Capital Improvement Plan budget to fund said work with NYSEG; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby approves payment to New York State Electric & Gas up to \$9,500.00 for the removal of the existing utility pole, installation of a new utility pole, disconnection and reconnection of services.

**RESOLUTION NO. 511-2023
CONTRACT WITH CONNORS-HAAS FOR ELECTRICAL SERVICE WORK
ASSOCIATED WITH THE POLE RELOCATION AT ONTARIO BEACH PARK**

WHEREAS, Ontario County is in the planning phases of Improvements to Ontario Beach Park and the current utility pole that provides electrical service to the park is located on the waterfront; and

WHEREAS, Public Works would like to have Ontario Beach Park's utility pole relocated by New York State Electric and Gas (NYSEG) and NYSEG has stated that Ontario County is responsible for all new electrical work from the new pole to the building being serviced; and

WHEREAS, Public Works reached out to our On-Demand Electrical (Contract B21086), and Connors-Haas Inc. has provided a quote for this work, not-to-exceed, \$13,002.20; and

WHEREAS, The total cost is estimated to be \$14,002.20, which includes a contingency of \$1,300; and

WHEREAS, There are adequate funds in Parks Capital Improvement Plan budget to fund said work with NYSEG; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Ontario County Board of Supervisors hereby approves a contract with Connors-Haas, at a cost not-to-exceed \$13,002.20; and further

RESOLVED, That the contract shall commence on September 18, 2023, and will expire on December 29, 2023; and further

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

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Agreement with Connors-Haas Inc. and all other documents necessary to effectuate the purposes of this resolution; 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 to Connors-Haas care of Chris Bennett at email address c.bennett@connors-haas.com.

The foregoing block of four resolutions was adopted.

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

RESOLUTION NO. 512-2023
EMERGENCY RESPONSE ON-DEMAND CONTRACTS WITH ENGINEERING
FIRMS FOR TECHNICAL ASSISTANCE FOR ONTARIO COUNTY

WHEREAS, Technical/investigative and engineering services may be required to respond to emergency conditions resulting from weather damage, terrorism and other natural disasters; and

WHEREAS, The following firms are qualified to perform such services under on-demand contracts;

LU Engineers	280 East Broad Street, Suite 170 Rochester, NY 14604
TY Lin International	255 East Avenue Rochester, NY 14604
HUNT Engineers, P.C.	4 Commercial St., Suite 300 Rochester, NY 14614
C&S Companies	150 State St., Suite 120 Rochester, NY 14614
Popli Design Group	555 Penbrooke Drive Penfield, NY 14526
Barton & Loguidice, D.P.C.	443 Electronics Parkway Liverpool, NY 13088
CPL Architecture-Engineering-Planning	255 Woodcliff Drive, Suite 200 Fairport, NY 14450
Stantec Consulting Services	61 Commercial St, Suite 100 Rochester, NY 14614

now, therefore, be it

RESOLVED, The Board of Supervisors approves a two-year on-demand contract covering the period September 14, 2023 through September 13, 2025 with an option for a one-year renewal to be established with the above-mentioned firms; and further

RESOLVED, Under an emergency situation, the Commissioner of Public Works in close cooperation with the County's Emergency Management office 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 these services must begin immediately; and further

RESOLVED, The firms will provide a yearly rate table for each discipline and position anticipated to apply for emergency services with the understanding that other technical positions may be necessary depending on the emergency; and further

RESOLVED, The Commissioner of Public Works, is hereby authorized to establish the scope of work and fees on a time/material basis with these firms and order the services under advisement and concurrence of the County Administrator; and further

RESOLVED, That Public Works Committee will be fully engaged in the progress and projected costs through frequent update by the Commissioner of Public Works; and further

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

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

**RESOLUTION NO. 513-2023
ASSIGNMENT AND ASSUMPTION AGREEMENT
PURCHASE OF SIGN MATERIALS & SAFETY PRODUCTS
NATIONAL HIGHWAY PRODUCTS INC.**

WHEREAS, Resolution No. 714-2021 authorized an agreement with Garden State Highway Products, Inc. having offices at 301 Riverside Drive, Millville, New Jersey 08332 for purchase of sign materials & Safety Products for the County of Ontario (the “County”); and

WHEREAS, Effective June 6, 2023, Garden State Highway Product, Inc. has been sold and will now operate as National Highway Products, Inc. having offices at 301 Riverside Drive, Millville, New Jersey, New York 08332; and

WHEREAS, The County continues to need to purchase sign materials & safety products; and

WHEREAS, Garden State Highway Product, Inc. desires to assign its rights and obligations under its current contract with the County and National Highway Products, Inc. desires to accept such assignment and assume Garden State Highway Product, Inc. rights and obligations under its contract with the County; and

WHEREAS, The County desires to grant its consent to such an assignment and assumption subject to the terms of the proposed agreement; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends its approval; 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 an assignment and assumption agreement between Garden State Highway Product, Inc. and National Highway Products, Inc. for the purchase of sign materials & safety products for County of Ontario through December 31, 2023; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to National Highway Products, Inc.

**RESOLUTION NO. 514-2023
ASSIGNMENT AND ASSUMPTION AGREEMENT
PUBLIC SAFETY EQUIPMENT UPFITTING
T & D FLEET SOLUTIONS**

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, Effective July 28, 2023, Gerber Collision and Glass has been sold and will now operate as T & D Fleet Solutions having offices at 2111 Empire Blvd, Webster, New York 14580; and

WHEREAS, The County continues to require Public Safety Equipment Upfitting; and

WHEREAS, Gerber Collision and Glass desires to assign its rights and obligations under its current contract with the County and T & D Fleet Solutions desires to accept such assignment and assume Gerber Collision and Glass rights and obligations under its contract with the County; and

WHEREAS, The County desires to grant its consent to such an assignment and assumption subject to the terms of the proposed agreement; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends its approval; 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 an assignment and assumption agreement between Gerber Collision and Glass and T & D Fleet Solutions for the Public Safety Equipment Upfitting for County of Ontario through May 15, 2024; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to T & D Fleet Solutions.

**RESOLUTION NO. 515-2023
TRANSFER OF FUNDS – 2023 COUNTY BUDGET
REPAIR – VEHICLE WASH**

WHEREAS, A programmable logic controller (PLC) at the vehicle wash needs to be replaced; and

WHEREAS, The Public Works and Ways and Means Committee have reviewed and approved the following transfer to fund said replacement; now, therefore, be it

RESOLVED, That the following budget transfer be made:

	Account	Revenues	Expense
Maint & Repair of Op Equip	AAR101 54520		+\$5,000.00
Appropriated Reserve	AA 30511 BR101	+\$5,000.00	

and further

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

**RESOLUTION NO. 516-2023
AUTHORIZATION TO AWARD BID B23066 FOR
MECHANICAL AND PLUMBING SERVICES**

WHEREAS, Bids were received for Various Mechanical and Plumbing Services (B23066) for on demand projects at County facilities and Sewer Districts which were duly advertised and received by the purchasing department; and

WHEREAS, It is in the best interest of the County to have multiple vendors to assure a contractor is available when critical, time sensitive projects become necessary; and

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

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

	Contractor	Address
Primary	LMC Industrial Contractors, Inc.	2060 Lakeville Road Avon, NY14414
Secondary	Monroe Piping and Sheet Metal, LLC	68 Humboldt St. Rochester, NY 14609

and further

RESOLVED, That the Ontario County Board of Supervisors hereby accepts said bids for the period beginning September 15, 2023 through September 14, 2024, with an option of up to two (2) twelve-month renewals upon agreement of all parties; and further

RESOLVED, That in the case of a multiple award, the lowest responsive/responsible bidder shall be the primary award to provide said services; and further

RESOLVED, That should the primary bid not be able supply said services in accordance with the project requirements and/or logistics, the Secondary award shall be given similar consideration, to furnish services in accordance with the project requirements; and further

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

The foregoing block of five resolutions was adopted.

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

RESOLUTION NO. 517-2023
AUTHORIZATION TO ACCEPT ASSIGNMENT RIGHTS AND OBLIGATIONS
IN CONNECTION WITH THE DISSOLUTION OF THE FINGER LAKES
REGIONAL TELECOMMUNICATIONS DEVELOPMENT CORP.

WHEREAS, In 2005, Ontario County passed Local Law No. 3 of 2005 establishing the Finger Lakes Regional Telecommunications Development Corp. (“FLRTDC”); and

WHEREAS, In connection with the establishment of FLRTDC, Ontario County, in Resolution No. 507-2006, approved, among other things, a \$1.5 million interest free loan (the “Loan”) to be advanced to FLRTDC; and

WHEREAS, As of July 1, 2007, FLRTDC entered into that certain Host Community Benefit Agreement, which was amended by First Amendment to Host Community Benefit Agreement dated October 31, 2007 (the “Host Community Benefit Agreement”), with Empire State Pipeline and Empire Pipeline, Inc. (together, the “Pipeline”), pursuant to which the Pipeline is obligated to pay FLRTDC annual community benefit fees in the amount of \$379,237.00, in quarterly installments, through and including December 1, 2033 (the “Fees”); and

WHEREAS, National Fuel Gas Company unconditionally guaranteed the punctual payment of the Fees to FLRTDC pursuant to that certain Guaranty dated July 26, 2007 (the “Guaranty”); and

WHEREAS, On or about October 25, 2017, FLRTDC and Empire Long Distance Corporation (“ELDC”) entered into that certain Lease to Purchase Agreement (the “Purchase Agreement”), pursuant to which ELDC agreed to lease, and then purchase, certain assets, including the Fiber Optic Network owned and operated by FLRTDC; and

WHEREAS, The transactions contemplated by the Purchase Agreement were finally closed and consummated on June 2 (effective June 1), 2023; and

WHEREAS, The Board of Directors of FLRTDC determined that the corporate existence of FLRTDC should now be dissolved, as FLRTDC no longer has any operations; and

WHEREAS, Pursuant to the New York Not-for-Profit Corporation Law §1411 and the determination of the Board of Directors of FLRTDC, all remaining assets of FLRTDC, as a local development corporation, are to be distributed to Ontario County, among which assets are FLRTDC’s rights to receive payment of the Fees and the benefit of the Guaranty; and

WHEREAS, Also included in FLRTDC’s remaining assets to be distributed to Ontario County are certain cash funds (the “Cash”) being held by FLRTDC; and

WHEREAS, In connection with the dissolution of FLRTDC, and in order to effectuate the transfer and assignment of FLRTDC's assets, liabilities, rights, and obligations to Ontario County, including but not limited to FLRTDC's rights and obligations with respect to the Loan, the Host Community Benefit Agreement, the Guaranty, the Purchase Agreement, and the Cash, Ontario County is required to accept assignment of the Host Community Benefit Agreement and relieve FLRTDC's obligations under the Loan, as well as accept assignment of FLRTDC's rights pursuant to the Guaranty; and

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

RESOLVED, That Ontario County shall accept the assignment of all of FLRTDC's right, title, and interest in and under the Host Community Benefit, including the right to receive the Fees, and the Guaranty; and further

RESOLVED, That Ontario County shall accept from FLRTDC the assignment of all Cash and other assets held by FLRTDC; and further

RESOLVED, That Ontario County will establish a separate and dedicated account (the "Account") for purposes of accepting, managing, and ultimately disbursing all monetary assets – including but not limited to the Cash and Fees – received by the County in connection with the assignments by FLRTDC referenced above; and further

RESOLVED, That Ontario County shall relieve FLRTDC's obligations with respect to the Loan; and further

RESOLVED, That the balance of the Loan shall be reimbursed from the Account: (1) first, with the Cash received from FLRTDC; and (2) second, with the Fees received by Ontario County pursuant to the Host Community Benefit Agreement, until such time as the amount of the Loan has been reimbursed in full; and further

RESOLVED, That the County Administrator is authorized to take the necessary steps and execute any necessary documents to effectuate the intent of this Resolution; and further

RESOLVED, That the County's Department of Finance is authorized to take the necessary steps and establish any necessary account(s) and transfers to effectuate the intent of this Resolution; and further

RESOLVED, That a certified copy of this Resolution shall be transmitted by the Clerk of the Board of Supervisors to the County Attorney, County Administrator, and Ontario County Director of Finance.

RESOLUTION NO. 518-2023
2023 STANDARD WORK DAYS
FOR ELECTED OFFICIALS FOR RETIREMENT PURPOSES
MARK A. VENUTI, TODD D. CAMPBELL, AND WILLIAM NAMESTNIK

September 14, 2023

WHEREAS, The New York State and Local Employees' Retirement System, pursuant to NYS Comptroller's Regulation 315.4, requires that a standard workday be established for retirement credit purposes; and

WHEREAS, The Ways and Means Committee has reviewed and recommends establishment of standard work days for elected officials; now, therefore, be it

RESOLVED, That this Board hereby establishes the following as standard work days for elected officials; and further

RESOLVED, That this Board will report the following days worked in the New York State Employees' Retirement System based on the record of activities maintained and submitted by these officials, who are members of the Retirement System and are not part of an acceptable time keeping system, to the Clerk to the Board:

Title	Standard Work Day	First and Last Name	Registration #	Current Term Begins/ Ends	Record of Activities Result	Not Submitted (check only if official did not submit their Record of Activities)
ELECTED:						
<i>Supervisors</i>						
Town of Geneva	6.0	Mark A. Venuti	R11214123	01/01/2022-12/31/2025	4.28	
Town of Hopewell	6.0	William Namestnik	R12082287	01/01/2022-12/31/2023	3.95	
Town of West Bloomfield	6.0	Todd D. Campbell	R10277310	01/01/2022-12/31/2025	14.45	

and further

RESOLVED, That a certified copy of this resolution be transmitted by the Clerk of the Board the New York State Comptroller.

The foregoing block of two resolutions was adopted.

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

RESOLUTION NO. 519-2023

**APPROVAL OF COLLECTIVE BARGAINING AGREEMENT 2022-2025
ONTARIO COUNTY BOARD OF SUPERVISORS AND
FINGER LAKES COMMUNITY COLLEGE
AND FLCC PROFESSIONAL ALLIANCE**

WHEREAS, Negotiation teams representing Ontario County and Finger Lakes Community College, and the FLCC Professional Alliance have reached tentative agreement on terms and conditions of employment for the period September 1, 2022 through and including August 31, 2025; and

WHEREAS, The original Tentative Agreement, dated April 7, 2022, stating these terms and conditions has been ratified by the FLCC Professional Alliance and approved by the FLCC Board of Trustees, and is on file with the Clerk of this Board; and

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

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

RESOLVED, That the Clerk shall provide a copy of this resolution to the President of the FLCC Professional Alliance, the Finger Lakes Community College Board of Trustees, the President of FLCC, the County Administrator, and the County Attorney.

**RESOLUTION NO. 520-2023
APPROVAL OF COLLECTIVE BARGAINING AGREEMENT 2022-2025
ONTARIO COUNTY BOARD OF SUPERVISORS AND
FINGER LAKES COMMUNITY COLLEGE
AND FLCC TEACHING FACULTY ALLIANCE**

WHEREAS, Negotiation teams representing Ontario County and Finger Lakes Community College, and the FLCC Teaching Faculty Alliance have reached tentative agreement on terms and conditions of employment for the period September 1, 2022 through and including August 31, 2025; and

WHEREAS, The original Tentative Agreement, dated April 24, 2023, stating these terms and conditions has been ratified by the FLCC Teaching Faculty Alliance and approved by the FLCC Board of Trustees, and is on file with the Clerk of this Board; and

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

RESOLVED, That the Chairman of the Board of Supervisors and the County Administrator are hereby authorized and directed to execute a collective bargaining

agreement incorporating the terms and conditions of employment set forth in the Tentative Agreement on file with the Clerk of this Board; and be it further

RESOLVED, That the Clerk shall provide a copy of this resolution to the President of the FLCC Teaching Faculty Alliance, the Finger Lakes Community College Board of Trustees, the President of FLCC, the County Administrator, and the County Attorney.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 521-2023
CREATE POSITION OF CUSTODIAN AND ABOLISH POSITION OF CLEANER**

WHEREAS, Mr. William Wright, Commissioner of Public Works, has requested that a vacant position of Cleaner be abolished when it is no longer protected for the promoted incumbent and has filed the necessary paperwork to create the title of Custodian; and

WHEREAS, The Director of Human Resources has classified a position of Custodian by Personnel Officer Certification No. 71-2023; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee have reviewed and recommend the creation of a Custodian position and the abolishment of a vacant Cleaner position when it is no longer protected for the promoted incumbent; and

WHEREAS, Sufficient funding exists within the Public Work's budget for this position change; now, therefore, be it

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

- a. Abolishment of a vacant Cleaner position, (#3014001), when it is no longer protected for the promoted incumbent; and
- b. Creation of a Custodian position classified by POCC # 71-2023, allocated to CSEA Salary grade A03, effective upon adoption; and further

RESOLVED, That this vacancy is authorized to be filled immediately; and further be it

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

**RESOLUTION NO. 522-2023
CREATE FINANCE CLERK II POSITION AND
ABOLISH FINANCE CLERK II POSITION**

WHEREAS, Mary Gates, Director of Finance, would like to create a Finance Clerk II

position in order to reinstate a former employee to a wholly vacant position; and

WHEREAS, Said position has been classified as Finance Clerk II by Personnel Officer Certification No. 72- 2023; and

WHEREAS, A vacant Finance Clerk II position will not be filled and will be abolished when it is no longer protected for the promoted incumbent; and

WHEREAS, Sufficient funding exists within the Department of Finance for this position; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee recommend the creation of this position; now, therefore, be it

RESOLVED, That the position of Finance Clerk II be created and is authorized to be filled immediately; and be it further

RESOLVED, That a vacant Finance Clerk II position will be abolished when it is no longer protected for the promoted incumbent; and be it further

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

RESOLUTION NO. 523-2023
CREATE TWO COMMUNITY MENTAL HEALTH PROFESSIONAL
(LIMITED PERMIT) POSITIONS

WHEREAS, Dr. Jessica Mitchell, Director of Community Mental Health Services, has filed the necessary paperwork to create the title of Community Mental Health Professional (Limited Permit) for two positions; and

WHEREAS, The Director of Human Resources has classified the position of Community Mental Health Professional (Limited Permit) by Personnel Officer Classification Certification No. 73-2023; and

WHEREAS, Sufficient funding exists within the Community Mental Health Department's budget for these position changes; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee have reviewed and recommend the creation of two (2) Community Mental Health Professional (Limited Permit) positions, with the understanding that whenever these positions are filled the corresponding title of Community Mental Health Professional will be left vacant; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the creation of two (2) Community Mental Health Professional (Limited Permit) positions, with the understanding that whenever these positions are filled the corresponding title of Community Mental Health Professional will be left vacant; and further

RESOLVED, That the title of Community Mental Health Professional (Limited

Permit) shall be allocated to CSEA salary grade AP2, effective upon adoption; and further

RESOLVED, That these vacancies are authorized to be filled immediately; and further be it

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

RESOLUTION NO. 524-2023
SALARY ADJUSTMENT – JOSEPH NACCA

WHEREAS, Ms. Holly Adams, County Attorney, has requested a salary adjustment for Assistant County Attorney, Joseph Nacca, based on his significant years of litigation experience that he has brought to the benefit of Ontario County; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee have reviewed and approved the salary adjustment for Mr. Nacca to be moved to Band 5, Step 6, effective January 1, 2024; and

WHEREAS, Sufficient funding exists within the County Attorney's Office budget for this step adjustment; now, therefore, be it

RESOLVED, That the rate of pay for Joseph Nacca be increased to MCP Band 5, Step 6 effective January 1, 2024; and further

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

RESOLUTION NO. 525-2023
AUTHORIZE ADJUSTMENT OF SALARY OF
FINANCE CLERK I (SEASONAL) POSITIONS

WHEREAS, The Board of Supervisors created two Finance Clerks I (seasonal) positions in the Treasurer's Office to assist in the collection of school taxes for up to 90 days each year; and

WHEREAS, The Department erroneously advertised the salary of these seasonal positions at a rate of \$21.77 per hour; and

WHEREAS, Two qualified candidates applied for these seasonal positions at a rate of \$21.77 per hour; and

WHEREAS, Treasurer Baxter has requested that the rate of pay provided to these candidates be increased from the starting salary of Grade A6, step 1 (\$18.49/hr) to Grade A6, step 3 (\$21.77/hr); and

WHEREAS, The Office of the Treasurer has sufficient funds within its budget to

accommodate this request; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee recommend the salary increase for these positions with the understanding that the rate of pay in 2024 will be at the starting rate of pay for seasonal positions; now, therefore, be it

RESOLVED, That the salary of the two (2) positions of Finance Clerk I (Seasonal) (Grade A06) be increased to Grade A6, Step 3 (\$21.77/hr), effective September 18, 2023 for this year only; and further

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

The foregoing block of five resolutions was adopted.

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

**RESOLUTION NO. 526-2023
ADOPTING LOCAL LAW NO. 5 (INTRO) 2023**

WHEREAS, A public hearing having been held on August 24, 2023, prior to the full meeting of this Board, for public input on a proposed local law entitled "Adjusting the Management Compensation Program For Managerial and Confidential Positions for the Year 2023"; and

WHEREAS, All public objection or comment presented at the public hearing, if any, having been heard and considered; now, therefore, be it

RESOLVED, That Local Law No. 5 (Intro) of 2023, "Adjusting the Management Compensation Program For Managerial and Confidential Positions for the Year 2023", is hereby adopted and shall be effective November 6, 2023, which is in accordance with Municipal Home Rule Law as being at least forty-five (45) days after adoption.

**RESOLUTION NO. 527-2023
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON
LOCAL LAW NO. 6 (INTRO.) OF 2023**

WHEREAS, There has been introduced at a meeting of this Board held on September 14, 2023, a proposed local law entitled "A Local Law Applying the Management Compensation Program to Certain County Officers Appointed for Definite Terms for the Year 2024"; now, therefore, be it

RESOLVED, That a public hearing shall be held on October 5, 2023, at 6:30 P.M. at 74 Ontario Street, Canandaigua, New York; and further

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

**RESOLUTION NO. 528-2023
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON
LOCAL LAW NO. 7 (INTRO) OF 2023**

WHEREAS, There has been introduced at a meeting of this Board held on September 14, 2023, a proposed local law entitled "A Local Law To Increase the Salary for the Ontario County Sheriff for the Year 2024 through 2026"; now, therefore, be it

RESOLVED, That a public hearing shall be held on October 5, 2023, at 6:30 P.M. at 74 Ontario Street, Canandaigua, New York; and further

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

The foregoing block of three resolutions was adopted.

Supervisor Lou Guard said he was remiss on Resolution No. 499-2023 to point out next week is Sheriff's week.

At 7:06 pm, Supervisor Andrew Wickham made the motion, seconded by Supervisor David Phillips to move into executive session to discuss matters which will imperil the public safety if disclosed; said motion was carried.

At 7:27 pm, motion was made by Supervisor Jack Marren, seconded by Supervisor Andrew Wickham to move out of executive session; said motion was carried.

On motion of Supervisor Jack Marren, seconded by Supervisor Andrew Wickham, the meeting was adjourned at 7:28 pm.