

August 26, 2021

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The regular meeting of the Ontario County Board of Supervisors was called to order at 6:30 p.m. at 6475 Gannett Hill Park Dr., Naples, NY 14512 with Chairman John (Jack) Marren presiding.

The Pledge of Allegiance was led by Assemblyman Jeff Gallahan.

Upon roll call, Members of the Board were present accept Supervisor Louis Guard and Catherine Menikotz who were declared necessarily absent.

Minutes of the preceding session was approved without being read by motion of Supervisor David Baker seconded by Kristine Singer motion carried.

Chairman Marren recognized and thanked Supervisor Dan Marshall with his wife Mary, and his son Adam for hosting the dinner and meeting at Gannett Hill Park. He commended the wonderful food prepared by Adam Marshall.

Assemblyman Jeffery Gallahan of the 131st district gave an overview of the situation in Albany. He said normally there are 150 people in the sessions room; this year there were only 30, which included staff and photographers. They are hoping to get back to normalcy next year. He gave a heartfelt thank you for all the support he has received. Supervisor Bendzlowicz asked what committees Assemblyman Gallahan is on. Assemblyman Gallahan replied he is on the following Committees: Ranker on Racing and Wagering, Tourism, Parks, Arts and Sports Development, Local Governments, Aging, and Children and Families. He noted that Finger Lakes Racetrack and Del Lago are both in his district.

County Administrator, Chris DeBolt reported on the COVID-19 cases. Mr. DeBolt noted the concern of the Nursing Homes and hospitals having a shortage of nursing staff with the mandate of the vaccines for healthcare workers. Mr. DeBolt has reached out to NYSAC regarding the issue. FLCC has mandated vaccines for the students. Governor Hochul announced that there would be a vaccine mandate for school staff and all students are mandated to wear masks.

Chairman Marren granted privilege of the floor to Supervisor Norm Teed who asked for privilege of the floor for Mr. Dave Gill of Phelps, NY.

Mr. Gill presented his concern about a notice he received from Ironwood Heavy Highway, LLC, hired by NYSEG to remove all his vegetation including trees down to the ground in the powerline Right of Way. He said the trees include flowering crab apple, sumac, buckthorn, orange quince, grapes, and Virginia creeper. Mr. Gill said the vegetation has never reached the power lines and has been there for over forty years. He manages the vegetation for habitat and noise control. He said some of the powerlines are not over the right of way they are over his property. He does not want to lose the wildlife corridor. He is requesting the Boards help in preventing the removal of his vegetation at 2493 Waddell Road, Clifton Springs, NY.

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

- Health and Human Services Committee held on July 26, 2021
- Planning and Environmental Quality Committee held on July 26, 2021
- Public Works Committee held on July 26, 2021
- Public Safety Committee held on July 28, 2021
- Governmental Operations & Insurance Committee held on July 28, 2021

- Joint Public Works and Ways & Means Committee held on July 28, 2021
- Ways and Means Committee held on July 28, 2021

Nomination of John Marren as a biographical candidate to represent Entrepreneurs and Business Owners from the State of New York in the upcoming edition of *Who's Who I America*® received from John Sartoris, Director of Publications, Marquis Who's Who, Uniondale, NY.

Receipt of State Filing of Local Law 2 of 2021, received from NY Department of State Records and Law Bureau.

Public Hearing Notice on September 14, 2021 in the Town of Geneva for proposed Local Law 2-2021 entitled, "Amending the Sewer Lines", Local Law 3-2021 entitled "Amending Chapter 63 (Building Construction and Fire Prevention)", Local Law 4-2021 entitled "Amending Chapter 165 (Zoning) of the Code of the Town of Geneva", and Local Law 5-2021 entitled "Amending Chapter 130 (Solar Energy Systems) the Code of the Town of Geneva" received from the Town of Geneva.

A Notice of Approval of the 2021-2022 Annual Update to the Four Year Plan for Ontario pursuant to the Federal Older Americans Act of 1965, as amended, and the Elder Law, and notice of approval for applications for Older American Act, and notice of approval for State aid under the Expanded In-home Services for the Elderly, the Unmet Need program, the Community Services for the Elderly program, the Wellness in Nutrition program, the Congregate Services Initiative, the State Transportation program, and if applicable, the State Caregiver Resource Center program with the Notification of Grant Awards, received from Karen Jackuback, Deputy Director, NYS Office for the Aging.

The 2020 Census data received from Tom Harvey, Director of Planning, Ontario County.

The Clerk presented Local Law No. 4 (Intro.) of 2021 Local Law entitled "A Local Law to Establish a Sustainable Energy Loan Program (Open C-PACE) in the County of Ontario".

Be it enacted by the Board of Supervisors as follows:

Section 1. This local law shall be known as the "Energize NY Open C-PACE Financing Program" and shall read as follows:

ARTICLE I

§1. Legislative findings, intent and purpose, authority.

- A. It is the policy of both the County of Ontario and the State of New York (the "State") to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The County of Ontario finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a

program that will allow the Energy Improvement Corporation (as defined below, “EIC”), a local development corporation, acting on behalf of the County of Ontario pursuant to the municipal agreement (the “Municipal Agreement”) to be entered into between the County of Ontario and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the “Enabling Act”).

- B. The County of Ontario is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.
- C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the “Energize NY Open C-PACE Local Law”.

§2. Definitions

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.
- B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

Annual Installment Amount – shall have the meaning assigned in Section 8, paragraph B.

Annual Installment Lien – shall have the meaning assigned in Section 8 paragraph B.

Authority – the New York State Energy Research and Development Authority.

Benefit Assessment Lien – shall have the meaning assigned in Section 3, paragraph A.

Benefited Property – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

Benefited Property Owner – the owner of record of a Benefited Property.

EIC – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the County of Ontario to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the County of Ontario as a charge to be levied on the real property.

Eligible Costs – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC's Program administration fee, closing costs and fees, title and appraisal fees, professionals' fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement

Enabling Act – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

Finance Agreement – the finance agreement described in Section 6A of this local law.

Financing Charges – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys' fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.

Financing Parties – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the County of Ontario.

Municipality – the County of Ontario, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

Municipal Lien – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

Non-Municipal Lien – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

Program – the Energize NY Open C-PACE Financing Program authorized hereby.

Qualified Project – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

Qualified Property – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the County of Ontario that has been determined to be eligible to participate in the

Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

Qualified Property Owner – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

RPTL – the Real Property Tax Law of the State, as amended from time to time.

Secured Amount – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

State – the State of New York.

§3.Establishment of an Energize NY Open C-PACE Financing Program

- A. An Energize NY Open C-PACE Financing Program is hereby established by the County of Ontario, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the County of Ontario, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the “Benefit Assessment Lien”) on the land records for the County of Ontario. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the County of Ontario.
- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

§4.Procedures for eligibility

- A. Any property owner in the County of Ontario may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the County of Ontario’s offices.
- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the County of Ontario, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and § 5 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.

- C. If a positive determination on an application is made by EIC, acting on behalf of the County of Ontario, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 6 of this local law.

§5.Application criteria

Upon the submission of an application, EIC, acting on behalf of the County of Ontario, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;
- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;
- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current in payments on any real property taxes on the Qualified Property; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the County of Ontario, or EIC acting on its behalf, or other Financing Parties may set from time to time.

§6.Energize NY Finance Agreement

- A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the County of Ontario, shall be a third-party beneficiary (the "Finance Agreement"). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a "Benefited Property").
- B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.
- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.

- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

§7.Terms and conditions of repayment

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records on which liens are recorded for properties within the County of Ontario. The special benefit assessment shall constitute a “charge” within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the County of Ontario, and shall be paid to the Financing Party as provided in the Finance Agreement.
- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the County of Ontario.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the County of Ontario, as provided in the Finance Agreement.

§8.Levy of Annual Installment Amount and Creation of Annual Installment Lien

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of the County of Ontario. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the County of Ontario, in the land records for properties in the County of Ontario. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the County of Ontario. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the County of Ontario.
- B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the “Annual Installment Amount”). The Annual Installment Amount shall be levied by EIC, on behalf of the County of Ontario, on the Benefited Property in the same manner as levies for municipal charges, shall become a lien on the Benefited Property as of the first day of January of the fiscal year for which levied (the “Annual Installment Lien”) and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording

tax or other fee in the same manner as if recorded by the County of Ontario. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.

- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the County of Ontario, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.
- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of the County of Ontario, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the County of Ontario, or the Financing Party, as may be provided in the Finance Agreement.
- E. EIC shall act as the County of Ontario's agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.
- F. EIC, on behalf of the County of Ontario, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the County of Ontario, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the County of Ontario would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

EIC, on behalf of the County of Ontario, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

§10.Separability. If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 2. This local law shall take effect upon filing with the Secretary of State.

Supervisor Singer Chair of the Economic Developer Director Search Committee gave an update to the Board on the selection of three candidates that will be interviewed next week.

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

RESOLUTION NO. 401-2021
RESOLUTION TO PURCHASE UTV TRAILER AND DECKOVER TRAILER
BOARD OF ELECTIONS

WHEREAS, Ontario County Purchasing Department recently advertised and received bids for the purchase of an enclosed UTV/ Deckover trailer; and

WHEREAS, The lowest bidder is unable to deliver for over one year; and

WHEREAS, Davis Trailer World of York, NY is the second lowest responsible bidder and meets specifications including delivery within one month; and

WHEREAS, There is sufficient grant funding from the American Rescue Plan Act to reimburse Ontario County; and

WHEREAS, The Government Operations and Insurance and Ways and Means Committees have reviewed this request at their August 18th, 2021 meetings and approve purchase of the trailer from Davis Trailer World; 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 Davis Trailer World of 1640 Main Street, York, NY 14592 to purchase said trailer and all other documents necessary to effectuate the purpose of this resolution, at a cost not to exceed Ten Thousand Thirty-Four Dollars and Ninety cents (\$10,034.90); and further

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

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute a Contract with Davis Trailer World in the amount of Ten Thousand Thirty-Four Dollars and Ninety cents (\$ 10,034.90); and further

RESOLVED, That the County's Department of Finance is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of Ten Thousand Thirty-Four Dollars and Ninety cents (\$10,034.90); and further

RESOLVED, That certified copies of this resolution be emailed by the Clerk of the Board to the Board of Elections and to Davis Trailer World, 1640 Main Street, York, New York 14592.

Adopted.

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

**RESOLUTION NO. 402-2021
AUTHORIZATION TO ACCEPT
NEW YORK STATE DEPARTMENT OF HEALTH (NYSDOH)
EARLY INTERVENTION ADMINISTRATION GRANT
CONTRACT #C36421GG (CFDA #84.181)**

WHEREAS, The New York State Department of Health ("NYS DOH") has awarded Ontario County the first year of five-year non-competitive contract in the amount of \$306,015 (NYS Grants Gateway#: DOH01-EIADM2-2021; NYS Contract #: C36421GG; CFDA# 84.181; MUNIS# G21023) for the period of October 1, 2021 through September 30, 2026 to continue providing the Early Intervention Administration grant program; and

WHEREAS, The five-year contract from NYS DOH totals \$ 306,015, which provides Ontario County with an award of \$ 61,203 annually; and

WHEREAS, It is advantageous for Ontario County to accept this program funding in order to continue providing the Early Intervention Administration grant program over an additional five-year period with no county match requirement; and

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

WHEREAS, The Health and Human Services, and Ways and Means Committees have reviewed this request at their August 16th and August 18th, 2021 meetings and recommend the acceptance of the grant award and proposed budget; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby accept the five-year \$ 306,015 award from the

New York State Department of Health, Corning Tower, Empire State Plaza, Albany, New York 12237 for a term of October 1st, 2021 through September 30th, 2026, with no additional County cost; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to sign all necessary documents to execute this Agreement with the New York State Department of Health, 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; and further

RESOLVED, That a certified copy of this resolution be emailed by the Clerk of the Board to the Public Health Department.

Adopted.

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

**RESOLUTION NO. 403-2021
PROCLAIMING SUPPORT FOR AN "AGE-FRIENDLY ONTARIO"
INITIATIVE TO SUPPORT THE WELL-BEING OF
COMMUNITY MEMBERS ACROSS THE LIFESPAN**

WHEREAS, Age-Friendly Communities are great places to grow up and grow old and are well-designed, livable communities that promote health, sustain economic growth, and make for happier, healthier residents of all ages; and

WHEREAS, There are numerous social and economic benefits to building a community that is inclusive and meets the needs of residents and visitors of all ages, backgrounds and ability levels; and

WHEREAS, Age-Friendly Communities are defined by the World Health Organization (WHO) and the American Association of Retired People (AARP) as committed to improving their communities by addressing the 8 Domains of Livability: 1. Outdoor Spaces and Buildings; 2. Transportation; 3. Housing; 4. Social Participation; 5. Respect and Social Inclusion; 6. Civic Participation and Employment; 7. Communication and Information; 8. Community and Health Services; and

WHEREAS, An Age-Friendly approach benefits multi-generations because safe healthy communities make it possible for young children and elders to navigate independently and this independence promotes active aging and healthy child

development, but it also relieves the pressures of caregiving on other family members; and

WHEREAS, In 2017 New York became the first state in the nation to be designated an Age-Friendly state and is supporting communities around the state to be more Age-Friendly via a grants program; and

WHEREAS, Ontario County was one of the grant recipients and has used the grant to raise awareness and interest in Age-Friendly principles and create a collaboration of county and community partners to consider priorities and strategies to further the County's desire to be Age-Friendly; and

WHEREAS, The Age-Friendly initiative also aligns with the county's vision to be a "Vibrant Community Where Every Citizen has the Opportunity to be Healthy, Successful and Safe" and aligns with the NY Department of Health's Prevention Agenda, the Department of State's Smart Growth Agenda, and the Governor's Health Across All Policies Agenda; and

WHEREAS, The Office of Aging (OFA) and Planning Department (PD) have convened two community education workshops and developed a County website of Age Friendly resources; and

WHEREAS, Ontario County already is engaged in Age Friendly activities such as accessibility improvements at parks and buildings, investing in active transportation options and access to vehicle based mobility options for residents of all ages, and meeting the needs of vulnerable populations in the face of the COVID 19 pandemic; and

WHEREAS, An Ad-Hoc Age Friendly Committee comprised of representatives from OFA, PD, Public Health, DPW, Purchasing , DSS, EMS, Finance/Grant Administration, the Sheriffs' Department, Town Supervisors and community partners with the intention of identifying strategies that will bolster Ontario County's Age-Friendly position and recommends adoption of this resolution; and

WHEREAS, Ontario County is experiencing an "aging boom" as the number of residents age 60 or older is expected to increase from 27% of the population in 2019 to 33% of the population in 2030. From 2010 to 2019 in Ontario County the number of residents age 60 to 74 increased by 4,657 and those age 75 and over increased by 900. From 2019 to 2030 in Ontario County the number of residents age 60 to 74 is expected to increase by 2,960 and those age 75 and over to increase by 6,364. (Source: 2010 U.S. Census, 2019 American Community Survey 5-Year Estimates, and NYSOFA Projections; and

WHEREAS, The Planning and Environmental Quality Committee and the Health and Human Services Committee recommend adoption of this resolution; now, therefore, be it

RESOLVED, That Ontario County is committed to intentionally transforming the social and physical environments to support the health and well-being of community members across the lifespan and hereby declares our support for an Age-Friendly initiative in Ontario County that will enhance livability across the lifespan and support growing number of older adults; and further

RESOLVED, That the Board of Supervisors supports all appropriate County departments and entities to consider Age-Friendly implications of decisions and investments and to incorporate Age-Friendly strategies, priorities and principles into departmental, city, town or county plans, contracts, programs, policies, procedures, grant funded activities and procurements where practicable and feasible in order to further the goals of the Age Friendly initiative; and further

RESOLVED, That this Board does adopt the following statement of policy and actions to promote Age Friendly development and operations within Ontario County:

- A. Continue to improve accessibility of county facilities and services and incorporate enabling features as facilities are remodeled, including but not limited to access to building and outdoor spaces, easy to understand and well located signage, appropriate lighting, and purchase of accommodating furniture and fixtures, and
- B. Pursue funding for Age Friendly home modifications and work with municipalities to identify and pursue neighborhood modifications to make them more Age Friendly, and
- C. Identify and pursue funding for various programs and improvements to allow older adults and individuals with disabilities to remain in their homes, including home services such as vaccine administration, therapy, and medical/vision/mental health services, and
- D. Work with municipalities to incorporate Age Friendly policies and standards, including a complete street policy, into local comprehensive plans, zoning, design of recreation facilities, and adopt other local policies to promote Age Friendly housing, including zero-step access housing, affordable housing options, and accessory dwelling units by right, and accessibility of municipal facilities and services, and

- E. Add Age Friendly design as a standard consideration by staff for all reviews performed by the Ontario County Planning Board pursuant to General Municipal Law 239 k, l, & m, and
- F. Continue to pursue opportunities to enhance mobility of older adults and others without access to private transportation while educating the public considering moving to a rural area about the differences in the level of services available in rural vs. suburban and urban areas (for example, level of public transportation, social clubs, public utilities, proximity of health and personal services, etc.), and
- G. Identify and use communication channels available to those without digital access for County communications with the public and when seeking public input on projects and environmental reviews, and
- H. Support and sponsor Age Friendly training and provide education resources for design professionals, contractors, developers, and municipal boards, such as through municipal training programs offered by the Planning Department,
- I. Increase opportunities for intergenerational engagement, and
- J. Incorporate Complete Street principals to better accommodate the needs of pedestrian and bicyclist modes of transportation into design of County roads where appropriate, and continue to work to make roads safer for bicyclists and pedestrians, and
- K. Work to expand older adult use of existing municipal and community spaces for weekday social participation and civic engagement, including, but not limited to, removing hurdles such as insurance requirements, and
- L. Identify and implement other initiatives related to civic engagement and employment, respect and social inclusion or social participation; and further

RESOLVED, That the County Office of the Aging and/or Planning Department shall at least annually convene said Ad Hoc Committee and report to the Board of Supervisors in conjunction with annual review of operating and capital budgets on Age Friendly activities, additional policy recommendation, and the advisability, costs, and sources of funding to pursue Ontario County's certification as an Age Friendly community in accordance with AARP/WHO requirements; and further

RESOLVED, That electronic copies of this resolution will be sent to all department heads, Ad Hoc committee community organization representatives, local municipal Planning and Zoning Board Chairs, and the County Administrator, Christopher DeBolt.

Adopted.

Irene Coveny, Director Office for the Aging shared that the resolution is not a mandate, it is about putting these ideas and principles in place when developing a community or constructing a building. It is about an awareness to these principles and is in support of the blue zones.

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

RESOLUTION NO. 404-2021
AUTHORIZATION TO CONTRACT WITH AIM INDEPENDENT LIVING

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

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

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

WHEREAS, The Office for the Aging desires to enter into an agreement with the Corning Council For Assistance & Information To The Disabled Inc. a.k.a Aim Independent Living Center with offices at 271 East First Street Corning, NY 14830 for its consumer directed financial management services; and

WHEREAS, AIM Independent Living Center will be reimbursed at the rate of \$21.90 per hour for program services; and

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

RESOLVED, That upon review and approval of the County Attorney's Office as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Corning Council For Assistance & Information To The Disabled Inc. a.k.a Aim Independent Living Center with offices at 271 East First Street Corning, NY 14830; and further

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period September 1, 2021 to March 31, 2022, with the aforementioned agency; and further

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

**RESOLUTION NO. 405-2021
AUTHORIZATION TO CONTRACT WITH
FINGER LAKES HOME CARE, INC. FOR PERSONAL CARE SERVICES**

WHEREAS, The County desires to enter into an agreement with Finger Lakes Home Care, Inc., 756 Pre-Emption Road, Geneva, New York 14456 for Personal Care Level I (Housekeeper/Chore Services) and Personal Care Level II (Homemaker/Personal Care) to provide services for EISEP (Expanded In Home Services for the Elderly Program) and the Caregiver Respite Program; and

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

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

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Finger Lakes Home Care, Inc., at the rate of \$28.76 per hour for Personal Care Level I and \$28.80 per hour for Personal Care Level II; and further

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 01, 2021 to March 31, 2022; and further

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

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 406-2021
RESOLUTION RECOGNIZING FIRST RESPONDERS IN ONTARIO COUNTY
FOR EXTRAORDINARY SERVICE**

WHEREAS, The Ontario County Public Health staff has shown extraordinary dedication, professionalism, and effort throughout the past year in response to the COVID-19 pandemic; and

WHEREAS, Through most of 2020 and 2021, members of the Public Health Department and hundreds of community volunteers, Ontario County employees and

former employees conducted many COVID-19 testing and vaccination clinics and assisted Public Health with answering calls, assistance with meal delivery and contact tracing; and

WHEREAS, Clinics and the other help that was provided, was able to test, vaccinate and assist thousands of residents of Ontario County to help combat the spread of COVID-19 and help with their recovery; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors would like to formally recognize the extraordinary dedication of Public Health, community volunteers, Ontario County employees and former employees; and further

RESOLVED, The Ontario County Board of Supervisors hereby offers a proclamation to be awarded to Ontario County Public Health in recognition of all employees of Public Health, community volunteers, Ontario County employees and former employees for their efforts to help combat COVID-19 and thank them for their exemplary service to the residents of Ontario County.

Adopted.

Supervisor Kristine Singer offered the following three resolutions as a block and moved for its adoption, seconded by Supervisor Ted Bateman:

**RESOLUTION NO. 407-2021
SECOND NO COST TIME EXTENSION FOR CONTRACT WITH
JOHN G. WAITE ASSOCIATES, ARCHITECTS PLLC
TO PREPARE THE MANCHESTER YARD REDEVELOPMENT STRATEGY-
PHASE 2: MANCHESTER ROUNDHOUSE BUILDING CONDITION REPORT**

WHEREAS, Ontario County received a NYS ESD grant an Incentive Proposal from NY Empire State Development (NY ESD) dated February 4, 2020 to accept an Urban and Community Development Program – Working Capital Grant for Project #133,317 (ESD Grant) in the amount of \$15,000.00 to be used for preparation of the Manchester Rail Yard Master Site Redevelopment Strategy – Phase 2 (Phase 2) (ESD Project# 133,317; NYS Consolidated Funding Application # 94693; CFDA# N/A; MUNIS# G20003) to conduct a Building Conditions Report for the Lehigh Valley RR Manchester Roundhouse and Associated Buildings and Assessment of Options for Redevelopment (Project); and

WHEREAS, Resolution No. 129-2020 authorized acceptance of said Grant and assigned County Identifier Code G20003; and

WHEREAS, Pursuant to Resolution No. 539-2020, the County Administrator entered into a contract with John G. Waite Associates, Architects PLLC on October 27, 2020 to complete said report for a term ending on February 28, 2021; and

WHEREAS, Pursuant to Resolution No. 539-2020, the Planning and Environmental Quality Committee approved on February 8, 2021 a no cost time extension for a term ending on July 31, 2021 to allow additional time to complete said Project due to delays in initiating the project due the COVID-19 situation; and

WHEREAS, Additional time is needed to complete the Project due to the need to conduct additional asbestos sampling and testing to determine the extent of contamination and potential cost of remediation and conduct a public information meeting; now, therefore, be it

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute a no cost time extension to the consultant services contract with John G. Waite Associates, Architects PLLC to extend the term of said contract to end on October 31, 2021 subject to approval of said amendment by the County Attorney; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board, to John G. Waite Associates, Architects PLLC located at 384 Broadway, Albany, NY 12207.

**RESOLUTION NO. 408-2021
APPOINTMENT TO THE ONTARIO COUNTY PLANNING BOARD
TOWN OF WEST BLOOMFIELD – RUTH CAHN**

WHEREAS, On July 28, 2021 the Town of West Bloomfield recommended the appointment of Ruth Cahn to fill the unexpired term of Sue Boardman, as their representative to the Ontario County Planning Board; and

WHEREAS, The Planning and Environmental Quality Committee recommends the appointment of said nominee; now, therefore, be it

RESOLVED, That as of September 1, 2021 the following individual is appointed as a member of the Ontario County Planning Board to serve the remainder of a five year term:

Name & Address	Representing	Term Expires
Ruth Cahn 8740 Wesley Rd Bloomfield, NY 14469	Town of West Bloomfield	January 25, 2023

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Clerk, the West Bloomfield Town Board, and Ms. Ruth Cahn.

**RESOLUTION NO. 409-2021
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON
LOCAL LAW NO. 4 (INTRO.) 2021**

WHEREAS, There has been introduced at a meeting of this Board held on August 26, 2021 a proposed local law entitled “ A Local Law to Establish a Sustainable Energy Loan Program (Open C-Pace) in the County of Ontario”; now, therefore, be it

RESOLVED, That a public hearing shall be held on September 16, 2021, at 6:30 p.m. at the Supervisors' Chambers, location 74 Ontario Street, 2nd 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.

The foregoing block of three resolutions was adopted.

Supervisor Robert Green offered the following four resolutions as a block and moved for its adoption:

**RESOLUTION NO. 410-2021
AUTHORIZING RADIO SYSTEM USE AGREEMENT WITH
RGRTA FOR PUBLIC TRANSIT SYSTEM USE**

WHEREAS, Resolution No. 235-2014 approved Ontario County's becoming a participating member of the Rochester Genesee Regional Transportation Authority (RGRTA) in order to have RGRTA provide public transit services within Ontario County; and

WHEREAS, RGRTA operates a public transit bus service in Ontario County as RTS-Ontario; and

WHEREAS, RGRTA currently communicates with RTS-Ontario Buses via a single stand-alone VHF radio base station owned and licensed by Ontario County located at the County's Cheshire Tower site; and

WHEREAS, Ontario County operates a 700 MHz P-25 Trunked Radio Communication System (County Radio System); and

WHEREAS, Said County Radio System was designed to have sufficient capacity to support the radio communication needs of RTS-Ontario and for the limited needs of the bus system operated in Seneca County by RGRTA as RTS-Seneca; and

WHEREAS, RGRTA wishes to transition its RTS-Ontario and RTS-Seneca radio communications to the County Radio System; and

WHEREAS, The County wishes to take the existing VHF base station used by RGRTA out of service and surrender its FCC license for the frequency used by RGRTA for RTS-Ontario operations; and

WHEREAS, A draft agreement has been negotiated between the County and RGRTA governing wherein RTS-Ontario shall pay a fee of \$8.00 each month for each RTS-Ontario and RTS-Seneca subscriber radio and radio console operating on the system, a copy of which is on file with the Clerk of this Board; and

WHEREAS, The Public Safety Committee recommends approval of this Resolution; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors does hereby approve and authorize and empower the County Administrator to execute said Agreement with the Rochester Genesee Regional Transportation Authority to allow RTS-Ontario and RTS-Seneca subscriber radios and a Radio Control console to operate on the County's Radio Communication System; and further

RESOLVED, That the initial term of said agreement shall be for five (5) years with five automatic renewals of five (5) years each; and further

RESOLVED, That revenue received from this resolution be budgeted as revenue to the Sheriff's Communication Budget; and further

RESOLVED, That a copy of this resolution be sent to Mr. William Carpenter, Chief Executive Officer, RGRTA, 1372 East Main St., Rochester, NY 14609.

RESOLUTION NO. 411-2021
AUTHORIZING TO ENTER INTO CONTRACT WITH JESSICA CARY -
LMHC, CBE FOR TRAUMA INFORMED THERAPY FOR CRIME VICTIMS

WHEREAS, There is a need for a trauma informed therapist to work with crime victims; and

WHEREAS, The Ontario County District Attorney's Office Victim Assistance Program has funding available through the Office of Victim Services grant, to hire a contract therapist to commence services in September 2021; and

WHEREAS, The total amount available for contractual services for the 2020-2021 grant year is \$5,500.00, and \$98,973.59 for 2021-2022 grant year; and

WHEREAS, The Ontario County District Attorney's Office Victim Assistance Program anticipates the cost of trauma-informed therapy services for victims of crime for

2020-2021 will not exceed \$ 5,500, and the for the 2021-2022 grant period not to exceed \$72,109.09; and

WHEREAS, Jessica Cary – LMHC, CBE with Sacred Pathways Counseling, Victor, NY, has agreed to provide said trauma-informed therapy services for a rate of \$100.00 per hour, not to exceed \$5,500.00 for the month of September 2021, and for a rate of \$100.00 per hour not to exceed to \$72,109.09 for the period October 1st, 2021 through September 30th, 2022; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this request at their August 18th, 2021 meetings and approve execution of this contract with Sacred Pathways Counseling, Victor, New York; 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 Sacred Pathways Counseling, Victor, New York; to provide said trauma-informed therapy services for a rate of \$100.00 per hour, not to exceed Fifty-Five Hundred Dollars (\$5,500.00) for the month of September 2021, and for a rate of \$100.00 per hour not to exceed to Seventy-Two Thousand One Hundred and Nine Dollars and Nine Cents (\$72,109.09) for the period October 1st, 2021 through September 30th, 2022; and further

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

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute a Contract with Sacred Pathways Counseling in the amount of (\$5,500.00) for the month of September 2021, and for a rate of \$100.00 per hour not to exceed to Seventy-Two Thousand One Hundred and Nine Dollars and Nine Cents (\$72,109.09); and further

RESOLVED, That the County's Department of Finance is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of (\$5,500.00) for the month of September 2021, and for a rate of \$100.00 per hour not to exceed to Seventy-Two Thousand One Hundred and Nine Dollars and Nine Cents (\$72,109.09) for the period of October 1st, 2021 to September 30th, 2022; and further

RESOLVED, That certified copies of this resolution be emailed by the Clerk of the Board to the District Attorney and to Sacred Pathways Counseling, Victor, New York.

**RESOLUTION NO. 412-2021
AUTHORIZATION TO EXTEND TREATMENT DRUG COURTS**

**GRANT CONTRACT (CFDA# 93.243) FROM
THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES,
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION**

WHEREAS, The United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (“SAMHSA”) has awarded a one-year grant extension to Ontario County in the amount of \$ 381,942 (SAMHSA Contract#: 5H79TI081097-04; CFDA# 93.243; MUNIS# G21022) for the period of September 30, 2021 through September 29, 2022 to continue to enhance the existing capabilities of the Finger Lakes Treatment Court substance use disorder (“SUD”) treatment services to adult defendants/offenders with SUD diagnoses, with the potential to extend the contract for an additional two years; and

WHEREAS, Resolution No. 511-2018 accepted the five-year grant contract from SAMHSA for this purpose totaling over \$1.8 Million dollars through September 29, 2023, with the understanding and expectation that SAMHSA had the option to extend the grant contract each year of the five year contract upon its review of the performance of the Finger Lakes Drug Treatment Court enhancement program; and

WHEREAS, Ontario County Resolution No.’s 745-2019 and 468-2020 accepted Years Two and Three grant extensions, respectively; and

WHEREAS, It is advantageous for Ontario County to accept the Year Four extension funding in order to enhance the existing capabilities of the Finger Lakes Treatment Court substance use disorder (“SUD”) treatment services to adult defendants/offenders with SUD diagnoses over an additional one-year period with no county match requirement; and

WHEREAS, This grant will be used to contract with service providers for services and no new County positions will be generated by its acceptance; and

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

WHEREAS, The Public Safety, and Ways and Means Committees have reviewed this request at their August 18, 2021 meetings and recommend the acceptance of the grant extension award and proposed budget; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby accept the \$381,942 grant extension award from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Treatment, 5600 Fishers Lane, Rockville, Maryland 20857 for a term of September 30, 2021 through September 29th, 2022, with no additional County cost; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to sign all necessary documents to execute this Agreement with the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, 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 for 2021 and 2022; and further

RESOLVED, That the following budget is hereby approved for 2021, with unused portions flowing into future years:

To:		Revenue	Appropriation
11652122 - 44089	Federal Aid, Other	\$ 381,942	
11652122 - 54530	Agency Contracts		\$ 381,942

and further

RESOLVED, That certified copies of this resolution be emailed by the Clerk of the Board to the District Attorney and the Public Defender.

RESOLUTION NO. 413-2021
ACCEPTANCE OF CONTRACT - COREY VANHALL

WHEREAS, The Office of Indigent Legal services has made non-competitive funding available for Distribution 6 and Distribution 8 grants to counties in New York State; and

WHEREAS, Part of the grant awarded to Ontario County includes funding to retain a Social Worker and defense based advocate who will be responsible for facilitating mental health referrals to Ontario County Public Defender clients, supporting these clients after a referral has been made and while they are in treatment, and updating the Courts as to the client’s progress; and

WHEREAS, Corey VanHall, Person Centered Services Care Coordinator, has proposed to provide such services for an amount not to exceed \$35/hour plus mileage; and

WHEREAS The Public Safety Committee has approved a contract period commencing July 1, 2021, and terminating December 31, 2021; and

WHEREAS, Sufficient funding for this contract exists within the Public Defender Operating budget; now, therefore, be it

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

RESOLVED, That the contract period shall commence July 1, 2021, and terminate December 31, 2021; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Corey VanHall, Person Centered Services Care Coordinator, 217 Vienna Street, Newark, NY 14513.

The foregoing block of four resolutions was adopted.

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

**RESOLUTION NO. 414-2021
AUTHORIZATION TO ENTER INTO A CONTRACT WITH CGR-CENTER
FOR GOVERNMENTAL RESEARCH
FOR PUBLIC SAFETY CONSULTING SERVICES**

WHEREAS, There is a need for professional consulting services to review the current status of Fire and EMS agencies in Ontario County and provide recommendations for planning purposes for the next five to ten years to meet the needs of a growing population as well as addressing an ever increasing aging population with more support needs; and

WHEREAS, It is anticipated a number of current volunteers/staff will be retiring over the next decade requiring assistance with planning for maintaining or enhancing levels for these agencies as well as any additional training or equipment that would be needed for this transition; and

WHEREAS, There will be a Steering Committee established comprised of county staff as well as staff from various Fire and EMS agencies throughout the county to work with the consultant to provide direction and feedback during the process; and

WHEREAS, Supervisor Robert Green, Chair of the Public Safety committee will be the Chair of the Steering committee; and

WHEREAS, A request for proposals (R21052) was issued and three (3) proposals were received and evaluated, the evaluation team recommends awarding a contract to CGR-Center for Governmental Research, 1 S. Washington Street, Suite 400, Rochester, New York, 14614 for consulting services at a cost of \$82,500; and

WHEREAS, The Public Safety and Ways & Means committee has reviewed this recommendation and agrees with awarding a contract to CGR-Center for Governmental Research; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorizes the County Administrator to execute the contract with CGR, for six months staring August 27, 2021, ending February 28, 2022 at a cost of \$82,500; and further

RESOLVED, That if a no-cost time extension is necessary the BOS hereby approves such extension subject to review and approval by the Public Safety Committee; and further

RESOLVED, That the Board authorizes the following budget transfer for this contract shall be made:

AA1340AR 44089	American Rescue Plan Funding	\$82,500 +
AA1340AR 54260	Consultation & Professional	\$82,500 +

and further

RESOLVED, That certified copies of this resolution be sent to CGR (pbishop@cgr.org) by the clerk of this Board.

Adopted. Supervisor Daryl Marshall voted no.

A lengthy discussion took place regarding Resolution. No. 414-2021.

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

**RESOLUTION NO. 415-2021
ACCEPTANCE OF STATE HOMELAND SECURITY PROGRAM GRANT
(SHSP FY21 ~ CFDA # 97.067) EMERGENCY MANAGEMENT OFFICE**

WHEREAS, Ontario County has been awarded a grant of \$170,714.00 from the New York State Division of Homeland Security and Emergency Services (DHSES) through the FY21 State Homeland Security Program (SHSP) (DHSES Project # SH21-1024-D00, Contract # C836010; MUNIS# G21021; CFDA Number 97.067) for the purpose of purchasing various DHSES approved equipment and services purchases; and

WHEREAS, This grant award covers equipment and services for three Ontario County Departments and combines three New York State Grant programs into a single Program, addressing four required Federal Emergency Management Administration (FEMA) National Priority Areas and two locally determined projects; and

WHEREAS, This award provides \$12,806 toward network Breach Detection Services contract to provide the Ontario County Department of Information Services with 24/7 network breach monitoring, in order to address the required Cyber Security FEMA National Priority Area; and

WHEREAS, This award provides an additional \$81,913 to the \$11,499 awarded by the FY20 SHSP Grant toward the purchase of a handheld FTIR Spectrometer for field sampling and identification of CBRNE substances, in order for the Emergency Management Office to address the Emerging Threats FEMA National Priority Area; and

WHEREAS, This award provides \$33,316 toward the to provide Emergency Operations Center annual software sustainment and maintenance costs incurred by the Emergency Management Office for use of DisasterLAN, Weatherbug, Crisis Track, and FireMobile systems in order to meet the State Homeland Security Program Enhancing Emergency Management and Response Grant Program Objective; and

WHEREAS, This award provides \$8,536 to address the required Intelligence and Information Sharing FEMA National Priority Area through the acquisition of License Plate Readers by the Ontario County Sheriff's Office; and

WHEREAS, This award provides \$8,537 to address the required Soft Targets/Crowded Places FEMA National Priority Area through the use of Ontario County Sheriff's Office operational overtime to provide counter-terrorism patrols during mass gathering events in and around Ontario County; and

WHEREAS, This award provides \$25,606 toward the Ontario County Sheriff's Office to acquire an Side Scan Sonar System in order to meet the State Homeland Security Program's Strengthening Counter-Terrorism/Law Enforcement Capability Grant Program Objective; and

WHEREAS, It is advantageous for Ontario County to accept these funds as this grant does not require any additional County matching funds, except where otherwise noted above; and

WHEREAS, The grant contract period extends from October 1, 2021 through September 30, 2024; and

WHEREAS, The Public Safety, Government Operations, and Ways and Means Committees have reviewed this item at their August 18th, 2021 meetings and recommend acceptance of this grant; 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 the New York State Division of Homeland Security and Emergency Services (DHSES), Harriman Office Campus, 1220 Washington Avenue, Building 7A Room 610, Albany, NY 12242, for a term of October 1, 2021 through September 30, 2024 for the purpose of purchasing approved security and response equipment and services at a cost not to exceed \$170,714; and further

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

RESOLVED, That the County Administrator is authorized to sign the FY21 State Homeland Security Program grant agreement with the New York State Division of Homeland Security and Emergency Services, 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 effect the intent of this resolution; and further

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

Information Services Projects:

Account	Description	Revenue	Appropriation
36452121-44389	Homeland Security Grant Revenue	+ \$ 12,806	
36452121-54260	Consultants / Professionals		+ \$ 12,806
TOTAL:		+ \$ 12,806	+ \$ 12,806

Emergency Management Office Projects:

Account	Description	Revenue	Appropriation
36452121-44389	Homeland Security Grant Revenue	+ \$ 115,229	
36452121-52800	Equipment, Technical		+ \$ 81,913
36452121-54260	Consultants / Professionals		+ \$ 1,929
36452121-54621	Software		+ \$ 31,387
TOTAL:		+ \$ 115,229	+ \$ 115,229

Sheriff's Office Projects:

Account	Description	Revenue	Appropriation
36452121-44389	Homeland Security Grant Revenue	+ \$ 42,679	
36452121-51920	Overtime		+ \$ 8,537
36452121-52500	Equipment, Law Enforcement		+ \$ 34,142
TOTAL:		+ \$ 42,679	+ \$ 42,679

GRAND TOTAL:		+ \$ 170,714	+ \$ 170,714
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and further

RESOLVED, That certified copies of this resolution be sent to the Ontario County Sheriff, Emergency Management Office, and Information Services.

Supervisor Baker motioned to amend the resolution to exclude all references and funding for license plate readers. Supervisor Baker's motion failed as no one seconded the motion.

Resolution No. 415-2021 was adopted as presented. Supervisor Baker voted no.

Supervisor Robert Green offered the following seven resolutions as a block and moved for its adoption, seconded by Supervisor Greg Bendzlowicz:

**RESOLUTION NO. 416-2021
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF TO
CONTRACT WITH BLOOMFIELD CENTRAL SCHOOL DISTRICT
SCHOOL RESOURCE OFFICER SERVICES 2021-2022 SCHOOL YEAR**

WHEREAS, The Bloomfield Central School District (the "School") located at 45 Maple Ave., Bloomfield, NY 14469 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, The County of Ontario (the "County"), through the Sheriff's Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and The County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,733 hours for a School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the actual hours worked by the School Resource Officer for ten (10) months of service estimated at \$116,773; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Sheriff's Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2021 through June 30,

2022, at an hourly billing rate of \$67.38 and an overtime rate of \$101.07 in providing the School Resource Officer; and further

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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

**RESOLUTION NO. 417-2021
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF TO
CONTRACT WITH HONEOYE CENTRAL SCHOOL DISTRICT
SCHOOL RESOURCE OFFICER SERVICES 2021-2022 SCHOOL YEAR**

WHEREAS, The Honeoye Central School District (the "School") located at 8528 Main Street, Honeoye, NY 14427 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, The County of Ontario (the "County"), through the Sheriff's Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and The County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,733 hours for a School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the actual hours worked by the School Resource Officer for ten (10) months of service estimated at \$113,427; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Sheriff's Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2021 through June 30,

2022, at an hourly billing rate of \$65.45 and an overtime rate of \$98.18 in providing the School Resource Officer; and further

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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

**RESOLUTION NO. 418-2021
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF TO
CONTRACT WITH MARCUS WHITMAN CENTRAL SCHOOL DISTRICT
SCHOOL RESOURCE OFFICER SERVICES 2021 – 2022 SCHOOL YEAR**

WHEREAS, The Marcus Whitman Central School District (the “School”) located at 4100 Baldwin Road, Rushville, NY 14544 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, The County of Ontario (the “County”), through the Sheriff’s Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and The County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,040 hours for a part time School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the actual hours worked by the School Resource Officer for ten (10) months of service estimated at \$41,605; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Sheriff’s Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2021 through June 30,

2022, at an hourly billing rate of \$40.01 and an overtime rate of \$60.01 in providing the part time School Resource Officer; and further

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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

**RESOLUTION NO. 419-2021
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF TO
CONTRACT WITH NAPLES CENTRAL SCHOOL DISTRICT
SCHOOL RESOURCE OFFICER SERVICES 2021-2022 SCHOOL YEAR**

WHEREAS, The Naples Central School District (the “School”) located at 136 North Main Street, Naples, NY 14512 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, The County of Ontario (the “County”), through the Sheriff’s Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and The County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,040 hours for a part time School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the actual hours worked by the School Resource Officer for ten (10) months of service estimated at \$39,350; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Sheriff’s Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2021 through June 30,

2022, at an hourly billing rate of \$37.84 and an overtime rate of \$56.75 in providing the part time School Resource Officer; and further

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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

**RESOLUTION NO. 420-2021
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF TO
CONTRACT WITH VICTOR CENTRAL SCHOOL DISTRICT
SCHOOL RESOURCE OFFICER SERVICES 2021 – 2022 SCHOOLYEAR**

WHEREAS, The Victor Central School District (the “School”) located at 953 High Street, Victor, NY 14564 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, The County of Ontario (the “County”), through the Sheriff’s Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and The County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,733 hours for a School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the actual hours worked by the School Resource Officer for ten (10) months of service estimated at \$116,523; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Sheriff’s Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2021 through June 30,

2022, at an hourly billing rate of \$67.24 and an overtime rate of \$100.86 in providing the School Resource Officer; and further

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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

**RESOLUTION NO. 421-2021
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF TO
CONTRACT WITH WAYNE FINGER LAKES BOCES
SCHOOL RESOURCE OFFICER SERVICES 2021-2022 SCHOOL YEAR**

WHEREAS, The Wayne Finger Lakes BOCES (the “School”) located at 131 Drumlin Court, Eisenhower Building, Newark, NY 14513 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, The County of Ontario (the “County”), through the Sheriff’s Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and The County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,040 hours for a part time School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the actual hours worked by the School Resource Officer for ten (10) months of service estimated at \$41,605; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Sheriff’s Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2021 through June 30,

2022, at an hourly billing rate of \$40.01 and an overtime rate of \$60.01 in providing the part time School Resource Officer; and further

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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

**RESOLUTION NO. 422-2021
ACCEPTANCE OF DONATION FROM O.U.R.
ONTARIO COUNTY SHERIFF'S OFFICE**

WHEREAS, Operation Underground Railroad (O.U.R.) is a non-profit organization that exists to protect children from sex trafficking; and

WHEREAS, O.U.R.'s mission is best accomplished through collaboration with law enforcement agencies; and

WHEREAS, O.U.R. provides domestic law enforcement tools, training and technologies to combat child exploitation; and

WHEREAS, O.U.R. would like to donate public safety equipment to further the aforementioned mission; and

WHEREAS, The County desires to accept said donations; now, therefore, be it

RESOLVED, That the County of Ontario be, and hereby is, authorized and empowered to accept a donation from the Operation Underground Railroad in the approximate value of \$28,000.00; and further

RESOLVED, That copies of this resolution be forwarded to Operation Underground Railroad, 138 E 12300 S, Suite C-149, Draper, UT 84020.

The foregoing block of seven resolutions was adopted.

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

**RESOLUTION NO. 423-2021
CAPITAL PROJECT NO. H065-19
COUNTY ROAD 50 PREVENTIVE MAINTENANCE
ACCEPTANCE OF SUPPLEMENTAL AGREEMENT #1
TO NEW YORK STATE REVENUE CONTRACT**

WHEREAS, A project for County Road 50 Preventive Maintenance, P.I.N. 4ON0.07 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended,

that calls for the apportionment of the costs of such projects to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, Resolution No. 862-2019 created Capital Project No. H065-19, County Road 50 Preventive Maintenance, and authorized the acceptance of the New York State Revenue Contract for the Preliminary Engineering, Detailed Design, and Right-of-Way Incidentals Phase for the Project; and

WHEREAS, Supplemental Agreement #1 has been received and provides Federal funding for the construction phase and Marchiselli funding for the design phase of the project; 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 Board of Supervisors hereby accepts Supplemental Agreement #1 to the New York State Revenue Contract for Capital Project No. H065-19; and further

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

RESOLVED, That the budget of Capital Project No. H065-19 be amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH06519 54491	General Construction	\$0.00	+\$662,330.00	\$662,330.00
HHH06519 54495	Engineering	\$23,000.00	+\$10,000.00	\$33,000.00
HHH06519 54865	Administration	\$0.00	+\$1,000.00	\$1,000.00
Revenue:				
HHH06519 43089	State Aid	\$0.00	+\$3,450.00	\$3,450.00
HHH06519 44597	Federal Aid	\$18,400.00	+\$538,664.00	\$557,064.00
HHH06519 45031	Interfund Transfer	\$4,600.00	+\$131,216.00	\$135,816.00

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 Six Hundred Ninety Six Thousand Three Hundred Thirty Dollars and Zero Cents (\$696,330.00); and further

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

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

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

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

**RESOLUTION NO. 424-2021
AUTHORIZATION TO AWARD BID B21056 AND AWARD CONTRACT FOR
THE INSPECTION, MAINTENANCE, AND REPAIR OF RADIO TOWERS
TO PATRIOT TOWERS, INC.**

WHEREAS, Ontario County has a need for the inspection, regular maintenance and repair, and emergency repair of eleven County-owned radio towers and County-owned equipment at seven towers where the County leases tower space; and

WHEREAS, The Purchasing Department solicited bids (B21056) for radio tower inspection, maintenance, and repair services and found Patriot Towers to be the apparent lowest responsive, responsible bidder; and

WHEREAS, The Capital Improvement Plan includes funding for site and tower maintenance (Project # B21-20); and

August 26, 2021

WHEREAS, On review and recommendation of the Department of Public Works and the Purchasing Department, it is in the County's best interest to award the bid to Patriot Towers; and

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

RESOLVED, The Ontario County Board of Supervisors hereby awards Bid B21056 to Patriot Towers, Inc., 870 Scottsville-Chili Road, Scottsville, NY 14546 per the bid tabulation sheet on file with the Clerk of the Board; and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Patriot Towers for services described above; and further

RESOLVED, That the contract shall commence on August 27, 2021 and expire on August 26, 2022 with the option for three (3) one-year renewals; and further

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

**RESOLUTION NO. 425-2021
AUTHORIZATION TO ACCEPT QUOTE (Q21067)
FOR FIRE EXTINGUISHER SERVICES**

WHEREAS, Ontario County is in need of servicing its fire extinguishers; and

WHEREAS, Ontario County solicited quotes (Q21067) for said services; and

WHEREAS, Dival Safety, 1721 Niagara Street, Buffalo, NY, 14207 has been determined to be the low responsive, responsible quote; and

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

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the acceptance of this quote from Dival Safety to be effective for a one-year period starting September 19, 2021 and ending on September 18, 2022 per the attached tab sheets on file with the Clerk of this Board.

**RESOLUTION NO. 426-2021
AUTHORIZATION TO RENEW BID B20048
PURCHASE HEAT PUMPS**

WHEREAS, Resolution No. 514-2020 awarded bid (B20048) to Modular Comfort Systems and Guckian Energy Systems for the Purchase of Heat Pumps; and

WHEREAS, Modular Comfort Systems has agreed to a 12-month renewal at the current price structure; and

WHEREAS, The Purchasing Department recommends the bid renewal; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes the renewal of Bid (B20048) to Modular Comfort Systems, 5860 Belle Isle Road, Syracuse, New York 13209, per the tabulation sheet filed with the Clerk of the Board for the purchase of Heat Pumps; and further

RESOLVED, Said bid shall commence on October 6, 2021 and will expire on October 5, 2022.

**RESOLUTION NO. 427-2021
AUTHORIZING INTERMUNICIPAL RENEWAL AGREEMENT
WITH LIVINGSTON COUNTY**

WHEREAS, The Ontario County Department of Public Works and the Livingston County Highway Department have determined there is a need for their respective divisions to mutually assist each other; and

WHEREAS, Said parties desire that such assistance be provided to each other on an as needed basis when determined beneficial and efficient by each County; and

WHEREAS, On August 26, 2016, the County entered into an agreement pursuant to Resolution No. 252-2016 ("Agreement") with Livingston County for mutual aid on an as needed basis in the areas of highway, culvert, drainage, sewer and bridge maintenance, rehabilitation, reconstruction and engineering, and will include materials, equipment and labor. Said contract provided for an initial term of August 26, 2016 through August 25, 2021 with the option to renew for up to 5 additional terms of 5 years each; and

WHEREAS, The County and Livingston County desire to extend said Agreement, thereby opting to use the first renewal option of the 5 specified in the Agreement; and

WHEREAS, The assisting County shall be reimbursed by the requesting County for the cost of assistance provided within forty five (45) days of receiving an invoice and claim voucher, unless the Counties' Authorized Agents agree in writing that the exchange of mutual assistance is fair and adequate consideration; and

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

RESOLVED, Upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby authorizes an Intermunicipal Agreement

with Livingston County for assistance in areas described above and said agreement shall be for five (5) year's, August 26, 2021 to August 25, 2026; and further

RESOLVED, This agreement may be renewed for up to four (4) additional terms of five (5) years each upon mutual written consent of the Authorized Agents; and further

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes The Commissioner of Public Works to serve as the Authorized Agent for Ontario County; and further

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes and empowers the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

**RESOLUTION NO. 428-2021
CANANDAIGUA LAKE COUNTY SEWER DISTRICT
PARTIAL RELEASE OF EASEMENT**

WHEREAS, Canandaigua Lake County Sewer District ("CLCSD") acquired an easement (the "Easement") from Quail Summit, Inc., 5102 Parrish Street Extension, Canandaigua, New York, recorded in the County Clerk's Office on November 16, 2000 in Liber 1045 of Deeds at Page 567; and

WHEREAS, CLCSD staff has determined a portion of said easement, as illustrated in the attached map titled "Plan of Lands to be Removed from Sanitary Sewer Easement to the Canandaigua Lake County Sewer District Liber 1045, Page 567," dated July 2021, is no longer necessary for extension of sewer mains; and

WHEREAS, CLCSD desires to release said portion of the Easement; 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 Board of Supervisors hereby approves releasing a portion of the Easement as described above; and further

RESOLVED, That the Commissioner of Public Works be, and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes of this resolution.

The foregoing block of six resolutions was adopted.

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

RESOLUTION NO. 429-2021

**AMENDMENT OF SALARY: ASSOCIATE LEVEL ATTORNEY
MANAGEMENT COMPENSATION PLAN**

WHEREAS, Resolution No. 536-2006 established the policy for salary adjustments and increases for Associate Level Attorneys in the Office of the County Attorney and the Office of the District Attorney for their first three years of employment; and

WHEREAS, Resolution No. 456-2018 expanded the Associate Level Attorney salary plan to include the Office of the Public Defender and the Office of the Conflict Defender; and

WHEREAS, All of the legal departments have developed successful Legal Aide Internship programs to promote public service in the legal sector; and

WHEREAS, It would be beneficial to the legal offices to hire recent graduates of law schools pending the graduate's admission to the New York State Bar and license to practice in New York State; now, therefore, be it

RESOLVED, That all licensed entry-level attorneys in any County legal department shall be designated as "Associate Level Attorney" for compensation purposes and placed in MCP Band 10, Step 1 upon initial appointment; and further

RESOLVED, That entry-level attorneys who have graduated from law school but who are awaiting admission to the New York State Bar and license from the Office of Court Administration to practice law shall also be designated as "Associate Level Attorney" for compensation purposes but placed in MCP band 11, step 6 and upon admission to the New York State Bar will be automatically moved to MCP Band 10, step 1 at the start of the next pay period following their admission; and further

RESOLVED, That it is the responsibility of each Appointing Authority who hires an unlicensed Associate Level Attorney to provide the required training and supervision and also to obtain approval of the Appellate Division, Fourth Judicial Department for the unlicensed Associate Level Attorney to engage in the limited practice of law pursuant to Part 524 of the Rules of the Court of Appeals and/or Judiciary Law §§478 and 484; and further

RESOLVED, That the licensed Associate Level Attorneys shall continue to increment two steps annually during each of their first two years of employment with satisfactory performance, and upon the approval of the appropriate Appointing Authority as set forth in a Report of Personnel Change, may be placed in Band 5, step 1, upon their third annual increment date; and further

RESOLVED, That certified copies of this Resolution shall be sent by the Clerk of the Board to the Director of Finance, the Director of Human Resources, the County Attorney, the District Attorney, the Conflict Defender, and the Public Defender.

**RESOLUTION NO. 430-2021
ADOPTION OF FINGER LAKES COMMUNITY COLLEGE
OPERATING BUDGET AMENDMENT FOR THE FISCAL YEAR
SEPTEMBER 1, 2020 THROUGH AUGUST 31, 2021**

WHEREAS, The Operating Budget of the Finger Lakes Community College for the fiscal year beginning September 1, 2020 and ending August 31, 2021 was adopted by Resolution No. 419-2020 in the amount of \$41,613,578; and

WHEREAS, The Finger Lakes Community College Board of Trustees approved resolution #58-2021 on August 2, 2021 to amend said operating budget by \$2,952,507 to a new amount of \$44,566,085; now, therefore, be it

RESOLVED, That said Amended Operating Budget in the amount of \$44,566,085 be, and hereby is, adopted as the Operating Budget of the Finger Lakes Community College for the fiscal year beginning September 1, 2020; and further

RESOLVED, That the appropriation by the County of Ontario in support of the Finger Lakes Community College remains set at \$3,704,228; and further

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

The foregoing block of two resolutions was adopted.

At the request of Supervisor Green, unanimous consent was given to waive the provision of Rule No. 23 of the "Rules and Order of Business" of this Board so that action could be taken on the following addendum item at this meeting.

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

**RESOLUTION NO. 431-2021
AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH
HOMELAND SECURITY INVESTIGATIONS**

WHEREAS, Homeland Security Investigations ("HSI") seeks to enter into a Memorandum of Understanding ("MOU") with the Ontario County Sheriff's Office to permit the assignment of deputies and reimbursement of certain expenses incurred by

local, county, and state law enforcement agencies as participants of joint operations/task forces with a federal agency; and

WHEREAS, The Sheriff and the Public Safety Committee recommend approval of this MOU; 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 MOU; and further

RESOLVED, that the Sheriff is hereby authorized to execute the MOU and any and all other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That the Clerk of this Board transmit a copy of this resolution to the Ontario County Sheriff and HSI.

Adopted.

At 7:17 pm, Supervisor Richard Russell made the motion, seconded by Supervisor Mark Venuti, to move into executive session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

At 8:23 pm, Supervisor Richard Russell made the motion, seconded by Supervisor David Baker to go out of executive session.

On motion of Supervisor Kristine Singer, seconded by David Baker, the meeting was adjourned at 8:24 p.m.