



YATES COUNTY LEGISLATURE
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Leslie Church
Chairwoman
Emilee D. Miller
Clerk

**YATES COUNTY LEGISLATIVE AGENDA
February 13, 2023 at 1:00 pm**

Join from a PC, Mac, iPad, iPhone or Android device:

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- Call to Order & the Pledge of Allegiance
- YTS 2022 4th Quarter Presentation
- Approve Minutes from the December 12th & 29th
- Approve Audit
- Committee Reports
- Public Comment
- Chairwoman Appointment (MEGA Corporation Board 2023)
- Open Public Hearing on The Adoption of the NYS Agriculture & Markets State Environmental Quality Review Short Environmental Assessment Form for Agricultural Districts

RESOLUTION

Willson	27-23	Authorize Chairperson & Sheriff to Sign 2023 Base LMR Communications and Tower Site Repair Service
	28-23	Authorize Sheriff/Chairperson to Renew Inmate Medical Services Agreement with S & S Memorial Hospital
	29-23	Accept Sub-Grant Project No. 448-0007
	30-23	Appropriate Hazard Mitigation Update Grant (OES)
	31-23	Appoint Members to the Yates County Fire Advisory Board
	32-23	Appoint Members to the Yates County EMS Advisory Board
	33-23	Authorize Chairwoman to Sign Change in Course Sponsorship Administration Form
	34-23	Authorize Chairwoman to Sign Professional Services Agreement for Emergency Medical Services Billing
Bronson	35-23	Adopt Yates County Electronic Records Retention and Disposal Schedule
	36-23	Authorize Commissioner of Social Services to Fill Principal

	37-23	Social Services Program Examiner Position
	38-23	Authorize Probation Director to Fill Position
	39-23	Authorize Director of Emergency Services to Create and Fill Six (6) Full-Time Paramedic Positions
	40-23	Authorize Director of Emergency Services to Create and Fill Six (6) Full-Time Emergency Medical Technician Positions
	41-23	Authorize Director of Emergency Services to Create and Fill Part-Time Paramedic Positions
	42-23	Authorize Director of Emergency Services to Create and Fill Part-Time Emergency Medical Technician Positions
	43-23	Authorize Chairwoman to Sign Memorandum of Understanding (CSEA)
	44-23	Appoint Director of Public Health (Douglas Sinclair M.D., MPH)
	45-23	Amend 2023 Non-Union Exempt Employee Salary Schedule
	46-23	Adopt 2023 Non-Union Non-Exempt Employee Wage Schedule
	47-23	Authorize Chairwoman to Sign Contract (Layer 3 Technologies-Rochester, NY)
	48-23	Supporting New York State Sharing Agricultural Mitigation Fees with Counties to Support County Agriculture and Farmland Protection Initiative
	49-23	Encouraging Yates County Land Owners to Use Marginal Lands and to Utilize the Advice of the Soil & Water Conservation District Prior to the Sale of Lands or when Signing Leases for Large-Scale Solar Arrays
	50-23	Authorize Chairwoman to Sign Letter of Support for the Keuka College Center for Health Innovation
	51-23	Appoint Member to the Region 8 Fish and Wildlife Management Board
Chilson	51-23	Supporting Governor Hochul's Comprehensive Plan to Overhaul New York's Continuum of Mental Health Care and Reduce the Number of Individuals with Unmet Mental Health Needs
	52-23	Reappoint Member to the Yates County Mental Health Subcommittee (Craig Sandberg, MD)
	53-23	Reappoint Member to the Yates County Community Services Board (Craig Sandberg, MD)
	54-23	Reappoint Member to the Yates County Community Services Board: Developmental Disabilities Sub-Committee (Mike Schultz)
	55-23	Appoint Member to the Yates County Community Services Board: Mental Health Sub-Committee (Becky Bennett-Tears)
	56-23	Appoint Member to the Yates County Community Services Board: Developmental Disabilities Sub-Committee (Emily Facticeau)
	57-23	Authorize Chairwoman to Sign Agreement with Cynthia Vollmer, Occupational Therapist
	58-23	Proclaiming March 29 th as Vietnam Veterans Day in Yates County
	59-23	Calling on the State of New York to Continue to Pass-Through Federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage Funds
Banach	60-23	Award Bid for Abrasive Sand
	61-23	Award Bid for Cold Mix Patch
	62-23	Award Bid for Gravel

	63-23	Award Bid for Crushed Stone
	64-23	Award Bid for Vegetation Control
	65-23	Award Bid for Crane Rental Services-Precast Concrete Box Culverts
	66-23	Authorize Chairwoman to Sign a Contract with Converjint for Updating Outdated Access Control System
	67-23	Authorize Chairwoman to Sign a Contract with Van Erst for Repairs to the Walk in Freezer
	68-23	Authorize Chairwoman to Sign a Contract with Integrated Systems for Updating Outdated Security Camera System
Holgate	69-23	Authorize the Treasurer to Process RPTL Tax Refunds and Corrections
	70-23	Authorize Chairwoman to Execute Agreement with Passero Associates, Engineering, Architecture, & Surveying, D.P.C. Project: Terminal Apron Rehabilitation-Construction Consultant Agreement
	71-23	Authorize Chairwoman to Request Removal of Select Yates County-Owned Parcels from Agricultural District 1
	72-23	Amend Resolution No. 531-22 2022 Budget Transfers (EOY)
	73-23	2023 Budget Transfers
	74-23	Reappointment to Flint Creek Administrative Board
	75-23	Appropriate Infrastructure Reserve Funds
	76-23	Appropriate Infrastructure Reserve Funds
	77-23	Appropriate Building Reserve Funds
	78-23	Appropriate Building Reserve Funds
	79-23	Appropriate Additional Aid (HWY)
	80-23	Appropriate Additional Aid (HWY)
	81-23	Appropriate Additional Aid (Historian)
	82-23	Appropriate Additional Aid (DSS)
	83-23	Appropriate Additional Aid for Code Blue (DSS)
	84-23	Appropriate Additional Aid TANF DV (DSS)
	85-23	Appropriate Carryover Aid (OES)
	86-23	Appropriate Carryover Aid (OES)
	87-23	Appropriate Carryover Aid (OES)
	88-23	Appropriate Carryover Aid (OES)
	89-23	Appropriate Carryover of SLETPP FY20 Grant (Sheriff)
	90-23	Appropriate Carryover of SLETPP FY21 Grant (Sheriff)
	91-23	Appropriate Carryover of CPS 2023 Grant (Sheriff)
	92-23	Appropriate Carryover of PTS 2023 Grant (Sheriff)
	93-23	Appropriate Carryover of State Interoperable Grant (Sheriff)
	94-23	Appropriate Carryover of State Interoperable Grant (Sheriff)
	95-23	Appropriate Carryover of MAT Grant for Incarcerated Individuals (Sheriff)
	96-23	Appropriate Carryover of Federal Aid (Public Health)
	97-23	Appropriate Carryover of Federal Aid (Public Health)
	98-23	Appropriate Carryover of Federal Aid (Public Health)
	99-23	Appropriate Carryover of Federal Aid (Public Health)
	100-23	Appropriate Carryover of Aid (Public Health)
	101-23	Appropriate Carryover of Mental Health Federal Aid (Community Services)

102-23	Appropriate Carryover of Additional State Aid (Community Services)
103-23	Appropriate Carryover of Opioid Settlement (Community Services)
104-23	Appropriate Carryover of Additional State Aid (Community Services)
105-23	Appropriate Columbia University Grant (Community Services)
106-23	Appropriate Additional State Aid (Community Services)
107-23	Appropriate Additional State Aid (Community Services)
108-23	Appropriate Additional State Aid (Community Services)
109-23	Appropriate Additional State Aid (Community Services)
110-23	Appropriate Additional State Aid (Community Services)
111-23	Appropriate Additional State Aid (Community Services)
112-23	Appropriate Additional Aid (ED PHC)
113-23	Appropriate Additional Aid (Airport)
114-23	Appropriate Additional Aid (Finance)
115-23	Appropriate Additional Aid (DSS)
116-23	Authorize Chairman to Sign Hut Build-out Agreement with Empire Access for the ReConnect 1 Broadband Project
117-23	Amend Public Transportations Resolution 92-22 in Order to Expand the STOA Local Match Payment Options for Yates County
118-23	Resolution Approving the Official Undertaking of Public Employees Fidelity (Blanket) Bond for Genesee/Finger Lakes Regional Planning Council
119-23	Resolution to Adopt Agriculture and Markets SEQR Short Environmental Assessment Form for Agricultural Districts
120-23	Resolution to Authorize the Chairwoman to Sign a MOU with New York State Department of Agriculture and Markets Regarding Coordinated SEQRA Review for the Yates County Agricultural District
121-23	Resolution to Authorize the Chairwoman to Sign a MOU with the Yates County Agricultural Society to Hold the 2023 Household Hazardous Waste Drop Off Day at the Yates County Fairgrounds
122-23	Calling on the Governor of New York to Remove From the 2024 Executive Budget Part M of the Article VII Revenue Bills
123-23	Accept NYSDOT Aviation Capital Project Agreement
124-23	State Environmental Quality Review and Authorize Chairwoman to Sign DV-21 Form, Regarding Airport Environmental Assessment Preparation Project
125-23	Accept NYSDOT Aviation Capital Project Agreement
126-23	State Environmental Quality Review and Authorize Chairwoman to Sign DV-21 Form, Regarding Airport Environmental Assessment Preparation Project

- Public Comment
- Jeff Gasper, STN, Semi-Annual Report

Executive Session if needed

Resolution No. 27-23
Motioned By: Willson

Date: 2/13/23
Seconded By:

**AUTHORIZE CHAIRPERSON & SHERIFF TO SIGN 2023 BASE
LMR COMMUNICATIONS AND TOWER SITE REPAIR SERVICE**

WHEREAS, Motorola Solutions Inc. via its Field Services Unit is the provider for land mobile based radio and tower site radio maintenance, etc. for the County of Yates with the understanding that the year 2023 is a unique as the county is upgrading its public safety communications equipment related to this contract, and that said agreement can be cancelled at any time dependent on the completion and acceptance of the new Motorola LMR equipment operational at the tower sites and PSB; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson and Sheriff upon the review of the approval of the County Attorney is authorized to renew land mobile base radio (LMR) and tower site radio repair maintenance #USC000005664 with designated Motorola Solutions, a NYS OGS vendor for sole source radio service as designated by Motorola Solutions Inc. for "local infrastructure repair with preventative maintenance from 1/1/2023 thru 12/31/2023 year at \$50,004.00 for the year, yet to be month-to-month at \$4,167.00 a month until ended by Sheriff; and be it further

RESOLVED, that the Finance Director is authorized to make said payments forthwith; and be it further

RESOLVED, that a copy of this be provided the Sheriff and the Finance Director.

Resolution No. 28-23
Motioned By: Willson

Date: 2/13/23
Seconded By:

**AUTHORIZE SHERIFF/CHAIRPERSON TO RENEW INMATE MEDICAL SERVICES
AGREEMENT WITH S&S MEMORIAL HOSPITAL**

WHEREAS, Resolution #62-15 as approved by the county attorney and Legislature authorized Sheriff to enter into a letter of agreement with Soldiers and Sailors Memorial Hospital administered by FLH, Geneva, NY for inmate medical services to be charged at the Medicaid rate for efficiency of budget; and

WHEREAS, letters of renewal have been an agreement since 2015 to date;

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff/Chairperson is authorized to renew the letter of agreement for related hospital billing effective March 1, 2023 through February 28, 2024; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff.

Resolution No. 29-23

Date: 2/13/23

Motioned By: Willson

Seconded By:

ACCEPT SUB-GRANT PROJECT NO. 4480-0007 YATES COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE FEMA AWARD

WHEREAS, the Yates County Office of Emergency Services has been awarded the Federal Emergency Management Agency's Hazard Mitigation Grant Program (HMPG). This award for sub-application FEMA-4480-DR-NY HMPG Project #4480-0007 provides funding for the County's Multi-Jurisdictional Hazard Mitigation Plan Update. FEMA has authorized \$150,000.00 in total costs for this sub-grant, with a Federal Share of \$135,000.00 and a local matching share of \$15,000.00;

NOW, THEREFORE, BE IT RESOLVED, after approval from the County Attorney, the Chairwoman is authorized to accept the Federal Emergency Management Agency's Hazard Mitigation Program Grant; and be it further

RESOLVED, that a copy of this resolution be given to the County Attorney, Director of Emergency Services, Budget Officer, Finance Officer and County Treasurer.

Resolution No. 30-23

Date: 2/13/23

Motioned By: Willson

Seconded By:

APPROPRIATE HAZARD MITIGATION UPDATE GRANT (OES)

WHEREAS, the Yates County Office of Emergency Services has received a Hazard Mitigation Grant Update FEMA Award, and

WHEREAS, these funds are not part of the 2023 budget,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$135,000.00;

Revenue:

A3645.44311 OES Hazard Mitigation Grant Project # 4480-0007

Expense:

A3645.54957 OES Hazard Mitigation Grant Project #4480-0007

And be it further,

RESOLVED, that a copy of this resolution be given to the County Administrator, County Treasurer, Budget Officer, Finance Director, County Attorney and County Emergency Services Director.

Resolution No. 31-23

Date: 2/13/23

Motioned By: Willson

Seconded By:

APPOINT MEMBERS TO THE YATES COUNTY FIRE ADVISORY BOARD

RESOLVED, that the following people be appointed to the Yates County Fire Advisory Board for the term 1/1/2023 – 12/31/23

Bellona	Fire Chief	Brian Murphy
Benton	Fire Chief	Eugene Martin
Branchport/KP	Fire Chief	Nancy Oppel
Dresden	Fire Chief	Warren Zimmerman
Dundee	Fire Chief	Alec Miller
Himrod	Fire Chief	Clarence Hoover
Middlesex	Fire Chief	Jason Bassett
Penn Yan	Fire Chief	Mike Pedersen
Potter	Fire Chief	Brian Bootes
Rushville	Fire Chief	Paul Moberg
Yates County	Fire Coordinator	Brian Winslow
Yates County	EMS Coordinator	Ryan Bailey
Yates County	Deputy Fire Coord.	Doug Miller
Yates County	Legislature	Rick Willson
Yates County	President	Rick Simpson

And be it further

RESOLVED, that a copy of this resolution be given to the Director of the Office of Emergency Services.

Resolution No. 32-23

Date: 2/13/23

Motioned By: Willson

Seconded By:

APPOINT MEMBERS TO THE YATES COUNTY EMS ADVISORY BOARD

RESOLVED, that the following people be appointed to the Yates County EMS Advisory Board for the term 1/1/23 – 12/31/23

Christy Buono	Nicholas Fultz	Dundee Fire Department Emergency Squad
Jason Johnson	Jonathan Granger	Middlesex Valley Vol Ambulance Corps
Mary Starkweather	Dee Muck	Penn Yan Area Volunteer Ambulance Corps

Patti Day	Bellona Vol Fire Company First Responders
Duane Martin	Benton Fire Department First Responders
Matt Kelly	Branchport/Keuka Park First Responders
Vacant	Dresden Fire Department First Departments
Kevin Zimmerman	Himrod Fire Department First Responders
Kody Reiff	Middlesex Hose Company First Responders
Alex Kuehne	Penn Yan Fire Department First Responders
Jonathan Wood	Potter Fire Department First Responders
Brian Ocque	Rushville Fire Department First Responders
David Dowdle	Yates County Advanced Life Support
Joseph Axtell	At Large Delegate

Brian Winslow	Fire Coordinator	Yates County
Jason Bassett	Senior Dispatcher	Yates County

Ryan Bailey	EMS Coordinator	Yates County
Vacant	SSMH	Finger Lakes Health
Rick Willson	Legislature	Yates County Legislature

And be it further

RESOLVED, that copies of this resolution be provided to Yates County OES Director.

Resolution No. 33-23

Date: 2/13/23

Motioned By: Willson

Seconded By:

**AUTHORIZE CHAIRWOMAN TO SIGN CHANGE IN COURSE SPONSORSHIP
ADMINISTRATION FORM**

WHEREAS, the Yates County Office of Emergency Services has a desire to change the registered name of the New York State EMS Course Sponsorship from Yates County BLS Training Center to Yates County Emergency Services for the purpose of name conformity and the ability for future course expansion to include the potential Advanced Life Support level trainings; and

WHEREAS, the current name offers limitations of advertisement of such advanced level courses;

NOW, THEREFORE, BE IT RESOLVED, that after approval of the County Attorney, the Chairwoman is authorized to sign the New York State Department of Health Bureau of Emergency Medical Services form for Change in Course Sponsorship Administration; and be it further

RESOLVED, that a copy of this resolution be sent to the Director of Emergency Services and the County Attorney.

Resolution No. 34-23

Date: 2/13/23

Motioned By: Willson

Seconded By:

**AUTHORIZE CHAIRWOMAN TO SIGN PROFESSIONAL SERVICES AGREEMENT
FOR EMERGENCY MEDICAL SERVICES BILLING**

WHEREAS, Emergency Medical Services billing is a specialized Professional Service unlike other healthcare billing; and

WHEREAS, the overall cost of hiring and training an employee of Yates County would be greater than utilizing a third party business that is established in this field; and

WHEREAS, through careful research and consideration of multiple other billing companies, it is believed that Cornerstone Adminisystems can offer the highest returns in revenue for Yates County, along with other supplemental data and information to more efficiently operate the County's newly formed Ambulance Service;

NOW, THEREFORE, BE IT RESOLVED, that after approval by the County Attorney, the Chairwoman is hereby authorized to sign a Professional Services Agreement with

Cornerstone Adminisystems to provide billing services for Yates County Emergency Medical Services; and be it further

RESOLVED, that a copy of this resolution be sent to the Director of Emergency Services, County Attorney, County Administrator, County Treasurer, Budget Officer and Finance Director.

Resolution No. 35-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

ADOPT YATES COUNTY ELECTRONIC RECORDS RETENTION AND DISPOSAL SCHEDULE

WHEREAS, the Yates County Records Management Officer has an established practice of consistently following the Records Retention and Disposition Schedule LGS-01 issued by the New York State Archives and Records Administration pursuant to Arts and Cultural Affairs Law Section 57.05.11; and

WHEREAS, Yates County previously adopted the LGS-01 Schedule in Resolution No.324-20;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Records Management Officer hereby affirms the practices of Yates County relative to preserving records in digital formats issued by the State Archives of Records Administration for continued use by Yates County in legally maintaining digital records listed therein; and be it further

RESOLVED, that Yates County shall maintain any digitally created records in their native digital format for the legally proscribed retention period of the record; and be it further

RESOLVED, that Yates County shall maintain all digital records adhering to the guidelines set forth in Part 185.8 of the regulations of the Commissioner of Education; and be it further

RESOLVED, that Yates County will continue the practice of only destroying an original record after a digital record is made pursuant to Part 185.8 of the regulations of the Commissioner of Education when it is clear:

- (a) the digital record will be preserved in lieu of the original;
- (b) the digital record has been examined and found to be a true and clear photographic copy of the original from which a legible facsimile or a legible certified copy can be made;
- (c) the record meets the minimum quality standards advised by the Digital Imaging Guidelines advised in NYS Archives publication dated 2022.
- (d) the record is stored in an appropriately secure repository as an archival document type, such as .TIF (.TIFF) or PDF/a

And be it further

RESOLVED, that copies of records in other formats, including paper, shall be deemed convenience copies and disposed of when no longer needed for reference or other administrative purposes; and be it further

RESOLVED, that copies of this resolution be provided to all Yates County Departments.

Resolution No. 36-23
Motioned By: Bronson

Date: 2/13/23
Seconded By:

**AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL PRINCIPAL
SOCIAL SERVICES PROGRAM EXAMINER POSITION**

WHEREAS, a Principal Social Services Program Examiner position became vacant effective February 6, 2023 as the result of a resignation; and

WHEREAS, the Commissioner through the vacancy review process has identified the need to refill the Principal Social Services Program Examiner position and is requesting that the position be filled; and

WHEREAS, the estimated cost to fill the position is \$65,366 to \$92,494, depending on health insurance; with the 80% reimbursement the total estimated cost to the County is \$13,073 to \$18,499;

NOW, THEREFORE, BE IT RESOLVED, that effective February 13, 2023, the Commissioner of Social Services is hereby authorized to fill a full-time Principal Social Services Program Examiner position; and be it further

RESOLVED, the Commissioner of Social Services is also authorized to fill any subsequent vacancy that will occur as the result of a promotion of an employee into the Principal Social Services Program Examiner position; and be it further

RESOLVED, that copies of this resolution shall be provided the Commissioner of Social Services, Personnel Officer, County Administrator, and Director of Finance.

Resolution No. 37-23
Motioned By: Bronson

Date: 2/13/23
Seconded By:

AUTHORIZE PROBATION DIRECTOR TO FILL POSITION

WHEREAS, a Probation Officer position will become vacant effective February 18, 2023 as the result of a retirement; and

WHEREAS, the Probation Director through the vacancy review process has identified the continued need for the position and is requesting that the vacancy be filled; and

WHEREAS, based on the current staffing of the Probation Department, the Probation Director is requesting authorization to fill the Probation Officer vacancy with the job title of Probation Officer Trainee as that title most appropriately meets the present needs of the department; and

WHEREAS, the estimated cost to fill the position is \$58,657;

NOW, THEREFORE, BE IT RESOLVED, that effective February 13, 2023 the Probation Director is hereby authorized to fill a full-time Probation Officer Trainee position; and be it further

RESOLVED, the Probation Director is also authorized to fill any subsequent vacancy that will occur as the result of a promotion of an employee into the Probation Officer Trainee position; and be it further

RESOLVED, that copies of this resolution shall be provided to the Probation Director, Personnel Officer, County Administrator, and Director of Finance.

Resolution No. 38-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

**AUTHORIZE DIRECTOR OF EMERGENCY SERVICES TO CREATE AND FILL SIX
(6) FULL-TIME PARAMEDIC POSITIONS**

WHEREAS, pursuant to Article 30 of New York State Public Health Law, Section 3008 and County Resolution 437-22, the Yates County Legislature has taken action to establish County-wide ambulance services; and

WHEREAS, the Director of Emergency Services through the position review process has identified the need to create and fill six (6) full-time, forty (40) hour a week Paramedic positions to provide the associated services; and

WHEREAS, the estimated annual cost to fill one (1) position, including fringe, is \$67,692 to \$94,820, depending on health insurance; and

WHEREAS, the estimated annual cost to fill six (6) positions, including fringe, is \$406,153 to \$568,924, depending on health insurance; and

WHEREAS, the Director of Emergency Services has requested authorization to start qualifying candidates at either STEP one (1) or STEP two (2) of the current CSEA CBA Salary Schedule, should candidates meet the eligibility for a higher starting rate of;

NOW, THEREFORE, BE IT RESOLVED, that effective February 13, 2023 the Director of Emergency Services is hereby authorized to create and fill six (6) full-time Paramedic positions; and be it further

RESOLVED, that the Director of Emergency Services is authorized to begin recruitment efforts after the adoption of this resolution, however, the intended individuals to be hired shall not shall commence employment prior to May, 31, 2023; and be it further

RESOLVED, that copies of this resolution shall be provided to the Director of Emergency Services, CSEA Unit President and CSEA Unit Representative, Personnel Officer, County Administrator and Director of Finance.

Resolution No. 39-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

**AUTHORIZE DIRECTOR OF EMERGENCY SERVICES TO CREATE AND FILL SIX
(6) FULL-TIME EMERGENCY MEDICAL TECHNICIAN POSITIONS**

WHEREAS, pursuant to Article 30 of New York State Public Health Law, Section 3008 and County Resolution 437-22, the Yates County Legislature has taken action to establish County-wide ambulance services; and

WHEREAS, the Director of Emergency Services through the position review process has identified the need to create and fill six (6) full-time, forty (40) hour a week Emergency Medical Technician positions to provide the associated services; and

WHEREAS, the estimated annual cost to fill one (1) position, including fringe, is \$50,744 to \$77,872, depending on health insurance; and

WHEREAS, the estimated annual cost to fill six (6) positions, including fringe, is \$304,463 to \$467,234, depending on health insurance; and

WHEREAS, the Director of Emergency Services has requested authorization to start qualifying candidates at either STEP one (1) or STEP two (2) of the current CSEA CBA Salary Schedule, should candidates meet the eligibility for a higher starting rate of;

NOW, THEREFORE, BE IT RESOLVED, that effective February 13, 2023 the Director of Emergency Services is hereby authorized to create and fill six (6) full-time Emergency Medical Technician positions; and be it further

RESOLVED, that the Director of Emergency Services is authorized to begin recruitment efforts after the adoption of this resolution, however, the intended individuals to be hired shall not shall commence employment prior to May, 31, 2023; and be it further

RESOLVED, that copies of this resolution shall be provided to the Director of Emergency Services, CSEA Unit President and CSEA Unit Representative, Personnel Officer, County Administrator and Director of Finance.

Resolution No. 40-23
Motioned By: Bronson

Date: 2/13/23
Seconded By:

**AUTHORIZE DIRECTOR OF EMERGENCY SERVICES TO CREATE AND FILL
PART-TIME PARAMEDIC POSITIONS**

WHEREAS, pursuant to Article 30 of New York State Public Health Law, Section 3008 and County Resolution 437-22, the Yates County Legislature has taken action to establish County-wide ambulance services; and

WHEREAS, the Director of Emergency Services through the position review process has identified the need to create and fill a minimum of three (3) part-time Paramedic positions to provide the associated services; and

WHEREAS, the hourly rate for a part-time Paramedic will be consistent with CSEA Bargaining Agreement; and

WHEREAS, the estimated annual cost to fill one (1) position, including fringe, is \$29,615, totaling \$88,845 for three (3) positions; and

NOW, THEREFORE, BE IT RESOLVED, that effective February 13, 2023 the Director of Emergency Services is hereby authorized to create and fill a minimum of three (3) part-time Paramedic positions; and be it further

RESOLVED, that the Director of Emergency Services is authorized to begin recruitment efforts after the adoption of this resolution, however, the intended individuals to be hired shall not shall commence employment prior to May, 31, 2023; and be it further

RESOLVED, that copies of this resolution shall be provided to the Director of Emergency Services, Personnel Officer, County Administrator and Director of Finance.

Resolution No. 41-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

**AUTHORIZE DIRECTOR OF EMERGENCY SERVICES TO CREATE AND FILL
PART-TIME EMERGENCY MEDICAL TECHNICIAN POSITIONS**

WHEREAS, pursuant to Article 30 of New York State Public Health Law, Section 3008 and County Resolution 437-22, the Yates County Legislature has taken action to establish County-wide ambulance services; and

WHEREAS, the Director of Emergency Services through the position review process has identified the need to create and fill a minimum of three (3) part-time Emergency Medical Technician positions to provide the associated services; and

WHEREAS, the hourly rate for a part-time Emergency Medical Technician will be consistent with CSEA Bargaining Agreement; and

WHEREAS, the estimated annual cost to fill one (1) position, including fringe, is \$22,200, totaling \$66,600 for three (3) positions; and

NOW, THEREFORE, BE IT RESOLVED, that effective February 13, 2023 the Director of Emergency Services is hereby authorized to create and fill a minimum of three (3) part-time Emergency Medical Technician positions; and be it further

RESOLVED, that the Director of Emergency Services is authorized to begin recruitment efforts after the adoption of this resolution, however, the intended individuals to be hired shall not shall commence employment prior to May, 31, 2023; and be it further

RESOLVED, that copies of this resolution shall be provided to the Director of Emergency Services, Personnel Officer, County Administrator and Director of Finance.

Resolution No. 42-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

**AUTHORIZE CHAIRWOMAN TO SIGN MEMORANDUM OF UNDERSTANDING
(CSEA)**

WHEREAS, the Director of Emergency Services has presented to the Public Safety Committee justification for the creation of six (6) full-time, forty (40) hour a week, Emergency Medical Technician positions and six (6) full-time, forty (40) hour a week Paramedic positions; and

WHEREAS, it is necessary to add the said position to the current CSEA collective bargaining agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding the addition of the job title of Emergency Medical Technician to Group IV and the job title of Paramedic to Group XI of the current collective bargaining agreement; and be it further

RESOLVED, the job titles of Emergency Services Technician and Paramedic shall be incorporated into Article 3-C, section 2; and be it further

RESOLVED, that copies of this resolution be given to the Director of Emergency Services, CSEA Union President, CSEA Union Representative, Personnel Officer, County Administrator and County Treasurer.

Resolution No. 43-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

**APPOINT DIRECTOR OF PUBLIC HEALTH
(Douglas Sinclair M.D., MPH)**

WHEREAS, pending the approval from the New York State Commissioner of Health, pursuant to New York Codes, Rules and Regulations, Sanitary Code Volume A (Title 10), Section 11.182 Qualifications of Public Health Personnel, Douglas Sinclair M.D., MPH, is hereby appointed as the Director of Public Health for Yates County; and

WHEREAS, in accordance with Public Health Law Section 351.5 the Director of Public Health shall serve a term of six (6) years;

NOW, THEREFORE, BE IT RESOLVED, that Douglas Sinclair M.D., MPH is hereby appointed as Director of Public Health for Yates County, for a term of office to be effective from February 6, 2023 and completing February 5, 2029; and be it further

RESOLVED, that copies of this resolution be given to the Director of Public Health, Personnel Officer, County Administrator, and Director of Finance.

Resolution No. 44-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

AMEND 2023 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE

WHEREAS, Resolution 491-22 was duly adopted on December 12, 2022 adopting the Non-Union Exempt Employee Salary Schedule; and

WHEREAS, the resolution is in need of an amendment due to recent action taken by the County Legislature;

NOW, THEREFORE, BE IT RESOLVED, that effective February 6, 2023, the following be amended;

- a. "Director of Public Health...\$88,784" be amended to "Director of Public Health....\$102,892";
- b. "Deputy Director of Public Health....\$77,285" be amended to "Deputy Director of Public Health...\$83,488";

And be it further

RESOLVED, that effective February 6, 2023, "Director of Veterans' Services Agency...\$51,110" be added to the salary schedule; and be it further

RESOLVED, that effective March 30, 2023, "Director of Veterans' Services Agency...\$60,315" be removed from the salary schedule; and be it further

RESOLVED, that copies of this resolution be given to the Personnel Officer, County Administrator and Director of Finance.

Resolution No. 45-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

ADOPT 2023 NON-UNION NON-EXEMPT EMPLOYEE WAGE SCHEDULE

WHEREAS, Resolution 492-22 was duly adopted on December 12, 2023 adopting the Non-Union Non-Exempt Employee Wage Schedule; and

WHEREAS, the resolution is in need of an amendment due to recent action taken by the County Legislature;

NOW, THEREFORE, BE IT RESOLVED, that effective February 13, 2023, "County Historian (Part-Time...\$27.62" be amended to "County Historian (Part-Time)/Records Management Officer...\$27.62"; and be it further

RESOLVED, "Records Management Officer...\$20.91" be removed; and be it further

RESOLVED, "Emergency Medical Technician...\$20.12" be added; and be it further

Resolved, "Paramedic...\$26.84" be added; and be it further

RESOLVED, that copies of this resolution be given to the Personnel Officer, County Administrator and Director of Finance.

Resolution No. 46-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT
(Layer 3 Technologies - Rochester, NY)**

WHEREAS, Due to a hardware failure in our production firewall, a block of hours will be required for the replacement and configuration restore;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County

Attorney, the Chairwoman is hereby authorized to sign a contract with Layer 3 Technologies of Rochester, NY in the amount of \$3,000.00 for a block of 20 hours for said services from January 1, 2023 to December 31, 2023; and be it further

RESOLVED, that a copy of this resolution be given to Layer 3 Technologies, Treasurer, Finance and to the IT Director.

Resolution No. 47-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

**SUPPORTING NEW YORK STATE SHARING AGRICULTURAL MITIGATION FEES
WITH COUNTIES TO SUPPORT COUNTY AGRICULTURE AND FARMLAND
PROTECTION INITIATIVE**

WHEREAS, the New York State Energy, Research and Development Authority (NYSERDA) and the New York State Department of Agriculture and Markets (AGM) have entered into a Memorandum of Understanding (MOU) regarding the assessment and collection of an Agricultural Mitigation Fund Payment for certain proposed Solar projects over 30 acres located in an Agricultural District; and

WHEREAS, NYSERDA and AGM have agreed to work with solar project developers to obtain mutually acceptable project modifications to protect agriculture and associated resources from its adverse impacts; and

WHEREAS, the 2020 Request For Proposals of NYSERDA and future Renewable Energy Solicitation Requests for Proposals will include language advising all proposers of the new Agriculture Mitigation Fund Payment requirements and will include the information necessary for proposers to calculate any mitigation costs in the preparation of their bids; and

WHEREAS, this agreement will require payment of an Agriculture Mitigation Fund, in an amount calculated at commercial operation date (COD), at which time the final actual agricultural conversion of mineral soil groups one through four (MSG 1-4) can be accurately calculated, and the final offsetting value of an implemented co-agricultural measures, in any, considered; and

WHEREAS, solar bid facilities in Agricultural Districts awarded by NYSERDA may be responsible for making an agricultural mitigation payment to a designated fund administered by NYSERDA based on the extent to which the solar project footprint, defined as the Facility Area, overlaps with land classified as MSG 1-4; and

WHEREAS, NYSERDA has agreed to work with AGM to administer the funds received through mitigation payments, however the MOU provides no direction or guidance on how these funds should be spent to mitigate the impacts of the proposed solar projects on farmland and in Agricultural Districts; and

WHEREAS, Yates County supports the need for effective agricultural mitigation at the county level to balance the often-competing goals of expanding renewable solar project development capacity and the protection of critically important agriculture and farmlands across New York State; and

WHEREAS, Yates County supports the protection of important farmland and soils, agriculture district designations, and the implementation of Agriculture and Farmland Protection Plans by counties across New York State;

NOW, THEREFORE, BE IT RESOLVED, that Yates County supports New York State providing agricultural mitigation fees to counties to support county agriculture and farmland protection initiatives; and be it further

RESOLVED, Agriculture Mitigation Fund payments received by NYSERDA and made available to impacted counties shall be used by the respective county to implement farmland protection plans, measures and projects consistent with their approved Agriculture and Farmland Projection Plan (AFPB) with a preference for planning, zoning, and farmland protection efforts in the same municipality/area as where such solar projects are being developed; and be it further

RESOLVED, funding collected should be used to provide the implementation of projects that will improve farmland protection and productivity such as tile drainage installation or offset local cash match requirements for Farmland Protection Plans, and consultation with local Soil and Water Conservation Districts and Farmland Protection Boards · regarding funding allocation could also occur; and be it further

RESOLVED, the 30 acre solar project threshold, with project defined as the total contiguous acres developed at the same time, is recommended to be reduced to 20 acres as many solar development projects have occurred in Yates County Agriculture Districts that are under 30 acres in size; and be it further

RESOLVED, that any Agricultural Mitigation payments collected by NYSERDA for projects pursuant to either the Article 10 or the 94-c review process also be provided to the County in which such project is being developed; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor Kathy Hochul; Senator Thomas O'Mara; and Assemblyman Philip Palmesano.

Resolution No. 48-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

ENCOURAGING YATES COUNTY LAND OWNERS TO USE MARGINAL LANDS AND TO UTILIZE THE ADVICE OF THE SOIL & WATER CONSERVATION DISTRICT PRIOR TO THE SALE OF LANDS OR WHEN SIGNING LEASES FOR LARGE-SCALE SOLAR ARRAYS

WHEREAS, the market value of agricultural products grown in Yates County was \$114,657,000 in 2017; and

WHEREAS, the success of the farming industry in the County relies on the availability of productive soils to grow food and products; and

WHEREAS, the total land in agriculture is 115,000 acres, the presence of prime, and prime drained soils, is limited to 74,509 acres or thirty four percent (34%) of all land in Yates County; and

WHEREAS, large-scale solar arrays typically require five to seven acres of cleared, flat and dry land for every megawatt of power they generate; and

WHEREAS, the rural character of Yates County, affordable real estate prices, the presence of high voltage transmission lines and the energy policies of the State will continue to attract the siting of large-scale solar arrays on farmland;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature encourages landowners to use their marginal lands and to utilize the advice of the Soil & Water Conservation District prior to the sale of lands or when signing leases for large-scale solar arrays, and to preserve productive farmland for future agricultural use; and be it further

RESOLVED that to allow for agricultural activity, solar developers are encouraged to design arrays to support agricultural projects such as sheep grazing and/or apiaries are able to occur at solar lease sites, and funding agencies, the Yates County Planning Board and municipal planning boards should recommend such design; and be it further

RESOLVED that solar developers, funding agencies and local governments are encouraged to arrange community solar agreements so that local residents and businesses can take advantage of lower electricity bills; and be it further

RESOLVED that large-scale solar arrays that are established to sell energy to the grid shall be subject to a Payment in Lieu of Taxes during the fifteen (15) year exemption that is available for solar energy systems; and be it further

RESOLVED that certified copies of this resolution be forwarded to Steve Griffin, CEO of FLEDC; Barrington Town Supervisor Steve Perry; Benton Town Supervisor John Predergast; Jerusalem Town Supervisor Jamie Sisson; Italy Town Supervisor Richard Craig; Middlesex Town Supervisor Wayne Dutton; Milo Town Supervisor Leslie Church; Potter Town Supervisor Leonard Lisenbee; Starkey Town Supervisor George Lawson; and Torrey Town Supervisor Peter Martini.

Resolution No. 49-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

AUTHORIZE CHAIRWOMAN TO SIGN LETTER OF SUPPORT FOR THE KEUKA COLLEGE CENTER FOR HEALTH INNOVATION

WHEREAS, Keuka College is hoping to submit a proposal to federal representatives in an effort to be selected for a community funded project to create the Keuka College Center for Health Innovation; and

WHEREAS, the project was originally selected by Congressman Reed to move through the appropriations process in 2022, however, never was advanced with Reed's resignation, they are hoping to resubmit this request now with their new representative, Congresswoman Claudia Tenney; and

WHEREAS, other community stakeholders including Finger Lakes Community Health, Yates County Chamber of Commerce, and Finger Lakes Economic Development Center have provided letter of support; and

WHEREAS, Congresswoman Tenney's Office recommended seeking out similar letters of support from local representatives to further solidify the request and demonstrate community support of the project;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman is authorized to sign a letter of support for the Keuka College Center for Health Innovation funding project; and be it further

RESOLVED, that a copy of this resolution be furnished to Keuka College.

Resolution No. 50-23

Date: 2/13/23

Motioned By: Bronson

Seconded By:

APPOINT MEMBER TO THE REGION 8 FISH AND WILDLIFE MANAGEMENT BOARD

WHEREAS, pursuant to Article 11, Section 11-0501 of the Environmental Conservation Law of the State of New York, the Chairman of the Legislature shall appoint members to the Region 8 Fish and Wildlife Management Board, subject to confirmation by the County Legislature;

NOW, THEREFORE, BE IT RESOLVED, the following appointment to the Region 8 Fish and Wildlife Management Board is hereby confirmed by this Legislature for the term of 01/01/2023 through 12/31/2024;

Mike Christensen (Landowner Representative)
217 Sherman St.
Penn Yan, NY 14527

And be it further

RESOLVED, that copies of this resolution be provided to NYSDEC and Mike Christensen.

Resolution No. 51-23

Date: 2/13/23

Motioned By: Chilson

Seconded By:

SUPPORTING GOVERNOR HOCHUL'S COMPREHENSIVE PLAN TO OVERHAUL NEW YORK'S CONTINUUM OF MENTAL HEALTH CARE AND REDUCE THE NUMBER OF INDIVIDUALS WITH UNMET MENTAL HEALTH NEEDS

WHEREAS, there has been an underinvestment in mental health care for so long that it has become a public safety crisis. Crisis Services for the most severely ill Yates County residents are either inadequate or nonexistent, reflection of a situation across New York State. Elements of the needed continuum of crisis care are missing or inadequate for children and adults including: acute and intermediate inpatient care, mobile crisis services, crisis outreach, in-home crisis care, crisis centers and crisis residential. The needed services need to be funded and prioritized. Rural Communities need to be considered in the development process; and

WHEREAS, the efforts of families, the Yates County Community Services Department, local outpatient behavioral health services, other local services and law enforcement agencies to obtain inpatient treatment for those unable to be cared for in the community through the Comprehensive Psychiatric Emergency Program or local Emergency Departments are

unsuccessful in 80% of children and 65% in adults deemed mentally ill and in need of care, because of unavailability in the community. Those individuals return to a community without the needed services to respond. They often return without notice to the families, agencies or programs that sent them. Access to acute and intermediate inpatient psychiatric care needs to be improved, as well as treatment planning and communication regarding crisis patients released back to the community without notice; and

WHEREAS, Inpatient Psychiatric beds eliminated at Soldiers and Sailors Hospital in 2019 before the pandemic and at Newark Wayne Hospital in 2020 due to the Covid pandemic crisis to create bed capacity in the region, have remained closed despite the end of the need for Covid overflow. Those beds have not been opened despite the difficulties in finding psychiatric beds in the region, psychiatric patients held in medical beds and/or the Emergency Departments. The low admission rates in the local system could also be attributed to the lack of local beds. Those beds should be opened; and

WHEREAS, the continuum of Mental Health Care is nonexistent or inadequate for children and adults in Yates County. The continuum lacks sufficient residential options, day treatment programs, rehabilitation, vocational and home and community-based programs for the mentally ill. Seeking these services outside the county, with historically inadequate public transportation, has proven to be difficult if not impossible, as well as a burden for families. Local and Regional options, adequately funded, recognizing transportation issues must be developed to meet local need; and

WHEREAS, the mentally ill population represent a significant part of the homeless and under housed, as well as the most likely to have housing issues. New housing with a variety of options for the mentally ill is needed to meet the broad characteristic of the mentally ill population. This effort needs to be coordinated with anti-stigma efforts and community education efforts directed at the community awareness and understanding of mental illness; and

WHEREAS, we have access to a Comprehensive Psychiatric Emergency Program (C-PEP), and Assertive Community Treatment (ACT) as regional services, however because of distance and area of responsibility, response and effectiveness is reduced. We also have a developing Comprehensive Community Behavioral Health Clinic (CCBHC) which is local and has helped close the outpatient treatment gap for children and adults while providing an integrated mental health and substance use treatment environment. Strengthening regional programs expected to serve diverse populations across large geographical area must be considered if they are to be successful; and

WHEREAS, there is no current systemic accountability for mental health admissions and discharges from inpatient care and from emergency departments including Comprehensive Psychiatric Emergency Programs. This impacts community care and public safety for the mentally ill, their families and the public. This needs to be changed to end the continued revolving door at Emergency Departments, outpatient treatment failures, and increased risk for the mentally ill, local treatment providers, law enforcement agencies and the community;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby supports the Governor's comprehensive plan to fix New York State's continuum of mental health care and offer additional recommendations and concerns; and be it further

RESOLVED, that the clerk of this Legislature shall forward certified copies of this resolution to Governor Cathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Senator

Thomas F. O'Mara, Senator Samra G. Brouk, Speaker of the Assembly Carl Heastie, Assembly Minority Leader William A. Barclay, Assemblyman Philip Palmesano, Commissioner of the Office of Mental Health Ann Marie T. Sullivan, M.D., Dustin Riccio, M.D. President, Rochester Regional Health Eastern Region, Association of Counties, Intercounty of Western New York and all others deemed necessary and proper.

Resolution No. 52-23

Date: 2/13/23

Motioned By: Chilson

Seconded By:

**REAPPOINT MEMBER TO THE YATES COUNTY MENTAL HEALTH
SUBCOMMITTEE (Craig Sandberg, MD)**

BE IT RESOLVED, that the Yates County Legislature appoint Craig Sandberg, MD. residing at 336 State Rd. 54-East Lake Rd, PennYan, New York 14527 to the Mental Health Subcommittee, to a second term ending, 12/31/2026; and be it further

RESOLVED, that a copy of this resolution be provided to Craig Sandberg, MD, and to the Yates County Department of Community Services.

Resolution No. 53-23

Date: 2/13/23

Motioned By: Chilson

Seconded By:

**REAPPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD
(Craig Sandberg, MD)**

BE IT RESOLVED, that the Yates County Legislature appoint Craig Sandberg, MD. residing at 336 State Rd. 54-East Lake Rd, Penn Yan, New York 14527 to the Yates County Community Services Board, to a second term ending, 12/31/2026; and be it further

RESOLVED, that a copy of this resolution be provided to Craig Sandberg, MD and to the Yates County Department of Community Services.

Resolution No. 54-23

Date: 2/13/23

Motioned By: Chilson

Seconded By:

**REAPPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES
BOARD: DEVELOPMENTAL DISABILITIES SUB-COMMITTEE (Mike Schultz)**

BE IT RESOLVED, that the Yates County Legislature appoint Mike Schultz residing at 207 Clinton Street Penn Yan, New York 14527 to the Yates County Community Services Board Developmental Disabilities Sub-Committee, to a second term ending, 12/31/2026; and be it further

RESOLVED, that a copy of this resolution be provided to Mike Schultz and to the Yates County Department of Community Services.

Resolution No. 55-23

Date: 2/13/23

Motioned By: Chilson

Seconded By:

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD:
MENTAL HEALTH SUB-COMMITTEE (Becky Bennett-Tears)**

BE IT RESOLVED, that the Yates County Legislature appoint Becky Bennett-Tears residing at 10373 County Route 76, Hammondsport, New York 14840 to the Yates County Community Services Board Mental Health Sub-Committee, to a term ending, 12/31/2026; and be it further

RESOLVED, that a copy of this resolution be provided to Becky Bennet-Tears and to the Yates County Department of Community Services.

Resolution No. 56-23

Date: 2/13/23

Motioned By: Chilson

Seconded By:

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD:
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE (Emily Facticeau)**

BE IT RESOLVED, that the Yates County Legislature appoint Emily Facticeau residing at 699 Yale Station Road, Geneva New York 14456 to the Yates County Community Services Board Developmental Disabilities Sub-Committee, to a term ending, 12/31/2026; and be it further

RESOLVED, that a copy of this resolution be provided to Emily Facticeau and to the Yates County Department of Community Services.

Resolution No. 57-23

Date: 2/13/23

Motioned By: Chilson

Seconded By:

**AUTHORIZE CHAIRWOMAN TO SIGN AGREEMENT WITH CYNTHIA VOLLMER,
OCCUPATIONAL THERAPIST**

WHEREAS, Yates County Public Health seeks to sign an agreement with Cynthia Vollmer, Occupational Therapist, to provide services to children with developmental delays and disabilities in the Preschool Program.

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the County Attorney, the Chairwoman of the Legislature be hereby authorized to sign an agreement with Cynthia Vollmer, Occupational Therapist at the following all-inclusive rates: \$68.00 in 2023, \$69.00 in 2024, \$70.00 in 2025, \$71.00 in 2026, and \$72.00 in 2027, for the period 1/1/2023 to 12/31/2027; and be it further

RESOLVED, that a copy of this resolution be sent to the Public Health office and Finance Director.

Resolution No. 58-23

Date: 2/13/23

Motioned By: Chilson

Seconded By:

**PROCLAIMING MARCH 29TH AS VIETNAM VETERANS DAY
IN YATES COUNTY**

WHEREAS, Throughout the history of our state and nation, countless brave individuals have answered the call to patriotic duty, including Vietnam veterans who endured unspeakable hardships and risked their lives fighting for the ideals of democracy; it was on March 29, 1973, the last 2,500 American combat troops were withdrawn from the battlefields of Vietnam, and we

solemnly commemorate the anniversary of this day and reflect on its significance for past, present, and future generations; and

WHEREAS, American involvement in the Vietnam War - one of the longest military conflicts in America's history - began with the arrival of the United States military personnel in South Vietnam in the 1950s and ended with the fall of Saigon on April 30, 1975, when the last Americans were evacuated from the United States Embassy; and

WHEREAS, during this long and difficult war, American involvement escalated to staggering statistics: over 3.4 million were deployed to Southeast Asia; 2.7 million served in the designated war zone; over 58,000 were killed in theater of operation; 153,000 were non-mortally wounded; today nearly 4 decades later approximately 2,000 are still unaccounted for; and

WHEREAS, of the names listed on the Vietnam Memorial Wall in our nation's capital, 4,120 are those of courageous young New Yorkers who went off to fight half way around the world, never to return; we recognize and thank all of our county's Vietnam veterans for their service- those who made the ultimate sacrifice, those who came home physically or emotionally scarred, and those who returned home safely to their loved ones; and

WHEREAS, **we have not forgotten - nor will we ever forget** - the men and women who served so honorably in the Vietnam War, like so many others who answered the call to serve in previous and subsequent wars; the selfless service and sacrifice of Vietnam veterans as an inspiring reminder of the patriotism, spirit, and courage of all who serve in our nation's Armed Forces; and

WHEREAS, in accordance with the Vietnam War Veterans Recognition Act of 2017 that amended title 4 United States Code, section 6(d) directing the flag be raised in honor of Vietnam Veterans Day; and

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature proclaims in commemoration of those who served, that the Yates County Legislature extends its gratitude to all who served during the Vietnam War, by proclaiming March 29, 2023 as "Vietnam Veterans Day" in Yates County.

Resolution No. 59-23

Date: 2/13/23

Motioned By: Chilson

Seconded By:

**CALLING ON THE STATE OF NEW YORK TO CONTINUE TO PASS-THROUGH
FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID
ASSISTANCE PERCENTAGE FUNDS**

WHEREAS, the SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to counties and New York City; and

WHEREAS, the State is proposing to keep all of these federal savings going forward and use them to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers; and

WHEREAS, the elimination of this ACA eFMAP federal pass-thru will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included; and

WHEREAS, the SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027; and

WHEREAS, it is the strong view of NYSAC that congress intended these federal savings to be shared with counties proportional to the amount they contributed toward the nonfederal Medicaid match; and

WHEREAS, since 2003, the state has shared the funds proportionally based on our analysis of savings we have received during periods when an enhanced federal Medicaid match was enacted by Congress; and

WHEREAS, enacted in 2011, the Medicaid statutory cap for all 62 counties is \$7.6 billion. The Medicaid statutory cap for the 57 counties outside of New York City is \$2.25 billion; and

WHEREAS, starting in SFY 2014, New York began sharing these federal ACA savings directly with counties. The savings for a year were provided by lowering the weekly payments each county and NYC make to the state to support the State's Medicaid program. Through February 1, 2023, the state continues to share the federal savings from the ACA eFMAP with the 57 counties and NYC; and

WHEREAS, counties strongly disagree with the need to cut county funding so deeply when the Governor's budget proposes to fully fund its own reserves two years ahead of schedule de depositing \$5.4 billion into reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024;

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties calls on the State to continue to share these federal funds with counties as has been the precedent for over 20 years; and be it further

RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and be it further

RESOLVED, that Yates County shall forward copies of this resolution to the Governor of the State of New York, the New York State Legislature, the New York State Congressional Delegation, and all others deemed necessary and proper.

Resolution No. 60-23
Motioned By: Banach

Date: 2/13/23
Seconded By:

AWARD BID FOR ABRASIVE SAND

WHEREAS, bids were requested for Abrasive Sand and received on January 26, 2023 at 10:00 a.m. and five firms submitted a bid to the Yates County Highway Department;

BIDDERS:	Heidelberg Materials Northeast - NY LLC	Dolomite Products Co., Inc.	Rochester Gravel Products	Syracuse Sand & Gravel, LLC	Spallina Materials, Inc
FOB @ Vendor Yard (per ton)	\$13.50	\$6.75	\$8.25	\$27.50	\$8.50
Pit Location	Phelps	Palmyra	Avon	Phelps	Cohocton
Pit Location (if more than one)					
Delivered to: (per ton)					
Yates Co. Hwy - Benton	\$25.00	\$13.75	\$24.00	\$27.50	\$16.45
Barrington Hwy - Bath Rd	\$25.00	\$16.75	\$28.00	\$27.50	\$16.45
Italy Hwy - Italy Valley Rd	\$25.00	\$15.75	\$27.00	\$27.50	\$16.25
Middlesex Hwy - Mill St.	\$25.00	\$16.25	\$23.00	\$27.50	\$16.45
Potter Hwy - Phelps Rd	\$25.00	\$16.25	\$23.25	\$27.50	\$15.90
Starkey Hwy - Dundee Starkey Rd	\$25.00	\$16.75	\$29.50	\$27.50	\$16.25
Torrey Hwy - Route 14	\$25.00	\$14.25	\$26.50	\$27.50	\$17.45

NOW, THEREFORE, BE IT RESOLVED, that the F.O.B. at vendor's yard be awarded to all bidders; and be it further

RESOLVED, that the delivered prices shall be awarded to Dolomite Products Co. Inc. for Yates County Highway, Italy Highway, Middlesex Highway, and Torrey Highway. To Spallina Materials Inc, for Barrington Highway, Potter Highway, Starkey Highway; and be it further

RESOLVED, that all awards will be contingent upon approval of vendor's material by the Yates County Highway Superintendent or his designee; and be it further

RESOLVED, that copies of this resolution be forwarded to all bidders, the Director of Finance, the Yates County Treasurer, and the Yates County Highway Superintendent.

Resolution No. 61-23
Motioned By: Banach

Date: 2/13/23
Seconded By:

AWARD BID FOR COLD MIX PATCH

WHEREAS, bids were requested for Cold Mix Patch and received on January 26, 2023 at 10:00 a.m. and four firms submitted a bid to the Yates County Highway Department;

BIDDER	COARSE MIX AT SUPPLIE R'S YARD	INTERME DIATE MIX AT SUPPLIER' S YARD	HFMS- 2GWS with PUG MILL (gallon)	SK MODIFI ED	OTHER BID ITEMS FOB AT VENDOR SITE	SITE OF OPERAT IONS
Heidelberg	\$135.00 /	NB	NB	\$145.00 /	NB	Oaks

Materials Northeast – NY LLC	ton			ton		Corners
Dolomite Products Co. Inc.	NB	NB	NB	\$125.00 / ton	NB	Clifton Springs
Seneca Stone Corporation	NB	NB	NB	NB	UPM Cold Mix \$135.00 / ton	Pine City
Suit Kote Corporation	NB	\$115.85 / ton	\$4.420 / gallon	NB	NB	Watkins Glen

NOW, THEREFORE, BE IT RESOLVED, to award the bid to Heidelberg Materials Northeast – NY LLC for Course Mix at Suppliers Yard. To Suit Kote Corporation for Intermediate Mix at Suppliers Yard and HFMS-2GWS with Pug Mill. To Dolomite Products Co. Inc for SK Modified; and be it further

RESOLVED, that copies of this resolution be forwarded to all bidders, the Director of Finance, the Yates County Treasurer, and the Yates County Highway Superintendent.

Resolution No. 62-23
Motioned By: Banach

Date: 2/13/23
Seconded By:

AWARD BID FOR GRAVEL

WHEREAS, bids were requested for Gravel and received on January 26, 2023 at 10:00 a.m. and six firms submitted a bid to the Yates County Highway Department;

BIDDER	ITEM I (FOB)		ITEM II (FOB)	Site of Operations
	Screened Gravel	Crushed Gravel	Bank Run Gravel	
Dalrymple Gravel & Contracting Co., Inc.	\$16.00 / ton	\$16.00 / ton	NB	Coopers Plains
RK Howell Gravel Products LLC	\$8.50 / ton	NB	\$6.00 / ton	Dundee
SJ Kula Inc.	\$11.50 / ton	\$16.00 / ton	\$9.25 / ton	Naples
Rochester Gravel Products	\$9.50 / ton	NB	NB	Avon
Syracuse Sand & Gravel, LLC	\$13.25 / cy	\$22.00 / cy	\$10.00 / cy	Dresden
Spallina Materials, Inc.	\$9.00 / ton	\$11.75 / ton	\$9.00 / ton	Cohocton

WHEREAS, all gravel must be sampled and meet or exceed the required bid specifications parameter when tested by an independent laboratory;

NOW, THEREFORE, BE IT RESOLVED, that the award for F.O.B. gravel shall be made to all bidders and final purchase of product will be determined by combining the price per ton/cy at the vendors site of operation and the Yates County cost for hauling the materials to various job sites; and be it further

RESOLVED, that copies of this resolution be forwarded to all bidders, the Director of Finance, the Yates County Treasurer, and the Yates County Highway Superintendent.

Resolution No. 63-23
Motioned By: Banach

Date: 2/13/23
Seconded By:

AWARD BID FOR CRUSHED STONE

WHEREAS, bids were requested for Crushed Stone and received on January 26, 2023 at 10:00 a.m. and seven firms submitted a bid to the Yates County Highway Department;

		Dalrymple Gravel & Contracting Co., Inc.	Heidelberg Materials Northeast - NY LLC	Dolomite Products Company, Inc.	Rochester Gravel Products	Syracuse Sand and Gravel, LLC	Seneca Stone Corporation	Spallina Materials, Inc.
	Stone Type:	GS	LS	LS	GS	LS	LS	GS
	Location:	Coopers Plains	Oaks Corners	Clifton Springs	Avon	Sodus	Seneca Falls	Cohocton
1 ST	FOB	21.50	21.00	19.50	nb	nb	19.50	16.25
Delivered To:	Benton Barns	nb	28.00	24.50	nb	nb	30.50	nb
	Guyanoga Barns	nb	30.00	25.50	nb	nb	32.50	nb
1A	FOB	21.50	21.00	19.50	16.00	27.50	20.00	17.25
Delivered To:	Benton Barns	nb	28.00	24.50	33.00	38.50	31.00	nb
	Guyanoga Barns	nb	30.00	25.50	33.00	40.75	33.00	nb
1B	FOB	nb	19.00	nb	nb	18.75	20.00	nb
Delivered To:	Benton Barns	nb	28.00	nb	nb	29.75	31.00	nb
	Guyanoga Barns	nb	30.00	nb	nb	32.00	33.00	nb
#1	FOB	21.50	19.00	18.00	16.00	17.75	19.50	16.25
Delivered To:	Benton Barns	nb	28.00	23.00	33.00	28.75	30.50	nb
	Guyanoga Barns	nb	30.00	24.00	nb	31.00	32.50	nb
#2	FOB	21.50	19.00	18.00	16.00	17.75	18.50	16.25
Delivered To:	Benton Barns	nb	28.00	23.00	33.00	28.75	29.50	nb
	Guyanoga Barns	nb	30.00	24.00	nb	31.00	31.50	nb
#3	FOB	nb	19.00	18.00	nb	17.75	21.00	nb
Delivered To:	Benton Barns	nb	28.00	23.00	nb	28.75	32.00	nb
	Guyanoga Barns	nb	30.00	24.00	nb	31.00	34.00	nb

		Dalrymple Gravel & Contracting Co., Inc.	Heidelberg Materials Northeast - NY LLC	Dolomite Products Company, Inc.	Rochester Gravel Products	Syracuse Sand and Gravel, LLC	Seneca Stone Corporation	Spallina Materials, Inc.
	Stone Type:	GS	LS	LS	GS	LS	LS	GS
	Location:	Coopers Plains	Oaks Corners	Clifton Springs	Avon	Sodus	Seneca Falls	Cohocton

3/8" Modified	FOB	nb	21.00	19.50	nb	nb	20.50	nb
Delivered To:	Benton Barns	nb	28.00	24.50	nb	nb	31.50	nb
	Guyanoga Barns	nb	30.00	25.50	nb	nb	33.50	nb
#1 & 1A Blend	FOB	21.50	21.00	22.00	16.00	27.50	20.00	16.50
Delivered To:	Benton Barns	nb	28.00	27.00	33.00	38.50	31.00	nb
	Guyanoga Barns	nb	30.00	28.00	33.00	40.75	33.00	nb
#1 & 2 Blend	FOB	21.50	19.00	18.00	16.00	17.50	18.50	16.25
Delivered To:	Benton Barns	nb	28.00	23.00	33.00	28.75	29.50	nb
	Guyanoga Barns	nb	30.00	24.00	33.00	31.00	31.50	nb
#2, 1 & 1A Blend	FOB	21.50	21.00	22.00	16.00	21.00	20.00	17.00
Delivered To:	Benton Barns	nb	28.00	27.00	33.00	32.00	31.00	nb
	Guyanoga Barns	nb	30.00	28.00	33.00	34.25	33.00	nb
Gabion Stone	FOB	nb	23.00	20.00	nb	22.00	21.00	nb
Delivered To:	Benton Barns	nb	33.00	28.00	nb	33.00	32.00	nb
	Guyanoga Barns	nb	35.00	29.00	nb	35.25	34.00	nb
Medium Rip Rap	FOB	nb	35.00	28.00	nb	27.50	28.00	nb
Delivered To:	Benton Barns	nb	47.50	nb	nb	49.50	48.00	nb
	Guyanoga Barns	nb	50.00	nb	nb	51.75	50.00	nb
Heavy Rip Rap	FOB	nb	50.00	33.00	nb	33.00	32.00	nb
Delivered To:	Benton Barns	nb	70.00	nb	nb	55.00	52.00	nb
	Guyanoga Barns	nb	72.50	nb	nb	57.25	54.00	nb

	Bidder:	Dalrymple Gravel & Contracting Co., Inc.	Heidelberg Materials Northeast - NY LLC	Dolomite Products Company, Inc.	Rochester Gravel Products	Syracuse Sand and Gravel, LLC	Seneca Stone Corporation	Spallina Materials, Inc.
Stone Type:		GS	LS	LS	GS	LS	LS	GS
Location:		Coopers Plains	Oaks Corners	Clifton Springs	Avon	Sodus	Seneca Falls	Cohocton
Crusher Run (#2)	FOB	nb	12.00	10.50	nb	10.50	11.50	13.65
Delivered To:	Benton Barns	nb	20.00	15.50	nb	20.50	22.50	nb
	Guyanoga Barns	nb	21.00	16.50	nb	22.75	24.50	nb
Fine Crusher (#1 OR 5/8)	FOB	nb	15.00	13.00	nb	11.75	11.50	14.65
Delivered To:	Benton Barns	nb	22.50	18.00	nb	21.50	22.50	nb
	Guyanoga Barns	nb	24.00	19.00	nb	23.75	24.50	nb

WHEREAS, due to various worksites throughout the County, the bid award for F.O.B. crushed stone shall be awarded to all bidders and the purchase of F.O.B. crushed stone from any vendor shall be determined by combining the price per ton at the vendor yard and the Yates County cost for hauling the materials to the job site;

NOW, THEREFORE, BE IT RESOLVED, to award the bid for crushed stone to be delivered to the various sites listed on the charts above to all bidders by individual product type to the lowest responsible bidder, pending availability and specifications, for each delivery site; and be it further

RESOLVED, that copies of this resolution be forwarded to all bidders, the Director of Finance, the Yates County Treasurer, and the Yates County Highway Superintendent.

Resolution No. 64-23
Motioned By: Banach

Date: 2/13/23
Seconded By:

AWARD BID FOR VEGETATION CONTROL

WHEREAS, bids were requested for Vegetation Control and received on January 26, 2023 at 10:00 a.m. and two firms submitted a bid to the Yates County Highway Department;

Roadside to be treated: Approximately 360 miles

Bidder:	Allen Chase Enterprises Inc.			DeAngelo Contracting Services		
	Quantity	Cost		Quantity	Cost	
Price per Mile of Roadside Application	360	\$40.85	\$14,706.00	360	\$35.49	\$12,776.40
Price per Gallon for Material Mixture	650	\$2.35	\$1,527.50	500	\$1.04	\$520.00
Total Price for Application & Materials			\$16,233.50			\$13,296.40

NOW, THEREFORE BE IT RESOLVED, to award the bid to DeAngelo Contracting Services; and be it further

RESOLVED, that copies of this resolution be forwarded to all bidders, the Director of Finance, the Yates County Treasurer, and the Yates County Highway Superintendent.

Resolution No. 65-23
Motioned By: Banach

Date: 2/13/23
Seconded By:

AWARD BID FOR CRANE RENTAL SERVICES - PRECAST CONCRETE BOX CULVERTS

WHEREAS, bids were requested for Crane Rental Services – Precast Concrete Box Culverts and received on January 26, 2023 at 10:00 a.m. and two firms submitted a bid to the Yates County Highway Department

C.P. Ward, Inc.				
Crane Equipment Information				
		Model Year:	Lifting Capacity:	<i>In Toto</i> Hourly Regular Time Rental Rate
Manufacturer:	Model:			
National	NBT45	2015	40 ton	\$365.00
Link Belt	HTC-8660	2017	60 ton	\$450.00
Grove	TMS9000-2	2017	90-110 ton	\$900.00
Leibherr	LTM1100-4.2	2017	120 ton	\$925.00

Grove	GMK5250XL-1	2008	150 ton	\$975.00
Grove	GMK5250XL-1	2008	200 ton	\$1,200.00
Grove	GMK5250XL-1	2008	300 ton	\$1,500.00
Grove	GMK6350	2009	300 ton	\$1,740.00
Grove	GMK6350	2009	350 ton	\$2,000.00

Low Boy Trailer / Tractor		
Manufacturer Name / Sub-Contractor Name	Trailer Capacity	<i>In Toto</i> Hourly Regular Time Rate
Kenworth T880	50 ton	\$215.00

Wilcox Crane Company				
Crane Equipment Information				
Manufacturer:	Model:	Model Year:	Lifting Capacity:	<i>In Toto</i> Hourly Regular Time Rental Rate
Link Belt	HTC-86100	2012	40 ton	\$385.00
Link Belt	HTC-86100	2012	75 ton	\$550.00
Link Belt	HTC-86100	2012	90 ton	\$825.00
Demag	AC-140	2011	120 ton	\$875.00
Demag	AC-140	2011	150 ton	\$1,095.00
Demag	AC-140	2011	170 ton	\$1,250.00
Tadano	ATF2206-5	2018	200 ton	\$1,500.00
Tadano	ATF2206-5	2018	250 ton	\$1,650.00

Low Boy Trailer / Tractor		
Manufacturer Name / Sub-Contractor Name	Trailer Capacity	<i>In Toto</i> Hourly Regular Time Rate
No bid		\$ No bid

NOW, THEREFORE BE IT RESOLVED, to award the bid to both bidders. Rental services shall be based on the size of the crane needed, the lowest rental rate, and the contractor's availability to meet our work schedule; and be it further

RESOLVED, that copies of this resolution be forwarded to all bidders, the Director of Finance, the Yates County Treasurer, and the Yates County Highway Superintendent.

Resolution No. 66-23
Motioned By: Banach

Date: 2/13/23
Seconded By:

**AUTHORIZE CHAIRWOMAN TO SIGN A CONTRACT WITH CONVERGINT FOR
UPDATING OUTDATED ACCESS CONTROL SYSTEM**

WHEREAS, the access control system at the Courthouse and County Office Building are at the end of their useful life; and

WHEREAS, the Building Maintenance Supervisor sought a proposal for the update of the access control system for the aforementioned buildings and has received a proposal using the NYS Contract for labor and OMNIA contract for materials from Convergtint for a sum of \$161,025.26 for this service;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into a contract with Convergtint to update the access control system; and be it further

RESOLVED, that said contract will run from 2-13-23 to 1-31-24 for a total sum of up to \$161,025.26; and be it further

RESOLVED, that copies of the resolution be given to the Building Maintenance Supervisor, Treasurer and Director of Finance.

Resolution No. 67-23
Motioned By: Banach

Date: 2/13/23
Seconded By:

**AUTHORIZE CHAIRWOMAN TO SIGN A CONTRACT WITH VAN ERNST FOR
REPAIRS TO THE WALK IN FREEZER**

WHEREAS, the freezer at the Public Safety building failed and the mechanical system needs to be replaced; and

WHEREAS, the Building Maintenance Supervisor sought a proposals for the replacement of the freezer mechanical system and received three quotes form Van Ernst at \$11,300, Danforth At \$16,551 and Crosby Brownlie at \$16,777 for this service;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into a contract with Van Ernst Refrigeration to replace the freezer mechanical system; and be it further

RESOLVED, that said contract will run from 2-1-23 to 3-31-23 for a total sum of up to \$11,300.00; and be it further

RESOLVED, that copies of the resolution be given to the Building Maintenance Supervisor, Treasurer and Director of Finance.

Resolution No. 68-23
Motioned By: Banach

Date: 2/13/23
Seconded By:

AUTHORIZE CHAIRWOMAN TO SIGN A CONTRACT WITH INTEGRATED SYSTEMS FOR UPDATING OUTDATED SECURITY CAMERA SYSTEM

WHEREAS, the cameras and video recorders at the Courthouse and County Office Building are at the end of their useful life; and

WHEREAS, the Building Maintenance Supervisor sought a proposal for the update of cameras and recorders for the aforementioned buildings and has received a proposal using the Broom County contract with Integrated Systems for a sum of \$157,937.47 for this service;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into a contract with Integrated Systems to update the cameras and recorders; and be it further

RESOLVED, that said contract will run from 2-13-23 to 1-31-24 for a total sum of up to \$157,937.47; and be it further

RESOLVED, that copies of the resolution be given to the Building Maintenance Supervisor, Treasurer and Director of Finance.

Resolution No. 69-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

AUTHORIZE THE TREASURER TO PROCESS RPTL TAX REFUNDS AND CORRECTIONS

WHEREAS, Chapter 515, Laws of 1997, Sections 554 and 556, New York State Real Property Tax Law, have been amended to permit a tax levying body to authorize designated officials to approve correcting the tax roll and tax bill, and to authorize the payment of refunds less than \$2,500.00 (two thousand five hundred dollars) for correction of errors appearing on assessment and tax rolls: and

WHEREAS, The County Treasurer and the Director of Real Property Tax Services recommend that this amendment be adopted in order to make these corrections and/or refunds to the taxpayer erroneously assessed in a timely and efficient fashion;

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer is hereby designated pursuant to the provisions of Chapter 515, New York State Real Property Tax Law for the calendar year beginning January 1, 2023; and be it further;

RESOLVED, also pursuant to Chapter 515, that on or before the 15th day of each month, the County Treasurer shall submit a report to the County Legislators of the corrections and refunds processed by her during the preceding month indicating the name of each recipient, the location of the property, and the amount of the correction or refund, and further;

RESOLVED, that a copy of this resolution be sent to the Real Property Tax Director and to the County Treasurer.

Resolution No. 70-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**AUTHORIZE CHAIRWOMAN TO EXECUTE AGREEMENT WITH
PASSERO ASSOCIATES, ENGINEERING, ARCHITECTURE & SURVEYING, D.P.C.**

**PROJECT: TERMINAL APRON REHABILITATION – CONSTRUCTION
CONSULTANT AGREEMENT**

WHEREAS, Yates County has received a grant from the Federal Aviation Agency (FAA)(90%) and the New York State Department of Transportation (NYS DOT)(5%) to pay 95% combined of the allowable costs incurred in accomplishing the construction of Terminal Apron Rehabilitation at the Penn Yan – Yates County Airport with a 5% County share; and

WHEREAS, Passero Associates, Engineering, Architecture and Surveying, D.P.C. had been awarded design work by Yates County for this project; and

WHEREAS, the Yates County Airport Council wishes to continue with Passero Associates for the construction to maintain continuity with the project design;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature, after review by the County Attorney, FAA (and NYS DOT if deemed necessary) is authorized to sign a consultant agreement with Passero Associates to provide construction engineering services for the Terminal Apron Rehabilitation project at the Penn Yan – Yates County Airport in the amount of \$ 65,000; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Treasurer, Finance Director, Airport Council, and Passero Associates.

Resolution No. 71-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**AUTHORIZE CHAIRWOMAN TO REQUEST REMOVAL OF SELECT YATES
COUNTY-OWNED PARCELS FROM AGRICULTURAL DISTRICT 1**

WHEREAS, Yates County (hereinafter, “County”) will shortly begin the process of conducting a mandated eight-year review of Agricultural District 1 (hereinafter, “District”); and

WHEREAS, as part of the eight-year review, owners that wish to have properties removed from the District may do so and must make their requests within the allotted 30 day time frame, currently expected to be from July 10th – August 9th of this year; and

WHEREAS, the County owns a number of parcels as part of the Penn Yan – Yates County Airport that are within the District; and

WHEREAS, research of applicable laws by the Yates County Attorney do not indicate an advantage to the County for the parcels to remain in the District; and

WHEREAS, further review by the Airport Council also does not find advantages for the County parcels to remain in the District and recommends that a request be made for the parcels to be removed from the District;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Yates County Legislature is hereby is authorized to execute any necessary documents to effect removal of the parcels listed below from the District:

Parcel Number	Acres
61.04-1-1	200.2
73.02-1-8.12	0.47
73.02-10.2	2.3
73.02-1-11.2	2.3
73.04-1-1.2	2.5
73.04-1-2.2	14.3
Total	222.1

And be it further

RESOLVED, that copies of this resolution be provided to the Yates County Planner, Cornell Cooperative Extension of Yates County, Yates County Soil and Water Conservation District and any other entities deemed necessary and proper.

Resolution No. 72-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

AMEND RESOLUTION NO. 531-22
2022 BUDGET TRANSFERS
(EOY)

BE IT RESOLVED, that Resolution No. 531-22 be amended to include the following transfers to be made in the 2022 budget:

From:	To:	Amount:
A1990.54905 Contingent	A8160.54412 RG-Engineering	\$ 2,027.26
A6010.54004 DSS-Attorney Fees	A6010.52115 DSS- Computer Hardware	\$ 952.00
A6010.54052 DSS-Blood Tests	A6010.52115 DSS-Computer Hardware	\$ 217.10
A6102.54312 DSS-MMIS	A6055.54303 DSS-Daycare	\$ 25,004.12
A6070.54304 DSS- Family Aid	A6070.54302 DSS-Counseling	\$ 7,841.64
A6070.54304 DSS-Family Aid	A6070.54303 DSS-Daycare	\$ 1.00
A6102.54312 DSS-MMIS	A6119.54307 DSS- Foster Care	\$ 46,336.65
A6102.54312 DSS-MMIS	A6140.54314 DSS- Safety Net	\$ 49,159.11
A1410.58303 CC-Med Ins. CSEA	A1410.51135 CC- Motor Veh. Super	\$ 12,020.91
A1410.58303 CC- Med Ins. CSEA	A1410.51236 CC- Motor Veh. Cashier	\$ 180.71
A1410.58303 CC- Med Ins. CSEA	A1410.51250 CC- Recording Clerk	\$ 292.10
A1410.58303 CC- Med Ins. CSEA	A1410.51251 CC- Recording Clerk	\$ 192.84
A1410.58303 CC- Med Ins. CSEA	A1410.51508 CC- 35-40 Hours	\$ 126.03
A1410.58303 CC- Med Ins. CSEA	A1410.51509 CC- Comp Time BO CSEA	\$ 241.05
A1625.51505 BG- Overtime	A1625.58303 BG- Ins-CSEA	\$ 1,550.00
A1625.51505 BG- Overtime	A1623.51166 BG- Cleaner	\$ 200.00
A1625.51505 BG- Overtime	A1623.51510 BG- Clothing	\$ 50.00
A1355.54156 RP-Training	A1355.51271 RP- Sr. Acct Clerk Typ.	\$ 1,980.23
A1355.54156 RP-Training	A1355.51999 RP- Tax Map Tech.	\$ 242.19
D5120.54606 HW-Culvert Pipe	D5142.54625 HW- Salt/Mix Other Govt	\$ 10,072.04
D5120.54606 HW-Culvert Pipe	D5142.54961 HW-Leases Equip.	\$ 14,448.52

A1990.54905 Contingent	A7510.54209 HIS-Bicent. Exp.	\$ 1,612.07
A1680.52125 IT-Desktops	A1680.54571 IT- Computer Software	\$ 1,300.00
A1680.51505 IT- Overtime	A1680.54571 IT- Computer Software	\$ 1,400.00
A1680.51508 IT- 35-40 Hours	A1680.52126 IT Laptops	\$ 440.00
A1680.54575 IT- Software Maint.	A1680.52126 IT Laptops	\$ 330.00
A1680.54583 IT-Comp Supplies	A1680.52126 IT Laptops	\$ 200.00
A1680.54676 IT- Util:Cell	A1680.52126 IT Laptops	\$ 380.00
A3645.54515 SH-Postage	A3110.54515 SH-Postage	\$ 400.00
A1990.54905 Contingent	A8020.54011 PL-Consultants	\$ 10,000.00
A3021.51958 E911- Ins. BO Co 82	A1185.51983 COR- Coroner	\$ 1,200.00
A3021.51958 E911- Ins. BO Co 82	A1185.58100 COR- FICA/Medicare	\$ 33.24
A3021.51956 E911- Ed Bonus	A1185.58100 COR- FICA/Medicare	\$ 48.99
A3110.51751 SH- Dep Sheriff	A3510.51551 SH- Animal Cont. Off.	\$ 1,903.04
A3110.51985 SH- Dep Sheriff PT	A3510.54653 SH- Gasoline	\$ 2,438.53
A3150.52110 JA-Office Furniture	A1185.54023 COR-Hospital Charges	\$ 709.76
A3150.52216 JA- Vehicle Marked	A1185.54006 COR-Autopsies	\$ 6,262.00
A3150.52216 JA- Vehicle Marked	A1185.54008 COR-Body Removal	\$ 1,011.00
A3150.52216 JA-Vehicle Marked	A1185.54660 COR- Travel Exp.	\$ 54.88
A3150.52216 JA- Vehicle Marked	A1185.54023 COR- Hospital Charges	\$ 947.72
A3150.52415 JA- Weapons	A1185.54023 COR-Hospital Charges	\$ 1,720.66
A3020.51780 COM-Sr. Comm. Mec.	A3020.54680 COM- Utilities; RS-Elec	\$.60
A3020.51949 COM- CT BO	A3020.54680 COM- Utilities; RS-Elec	\$ 24.58
A3020.51953 COM- CB CO 82 Oth.	A3020.54680 COM- Utilities; RS-Elec	\$ 184.03
A3020.51961 COM- 35-40 Hrs	A3020.54680 COM- Utilities; RS-Elec	\$ 274.23
A3020.58100 COM- FICA/Medic.	A3020.54680 COM- Utilities; RS-Elec	\$ 14.74
A3020.58304 COM-Medical Ins.	A3020.54680 COM- Utilities; RS-Elec	\$.84
A3021.51700 E911- Chief Disp.	A3020.54680 COM- Utilities; RS-Elec	\$ 1,361.25
A3021.51700 E911- Chief Disp.	A3021.54771 E911- W911	\$ 13,960.92
A3021.51701 E911- Sr. Disp.	A3021.54771 E911- W911	\$ 57,000.00
A3021.51702 E911- Sr. Disp.	A3021.54771 E911- W911	\$ 451.02
A3110.51750 SH-Dep. Sheriff	A3110.54653 SH-Gasoline	\$ 42,291.00
A3110.51751 SH- Dep. Sheriff	A3110.54653 SH- Gasoline	\$ 11,997.91
A3150.52420 JA-Camera-Inside	A3150.54720 JA-Forensic	\$ 1,701.00
A3150.52421 JA- Camera-Outside	A3150.54720 JA-Forensic	\$ 4,000.00
A3150.52506 JA-Corr. Exp. Eq.	A3150.54720 JA-Forensic	\$ 727.48
A3150.52515 JA- Security Equip	A3150.54720 JA-Forensic	\$ 1,265.04
A3150.58100 JA- FICA/Medi.	A3150.54720 JA-Forensic	\$ 12,065.08
A3150.58304 JA-Medical Ins.	A3150.54720 JA-Forensic	\$ 78,396.45
A3150.58305 JA- Medical Ins. NU	A3150.54720 JA-Forensic	\$.84
A3150.51812 JA-Corr. Officer	A3150.54720 JA-Forensic	\$ 5,129.84
A3150.51822 JA- Corr. Officer	A3150.54720 JA-Forensic	\$ 39,875.15
A3645.54704 OES- Breathing Air	A3645.58100 OES- FICA/Medicare	\$ 1,305.44
A3645.54717 OES- Code Enforce.	A3645.51585 OES- Code Enf. Off.	\$ 1,615.32
A1990.54905 Contingent	A3645.51300 OES- EMS Coordinator	\$ 3,619.21
A1430.58305 PER- Med. Ins. Non	A1430.54903 PER- Awards	\$.40
A1430.58100 PER- FICA/Medicare	A1430.54903 PER- Awards	\$ 59.60
A1430.58100 PER- FICA/Medicare	A1430.54034 PER- Physicals	\$ 7.75
A1990.54905 Contingent	A1430.51140 PER- Personnel Assist.	\$ 1,303.46
A1990.54905 Contingent	A1430.54501 PER- Advertising	\$ 3,620.14
A3021.51702 E911-Sr. Dispatcher	A3020.54680 COM-Utilities; RS-Electr	\$ 681.15
A3021.51702 E911-Sr. Dispatcher	A3021.54676 E911-Utilities; Cell Svc	\$ 73.46
A3021.51702 E911-Sr. Dispatcher	A3021.54771 E911-W911	\$ 1,818.79

A3110.51946 SH- Ed. Bonus	A3110.54156 SH- Training	\$ 100.00
A3110.51946 SH- Ed. Bonus	A3110.54676 SH- Utilities; Cell Svc	\$ 606.28
A3110.51946 SH- Ed. Bonus	A3510.54676 SH-Utilities; Cell Svc	\$ 73.46
A4054.54102 PH-Early Int. Service	A2960.54154 PH- Ed. Handicap. Child.	\$ 1,500.00
A1990.54905 Contingent	A1420.54025 CA-Legal Assistants	\$ 42,344.37
A1990.54905 Contingent	A1180.54706 CT-Court	\$ 290.00
A1990.54905 Contingent	A1910.54923 – Insurance	\$ 7,462.00
A1230.54676 CA-Util/Cell	A1230.58100 CA- FICA/Medicare	\$ 113.00
A1010.54507 LEG- Copier Chg.	A1010.58100 LEG- FICA/Medicare	\$ 156.00
A1990.54905 Contingent	A1420.54025 CA-Legal Assistance	\$ 6,578.63
A1990.54905 Contingent	A8020.54011 PL- Consultants	\$ 9,670.00
A1990.54905 Contingent	A8020.51086 PL-Project Mgr	\$ 1,129.00
A1990.54905 Contingent	A8020.51085 PL- Planner	\$ 30.00
A1990.54905 Contingent	A1172.54004 AC- Attorney Fees	\$ 24,893.00
A1990.54905 Contingent	A1172.54074 AC- Invest. Services	\$ 1,333.00
A1990.54905 Contingent	A1170.51565 PD- Assistant PD	\$ 33,326.00
A1990.54905 Contingent	A1170.51566 PD- Assistant PD	\$ 10,554.00
A1990.54905 Contingent	A1170.51647 PD- Assistant PD	\$ 3.35
A1990.54905 Contingent	A1170.51661 PD- CT Buyout	\$ 840.00
A1990.54905 Contingent	A1170.58305 PD- Med Ins. Non Union	\$ 29.06
A3110.58302 SH-Medical Ins. CO82	A3150.58100 JAIL-FICA/Medicare	\$ 52.51
A3110.58302 SH- Medical Ins. CO82	A3150.58304 JAIL-Medical Ins. CO82	\$.16
A1990.54905 Contingent	A3150.54320 JAIL-Emergency Exp.	\$ 443.18
D5120.54606 HWY- Culvert Pipe	D5142.54961 SNOW-Leases Equip.	\$ 3,001.89

And be it further

RESOLVED, that copies of this resolution be provided to the County Administrator, the Finance Director, the Public Defender, The District Attorney, the County Attorney, the County Clerk, the Election Commissioners, the Director of Emergency Services, the Building Maintenance Supervisor, the Real Property Director, the Community Services Director, the Clerk of the Legislature, the Personnel Officer, the Highway Supervisor, the Director of Public Health, the Probation Director, the IT Director, the Director of Veterans Services, the Planner, the Sherriff, the Commissioner of Social Services, the County Treasurer and the Budget Officer.

Resolution No. 73-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

2023 BUDGET TRANSFERS

BE IT RESOLVED, that the following transfers be made in the 2023 budget:

From:	To:	Amount:
A1990.54905 Contingent	A6010.51363 DSS- Case Worker	\$
	52,671.00	
A3645.54156 OES-Training	A3645.52180 OES- Vehicle	\$
	2,000.00	
A3645.54704 OES- Breathing Air	A3645.52180 OES- Vehicle	\$ 500.00
A3645.54716 OES- Fire Safety	A3645.52180 OES- Vehicle	\$ 500.00

And be it further

RESOLVED, that copies of this resolution be provided to the Finance Director, the OES Director, the Commissioner of Social Services, the County Treasurer and the Budget Officer.

Resolution No. 74-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

REAPPOINTMENT TO FLINT CREEK ADMINISTRATIVE BOARD

BE IT RESOLVED, that Larry Christensen, 305 Lovejoy Road, Penn Yan, New York is hereby reappointed as Yates County representatives to the Flint Creek Small Watershed Protection District Administrative Board for a two year term expiring March 14, 2025; and be it further;

RESOLVED, that a copy of this resolution be sent to the Ontario Supervisors, Flint Creek Small Watershed Protection District and to the appointees.

Resolution No. 75-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

APPROPRIATE INFRASTRUCTURE RESERVE FUNDS

WHEREAS, reserve funds need to be appropriated from the Infrastructure Reserve to pay 2022 expenditures to date in regards to the public safety towers capital project; and

WHEREAS, these funds were agreed upon to be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED, said reserve funds will be appropriated from the Infrastructure Reserve Fund in the amount of \$2,684,653.93; and be it further

RESOLVED, that the following accounts be increased as tabulated below:

Revenue Account:

A511.000 Appropriate Reserve- (Infrastructure Reserve)	\$2,684,653.93
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Appropriation Account:

A3020.54736 SH- Tower Transition	\$2,663,252.63
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A3020.54967 SH- Dundee Tower Lease	\$ 10,000.00
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A3020.54968 SH- Italy Tower Lease	\$ 1,558.30
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A3020.54231 SH-Maint. Agreement; Radio	\$ 9,843.00
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And be it further

RESOLVED, that copies of this resolution be provided to the Sheriff, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 76-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

APPROPRIATE INFRASTRUCTURE RESERVE FUNDS

WHEREAS, reserve funds need to be appropriated from the Infrastructure Reserve to pay 2022 expenditures to date in regards to the broadband capital project; and

WHEREAS, these funds were agreed upon to be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED, said reserve funds will be appropriated from the Infrastructure Reserve Fund in the amount of \$2,685,796.29; and be it further

RESOLVED, that the following accounts be increased as tabulated below:

Budgetary Account:	
A511.000 Appropriate Reserve- (Infrastructure Reserve)	\$2,685,796.29
Appropriation Account:	
A9950.59105- Transfer Infrastructure	\$2,685,796.29

And be it further

RESOLVED, that the following accounts be increased as tabulated below:

Appropriation:	
CD8662.54012 CD-Construction (broadband)	\$2,267,982.07
CD8662.54020 CD- Engineering Services (broadband)	\$ 417,814.22
Revenue:	
CD8662.45031 CD Inter fund Transfer- Infrastructure	\$2,685,796.29

And be it further

RESOLVED, that copies of this resolution be provided to the Planner, the Project Manager, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 77-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

APPROPRIATE BUILDING RESERVE FUNDS

WHEREAS, reserve funds need to be appropriated from the Building Reserve to pay 2022 expenditures to date in regards to the HWY/PH building capital project; and

WHEREAS, these funds were agreed upon to be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED, said reserve funds will be appropriated from the Building Reserve Fund in the amount of \$562,695.23; and be it further

RESOLVED, that the following accounts be increased as tabulated below:

Budgetary Account:	
A511.000 Appropriate Reserve (Building Reserve)	\$ 562,695.23
Appropriation Account:	
A9950.59101 Transfer- Building	\$ 562,695.23

And be it further

RESOLVED, that the following accounts be increased as tabulated below:

Appropriation:
H1620.54020 CAP- Building Project; Engineering Services \$ 562,695.23

Revenue:
H1620.45031 H Inter fund Transfer- Building \$ 562,695.23

And be it further

RESOLVED, that copies of this resolution be provided to the Highway Superintendent, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 78-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

APPROPRIATE BUILDING RESERVE FUNDS

WHEREAS, reserve funds need to be appropriated from the Building Reserve to pay expenditures in regard to the fuel island installation/construction for the year 2023, and

WHEREAS, these funds were agreed upon to be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED, said reserve funds will be appropriated from the Building Reserve Fund in the amount of \$1,611,023.00; and be it further

RESOLVED, that the following accounts be increased as tabulated below:

Budgetary Account:
A511.000 Appropriate Reserve (Building Reserve) \$1,611,023.00

Appropriation Account:
A9950.59101 Transfer- Building \$ 1,611,023.00

And be it further

RESOLVED, that the following accounts be increased as tabulated below:

Appropriation:
H1620.54012 CAP- Building Project; Construction \$1,611,023.00

Revenue:
H1620.45031 H Inter fund Transfer- Building \$ 1,611,023.00

And be it further

RESOLVED, that copies of this resolution be provided to the Highway Superintendent, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 79-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

APPROPRIATE ADDITIONAL AID

(HWY)

WHEREAS, the Highway Traffic Fund has received revenue over the 2022 budgeted amount for minor sales with corresponding expenditures; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
D3310.42655 HWY- Minor Sales	\$	12.69
Appropriation		
D3310.54627 HWY- Sign Hardware	\$	12.69

And be it further

RESOLVED, that copies of this resolution be provided to the Highway Superintendent, the County Treasurer, Director of Finance and the Budget Officer

Resolution No. 80-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

APPROPRIATE ADDITIONAL AID
(HWY)

WHEREAS, the Highway Snow Removal fund has received revenue over the 2022 budgeted amount for minor sales with corresponding expenditures; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
D5142.42655 HWY- Minor Sales	\$	1,575.88
Appropriation		
D5142.54625 HWY- Salt Mix/Other Govt.	\$	1,575.88

And be it further

RESOLVED, that copies of this resolution be provided to the Highway Superintendent, the County Treasurer, Director of Finance and the Budget Officer

Resolution No. 81-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

APPROPRIATE ADDITIONAL AID
(HISTORIAN)

WHEREAS, the Historian has received revenue over the 2022 budgeted amount from Bicentennial souvenir sales with corresponding expenditures; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A7510.42611 HIS- Bicentennial Revenue	\$	682.00
Appropriation		
A7510.54209 HIS- Bicentennial Expenses	\$	682.00

And be it further

RESOLVED, that copies of this resolution be provided to the Historian, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 82-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE ADDITIONAL AID
(DSS)**

WHEREAS, the Department of Social Services has received revenue over the 2022 budgeted amount from NYS Code Blue with corresponding expenditures; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A6010.43610 DSS- Social Services Admin	\$	5,308.00
Appropriation		
A6010.54027 DSS- Miscellaneous	\$	5,308.00

And be it further

RESOLVED, that copies of this resolution be provided to the Commissioner of Social Services, the County Treasurer, Director of Finance and the Budget Officer

Resolution No. 83-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE ADDITIONAL AID FOR CODE BLUE
(DSS)**

WHEREAS, the Department of Social Services has received additional revenue from the Code Blue grant in 2023 with corresponding expenditures; and

WHEREAS, these funds are not part of the 2023 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A6010.43610 DSS- Social Services Admin		\$ 33,400.00
Appropriation:		
A6010.54027 DSS- Miscellaneous		\$ 33,400.00

And be it further

RESOLVED, that copies of this resolution be provided to the Commissioner of Social Services, County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 84-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**APPROPRIATE ADDITIONAL AID FOR TANF DV
(DSS)**

WHEREAS, the Department of Social Services has received additional revenue from the TANF Domestic Violence grant in 2023 with corresponding expenditures; and

WHEREAS, these funds are not part of the 2023 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A6010.43610 DSS- Social Services Admin		\$ 28,839.34
Appropriation:		
A6010.54027 DSS- Miscellaneous		\$ 28,839.34

And be it further

RESOLVED, that copies of this resolution be provided to the Commissioner of Social Services, County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 85-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**APPROPRIATE CARRYOVER AID
(OES)**

WHEREAS, the Office of Emergency Services has additional EMS revenue in the year 2022 with a balance of \$17,389.30 that remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A3645.43407 OES- EMS Revenue	\$	17,389.30
Appropriation:		
A3645.54156 OES-Training	\$	17,389.30

And be it further

RESOLVED, that copies of this resolution be provided to the OES Director, County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 86-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

APPROPRIATE CARRYOVER AID
(OES)

WHEREAS, the Office of Emergency Services has received federal aid from T974700 in the year 2022 with a balance of \$7,137.00 that remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A3645.44313 OES- Fed Aid T974700	\$	7,137.00
Appropriation:		
A3645.52946 OES-Grant; SHSP '20	\$	7,137.00

And be it further

RESOLVED, that copies of this resolution be provided to the OES Director, County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 87-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

APPROPRIATE CARRYOVER AID
(OES)

WHEREAS, the Office of Emergency Services has received federal aid from T974710 in the year 2022 with a balance of \$25,607.00 that remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A3645.44314 OES- Fed Aid T974710	\$	25,607.00
Appropriation:		
A3645.52966 OES-Grant; SHSP '21	\$	25,607.00

And be it further

RESOLVED, that copies of this resolution be provided to the OES Director, County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 88-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE CARRYOVER AID
(OES)**

WHEREAS, the Office of Emergency Services has received federal aid from LEPC-HMEP in the year 2022 with a balance of \$7,055.17 that remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A3645.44309 OES- Fed Aid LEPC-HMEP	\$	7,055.17
Appropriation:		
A3645.54959 OES-Grant; LEPC	\$	7,055.17

And be it further

RESOLVED, that copies of this resolution be provided to the OES Director, County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 89-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE CARRYOVER OF SLETPP FY20 GRANT
(SHERIFF)**

WHEREAS, the Sheriff's department has received a SLETPP grant managed by the NYS Division of Homeland Security and Emergency Services (DHSES) and a balance of \$10,000.00 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A3110.44312 SH- SLETPP FY20		\$ 10,000.00
Appropriation:		
A3110.52963 SH- SLETPP FY20		\$ 10,000.00

And be it further

RESOLVED, that copies of this resolution be provided to the Sheriff, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 90-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**APPROPRIATE CARRYOVER OF SLETPP FY21 GRANT
(SHERIFF)**

WHEREAS, the Sheriff's department has received a SLETPP grant managed by the NYS Division of Homeland Security and Emergency Services (DHSES) and a balance of \$3,416.00 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A3110.44386 SH- SLETPP FY21		\$ 3,416.00
Appropriation:		
A3110.54950 SH- SLETPP FY21		\$ 3,416.00

And be it further

RESOLVED, that copies of this resolution be provided to the Sheriff, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 91-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**APPROPRIATE CARRYOVER OF CPS 2023 GRANT
(SHERIFF)**

WHEREAS, the Sheriff's department has received a Child Passenger Safety (CPS) grant managed by the NYS Governors Traffic Safety Committee and a balance of \$2,290.00 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A3110.43336 SH- CPS 2023	\$	2,290.00
Appropriation:		
A3110.54975 SH- CPS 2023	\$	2,290.00

And be it further

RESOLVED, that copies of this resolution be provided to the Sheriff, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 92-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**APPROPRIATE CARRYOVER OF PTS 2023 GRANT
(SHERIFF)**

WHEREAS, the Sheriff's department has received a Police Traffic Services (PTS) grant managed by the NYS Governors Traffic Safety Committee and a balance of \$4,653.00 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A3110.43337 SH- PTS 2023	\$	4,653.00
Appropriation:		
A3110.51936 SH- PTS OT 2023	\$	4,653.00

And be it further

RESOLVED, that copies of this resolution be provided to the Sheriff, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 93-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**APPROPRIATE CARRYOVER OF STATE INTEROPERABLE GRANT
(SHERIFF)**

WHEREAS, the Sheriff's department has received a grant managed from the NYS Division of Homeland Security and Emergency Services of Interoperable and Emergency

Communications in the year of 2020 and a balance of \$95,799.00 remained at the end of 2022;
and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A3020.43318 SICG FY20	\$	95,799.00
Appropriation:		
A3020.52964 SH- SICG FY20	\$	95,799.00

And be it further

RESOLVED, that copies of this resolution be provided to the Sheriff, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 94-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE CARRYOVER OF STATE INTEROPERABLE GRANT
(SHERIFF)**

WHEREAS, the Sheriff's department has received a grant managed from the NYS Division of Homeland Security and Emergency Services of Interoperable and Emergency Communications in the year of 2021 and a balance of \$742,847.00 remained at the end of 2022;
and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A3020.43320 SH- SICG FY21	\$	742,847.00
Appropriation:		
A3020.52967 SH- SICG FY21	\$	742,847.00

And be it further

RESOLVED, that copies of this resolution be provided to the Sheriff, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 95-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**APPROPRIATE CARRYOVER OF MAT GRANT FOR INCARCERATED
INDIVIDUALS
(SHERIFF)**

WHEREAS, the Sheriff's department has received a grant for Medication Assisted Treatment (MAT) prescription Drug and Opioid Addiction for treatment of incarcerated individuals in the year of 2022 and a balance of \$17,562.02 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:
A3150.41514 JAIL- INC IND-MAT \$ 17,562.02

Appropriation:
A3150.54808 JAIL- INC IND-MAT \$ 17,562.02

And be it further

RESOLVED, that copies of this resolution be provided to the Sheriff, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 96-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**APPROPRIATE CARRYOVER OF FEDERAL AID
(PUBLIC HEALTH)**

WHEREAS, the Department of Public Health has received Federal Aid from the Covid ELC Grant and a balance of \$1,087,573.72 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:
A4010.44401 PH- PH Federal Aid \$1,087,573.72

Appropriation:
A4010.51305 PH-PH Nurse FT \$ 453,158.08
A4010.58100 PH-FICA/Medicare \$ 50,000.00
A4010.54320 PH-Emergency Exp. \$ 584,415.64

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Public Health, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 97-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE CARRYOVER OF FEDERAL AID
(PUBLIC HEALTH)**

WHEREAS, the Department of Public Health has received Federal Aid from the Covid ELC School Grant and a balance of \$788,898.56 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4010.44401 PH- PH Federal Aid		\$ 788,898.56
Appropriation:		
A4010.51332 PH-PH Nurse PT		\$ 453,158.08
A4010.54320 PH-Emergency Exp.		\$ 335,740.48

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Public Health, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 98-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE CARRYOVER OF FEDERAL AID
(PUBLIC HEALTH)**

WHEREAS, the Department of Public Health has received Federal Aid from the Covid VAX Grant and a balance of \$132,410.45 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4010.44401 PH- PH Federal Aid		\$ 132,410.45
Appropriation:		
A4010.51332 PH-PH Nurse PT		\$ 46,662.00
A4010.54320 PH-Emergency Exp.		\$ 85,748.45

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Public Health, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 99-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE CARRYOVER OF FEDERAL AID
(PUBLIC HEALTH)**

WHEREAS, the Department of Public Health has received Federal Aid from the Covid Fellows Grant and a balance of \$548,752.00 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4010.44401 PH- PH Federal Aid		\$ 548,752.00
Appropriation:		
A4010.54320 PH-Emergency Exp.		\$ 548,752.00

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Public Health, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 100-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE CARRYOVER OF AID
(PUBLIC HEALTH)**

WHEREAS, the Department of Public Health has received aid from NYSHF Covid and a balance of \$1,243.46 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4010.43402 PH- NYSHF Covid		\$ 1,243.46
Appropriation:		
A4010.54115 PH- NYSHF Covid		\$ 1,243.46

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Public Health, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 101-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE CARRYOVER OF MENTAL HEALTH FEDERAL AID
(COMMUNITY SERVICES)**

WHEREAS, Community Services received a Mental Health Grant in 2020 and has a balance they wish to roll over into 2022 of \$8,433.30; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4320.44491 CS-Suicide Prevention		\$ 8,433.30
Appropriation:		
A4320.54282 CS- Suicide Prevention		\$ 8,433.30

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Community Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 102-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE CARRYOVER OF ADDITIONAL STATE AID
(COMMUNITY SERVICES)**

WHEREAS, Community Services received additional state aid in 2022 and a balance of \$161,949.00 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4320.43492 CS-Community Support Services		\$ 161,949.00
Appropriation:		
A4320.54268 CS- Outreach (VET PILOT)		\$ 100,000.00
A4320.54268 CS- Outreach (Anti Stigma)		\$ 11,250.00
A4320.54277 CS- Vocational Services (FLACRA)		\$ 50,699.00

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Community Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 103-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE CARRYOVER OF OPIOID SETTLEMENT
(COMMUNITY SERVICES)**

WHEREAS, Community Services received additional Opioid Settlements in 2022 and a balance of \$141,525.84 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4320.43504 CS-Substance Abuse		\$ 141,525.84
Appropriation:		
A4320.54283 CS- Prevention Services/Substance Abuse (OPIOD)		\$ 71,105.25
A4320.54283 CS- Prevention Services/Substance Abuse (Council)		\$ 70,420.59

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Community Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 104-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE CARRYOVER OF ADDITIONAL STATE AID
(COMMUNITY SERVICES)**

WHEREAS, Community Services received additional state aid in 2022 and a balance of \$132,410.00 remained at the end of 2022; and

WHEREAS, these funds are not part of the 2023 budget and can be carried over to the 2023 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4320.43493 CS-Psychiatric Rehab		\$ 132,410.00
Appropriation:		
A4320.54277 CS- Vocational Services (FLACRA)		\$ 132,410.00

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Community Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 105-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE COLUMBIA UNIVERSITY GRANT
(COMMUNITY SERVICES)**

WHEREAS, Community Services received Columbia University for the HEALing Grant revenue in 2022 to cover expenditures to date; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4320.41688 CS- Columbia University		\$ 244,333.03
Appropriation:		
A4320.54263 CS- Columbia University		\$ 244,333.03

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Community Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 106-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE ADDITIONAL STATE AID
(COMMUNITY SERVICES)**

WHEREAS, Community Services received additional state aid to cover expenditures to date; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4320.43507 CS-Clinical Infrast. Children		\$ 20,498.71
Appropriation:		
A4320.54252 CS- CCSI		\$ 13,728.00
A4320.54054 CS- SP Entry/Accountability		\$ 659.00
A4320.54266 CS-Local Employment-Youth		\$ 349.00
A4320.51302 CS-Single Point of Accountability		\$ 728.20
A4320.51605 CS- Director of Community Services		\$ 5,034.51

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Community Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 107-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE ADDITIONAL STATE AID
(COMMUNITY SERVICES)**

WHEREAS, Community Services received additional state aid to cover expenditures to date; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4320.43495 CS-Reinvestment		\$ 8,891.00
Appropriation:		
A4320.54268 CS- Outreach		\$ 3,491.00
A4320.54270 CS- Recreation		\$ 4,107.00
A4320.54293 CS- Crisis Outreach		\$ 1,293.00

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Community Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 108-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE ADDITIONAL STATE AID
(COMMUNITY SERVICES)**

WHEREAS, Community Services received additional state aid to cover expenditures to date; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4320.43511 CS-Health Homes		\$ 6,739.00
Appropriation:		
A4320.54294 CS- Health Homes		\$ 6,739.00

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Community Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 109-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE ADDITIONAL STATE AID
(COMMUNITY SERVICES)**

WHEREAS, Community Services received additional state aid to cover expenditures to date; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4320.43494 CS-Community Support C&F		\$ 2,179.00
Appropriation:		
A4320.54284 CS- School Based Programs		\$ 2,179.00

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Community Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 110-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE ADDITIONAL STATE AID
(COMMUNITY SERVICES)**

WHEREAS, Community Services received additional state aid to cover expenditures to date; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4320.43504 CS-Substance Abuse		\$ 199,524.71
Appropriation:		
A4320.54267 CS- MICA		\$ 59,470.49
A4320.54283 CS- Prevent Serv/Substance Abuse		\$ 82,391.22
A4320.54288 CS- Substance Abuse Treatment Clinic		\$ 57,663.00

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Community Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 111-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE ADDITIONAL STATE AID
(COMMUNITY SERVICES)**

WHEREAS, Community Services received additional state aid to cover expenditures to date; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A4320.43492 CS-Community Support Services		\$ 32,567.00
Appropriation:		
A4320.54257 CS- Drop In	\$	1,561.00
A4320.54274 CS- Social Club	\$	4,562.00
A4320.54289 CS- Mental Health Treatment Clinic	\$	7,933.00
A4320.54277 CS-Vocational Services	\$	18,511.00

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Community Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 112-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE ADDITIONAL AID
(ED PHC)**

WHEREAS, the Education Handicapped Children received revenue over the 2022 budgeted amount with corresponding expenditures; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:		
A2960.43277 EDPHC- Ed Handicapped Child		\$ 670,610.12
Appropriation		
A2960.54154 EDPHC- Ed Handicapped Child	\$	670,610.12

And be it further

RESOLVED, that copies of this resolution be provided to the Public Health Director, the County Treasurer, Director of Finance and the Budget Officer

Resolution No. 113-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

APPROPRIATE ADDITIONAL AID
(AIRPORT)

WHEREAS, the Airport received Federal Aid over the 2022 budgeted amount with corresponding expenditures; and

WHEREAS, these funds are not part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:	
CT5610.44089 AIR-Other Federal Aid	\$ 35,617.25
Appropriation	
CT5610.54100 AIR- Contract Exp.	\$ 34,064.10
CT5610.54686 AIR- Utilities; Co Hanger	\$ 1,129.67
CT5610.54911 AIR- Insurance	\$ 423.48

And be it further

RESOLVED, that copies of this resolution be provided to the County Treasurer, Director of Finance and the Budget Officer

Resolution No. 114-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

APPROPRIATE ADDITIONAL AID
(FINANCE)

WHEREAS, As part of the 2022-2023 enacted New York State Budget, Governor Hochul and the State Legislature allocated \$1.2 billion in funding to the NYS Health Care Worker Bonus (HWB) program for the payment of bonuses for certain frontline health care workers as Part ZZ of Chapter 56 of the Laws of 2022; and

WHEREAS, the HWB Program provision allows for the payment of bonuses to "recruit, retain, and reward health care and mental hygiene workers" meeting certain eligibility requirements; and

WHEREAS, these funds are not part of the 2023 budget; and

WHEREAS, the below expenditures meet the eligibility requirements for frontline health care workers;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:	
A4010.43089 PH- Other State Aid	\$ 30,680.22
Appropriation:	
A1623.51166 CH- Cleaner	\$ 1,500.00
A1623.58100 CH- FICA/Medicare	\$ 114.75
A1625.51161 BG- BLDG Mech	\$ 1,500.00
A1625.51040 BG- BLDG Super	\$ 1,500.00
A1625.51160 BG- BLDG Mech	\$ 1,500.00
A1625.51166 BG- Cleaner	\$ 1,500.00
A1625.51162 BG- BLDG Mech	\$ 1,500.00
A1625.58100 BG- FICA/Medicare	\$ 573.75
A4010.51349 PH-LPN	\$ 1,500.00
A4010.51329 PH- PHN	\$ 1,500.00
A4010.51065 PH- Director of PH	\$ 1,500.00
A4010.51271 PH-Sr. Acct	\$ 1,500.00
A4010.51213 PH- Fiscal Admin	\$ 1,500.00
A4010.51320 PH- PH Educ.	\$ 1,500.00
A4010.51200 PH- Acct Cl. Ty.	\$ 1,500.00
A4010.51333 PH- PHN	\$ 1,500.00
A4010.58100 PH- FICA/Medicare	\$ 918.00
A1680.51078 IT- Comp Supp	\$ 1,500.00
A1680.51079 IT- Comp Tech	\$ 1,500.00
A1680.51077 IT- Network Ad	\$ 1,500.00
A1680.51076 IT- Director	\$ 1,500.00
A1680.58100 IT- FICA/Medicare	\$ 459.00
A3150.51843 JAIL- Reg Nurse	\$ 1,500.00
A3150.58100 JAIL- FICA/Medicare	\$ 114.72

And be it further

RESOLVED, that copies of this resolution be provided to the Personnel Officer, the County Treasurer, Director of Finance, the County Administrator and the Budget Officer.

Resolution No. 115-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**APPROPRIATE ADDITIONAL AID
(DSS)**

WHEREAS, the Department of Social Services has received revenue over the 2023 budgeted amount from February's allocation of RSP payments with corresponding expenditures; and

WHEREAS, these funds are not part of the 2023 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as tabulated below:

Revenue:	
A6010.43610 DSS- Social Services Admin	\$ 2,818.89

Appropriation
A6010.54027 DSS- Miscellaneous

\$ 2,818.89

And be it further

RESOLVED, that copies of this resolution be provided to the Commissioner of Social Services, the County Treasurer, Director of Finance and the Budget Officer

Resolution No. 116-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**AUTHORIZE CHAIRMAN TO SIGN HUT BUILD-OUT AGREEMENT WITH EMPIRE
ACCESS FOR THE RECONNECT 1 BROADBAND PROJECT**

WHEREAS, Yates County (the “County”) is currently undertaking the design and construction of a fiber optic broadband network (hereinafter referred to as the “project”) via a USDA Rural Utility Services (hereinafter referred to as “RUS”) grant; and

WHEREAS, part of the network build are 4 Points of Presence (hereinafter referred to as POPs) – an existing Empire POP in the County Office building, an existing Empire hut in Italy and two new huts in Middlesex and Dundee - containing electronics and other miscellaneous materials to power the network; and

WHEREAS, the major items needed for the POPs are under contract including Nokia Equipment, two new huts from Modular Connections or in process including concrete pads and fiber conduits and power supply from Avangrid for the two new huts; and

WHEREAS, additional materials are needed to outfit the interior of all 4 POPs like racking, batteries, splitters, rectifiers, and cameras - a number of which are sole-sourced items; and

WHEREAS, Empire will be doing the operations and maintenance of the network, the preferred path forward is to contract with Empire to procure the needed materials and provide the labor to build-out the POPs assuring that the POPs are built to optimize Empire’s performance and leverage their pricing and fulfillment relationships; and

WHEREAS, RUS Contract Form 773 (Miscellaneous Construction Work and Maintenance Services Contract), hereinafter referred to as “RUS 773”, intended for this type of work;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the County Attorney, the Chairwoman of the Legislature is authorized to execute on behalf of the County the RUS 773 contract with Empire to procure the materials and build out the POPs for a price not to exceed \$**td**; and be it further

RESOLVED, that copies of this resolution be given to Empire, the County Administrator, the County Planner and the Broadband Project Manager.

Resolution No. 117-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**AMEND PUBLIC TRANSPORTATIONS RESOLUTION 92-22 IN ORDER TO EXPAND
THE STOA LOCAL MATCH PAYMENT OPTIONS FOR YATES COUNTY**

WHEREAS, Resolution No. 92-22, “RESOLUTION AUTHORIZING THE CHAIRWOMAN TO ENTER INTO AN AGREEMENT FOR TRANSPORTATION SERVICES WITH YATES TRANSIT SERVICE, Inc” renewed the contract to awarded the county’s public transportation service to Yates Transit Services, Inc (YTS); and

WHEREAS, the largest contributor to funding for the county’s public transportation system is through the New York State Department of Transportation State Operating Assistance (STOA); and

WHEREAS, STOA requires that each county “served by a public transportation system which receives a service payment shall make a quarterly matching payment to the public transportation system at least equal to that portion of the Section 18-b service payment received from the local assistance account of the general fund;” and

WHEREAS, Yates County, has always satisfied this local match requirement with hours of service by county employees; and

WHEREAS, due to the variation in the quarterly needs of the public transportation system, future matching hours may not equal 100% of the required local match every quarter; and

WHEREAS, future quarterly payments should be a hybrid of hours spent by county employees in the support of the public transportation system and a financial payment to equal the required remaining local match; and

WHEREAS, the contract dated 5/13/22 title “Amended and Restated Transportation Service Agreement” that specifies YTS’s and Yates County’s obligations needs to be amended to include such a provision;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature, upon approval of the County Attorney, is authorized to sign the necessary documents with YTS to enable the county’s full compliance with the STOA obligations, including but not limited to said contract: and be it further

RESOLVED, that any contract modifications should not exceed the annual cost of \$12,000; and be it further,

RESOLVED, that copies of the afore-mentioned modified documents be given to the County Administrator, the County Finance Director, the Planner, and Yates Transit Services.

Resolution No. 118-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**RESOLUTION APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC
EMPLOYEES FIDELITY (BLANKET) BOND FOR GENESEE/FINGER LAKES
REGIONAL PLANNING COUNCIL**

WHEREAS, Yates County, herein named as "the County", has appropriated the sum of \$7,691.25 as its share of the Year 2023 operating funds of the Genesee/Finger Lakes Regional Planning Council, herein named "the agency"; and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer of the executed official undertaking is approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated Richard Sutherland, Executive Director, as the officer to receive payments of such monies; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blank bond coverage for officers and employees of the Council in the amount of \$500,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby approves such a bond as the official undertaking required pursuant the Section 119-00 of the General Municipal Law; and be it further

RESOLVED, that a copy of this resolution shall be forwarded to the G/FLRPC offices and the County Planner.

Resolution No. 119-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

**RESOLUTION TO ADOPT AGRICULTURE AND MARKETS SEQR SHORT
ENVIRONMENTAL ASSESSMENT FORM FOR AGRICULTURAL DISTRICTS**

WHEREAS, the New York State Department of Agriculture and Markets (hereinafter referred to "AGM") and the Yates County Legislature (hereinafter referred to "County") are agencies as defined in Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act, hereinafter referred to "SEQRA") and its implementing regulations (Title 6 of the New York Code of Rules and Regulations, Part 617), and

WHEREAS, SEQRA requires agencies to review environmental impact in its related planning and decision-making processes; and

WHEREAS, the Agricultural District Law, Article 25-AA Agriculture and Markets Law established a process by which county legislative bodies may create, review, modify consolidate or terminate Agricultural Districts through the State, which the Commissioner of AGM then certifies; and

WHEREAS, the New York State Department of Environmental Conservation (hereinafter

referred to “DEC”) has determined that the creation, modification, consolidation, termination, and certification of an Agricultural District are all actions subject to review pursuant to SEQRA; and

WHEREAS, AGM is working to improve and protect the SEQR process associated with unlisted modifications of the Agriculture District; and

WHEREAS, each county can choose to adopt the new SEQR Short Environmental Assessment Form after the required public hearing; and

WHEREAS, the Yates County Legislature held its public hearing on February 13th, 2023 in the Legislative Chambers and heard no opposition;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby adopts the “SEQR SHORT ENVIRONMENTAL QUALITY REVIEW SHORT ENVIRONMENTAL ASSESSMENT FORM FOR AGRICULTURAL DISTRICTS”

RESOLVED, that copies of the resolution be provided to the County Planner, Cornell Cooperative Extension, and New York State Agriculture and Markets.

Resolution No. 120-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

RESOLUTION TO AUTHORIZE THE CHAIRWOMAN TO SIGN A MOU WITH NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS REGARDING COORDINATED SEQRA REVIEW FOR THE YATES COUNTY AGRICULTURAL DISTRICT

WHEREAS, the New York State Department of Agriculture and Markets (hereinafter referred to “AGM”) and the Yates County Legislature (hereinafter referred to “County”) are agencies as defined in Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act, hereinafter referred to “SEQRA”) and its implementing regulations (Title 6 of the New York Code of Rules and Regulations, Part 617), and

WHEREAS, SEQRA requires agencies to review environmental impact in its related planning and decision-making processes; and

WHEREAS, in order to eliminate overlap and duplication in the comment and review sections and to create uniformity with the agricultural district SEQRA process a joint review has been requested; and

WHEREAS, the MOU only pertains to SEQRA Unlisted Actions, specifically involving the Agricultural District; and

WHEREAS, the county retains its status as Lead Agency with principle decision making authority; and

WHEREAS, the MOU can be terminated with 30 days notice;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is authorized to sign an MOU with New York State Agriculture and Markets; and be it further

RESOLVED, that copies of the resolution be provided to the County Planner, Cornell Cooperative Extension, and New York State Agriculture and Markets.

Resolution No. 121-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

RESOLUTION TO AUTHORIZE THE CHAIRWOMAN TO SIGN A MOU WITH THE YATES COUNTY AGRICULTURAL SOCIETY TO HOLD THE 2023 HOUSEHOLD HAZARDOUS WASTE DROP OFF DAY AT THE YATES COUNTY FAIRGROUNDS.

WHEREAS, 2023 is Yates County's year to host the Household Hazardous Waste Drop-Off event for Yates and Schuyler County Residents; and

WHEREAS, in previous years the event was held at the Yates County Highway Dept in Benton; and

WHEREAS, due to anticipated construction on the Highway Dept property in the Fall of 2023 it will not be a suitable site for the 2023 event; and

WHEREAS, the Yates County Fairgrounds have been determined to be the most suitable substitute site; and

WHEREAS, the Yates County Agricultural Society has offer the use of the site to the county at the not to exceed cost of \$500; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is authorized to enter into said agreement with the Yates County Agricultural Society; and be it further

RESOLVED, that said agreement will terminate at the completion of the event; and be it further

RESOLVED, that copies of this resolution be given to the County Planner, the County Highway Superintendent, the County Executive, and the Yates County Agricultural Society.

Resolution No. 122-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

CALLING ON THE GOVERNOR OF NEW YORK STATE TO REMOVE FROM THE 2024 EXECUTIVE BUDGET PART M OF THE ARTICLE VII REVENUE BILLS

WHEREAS, On February 1, 2023, the Governor of New York State announced New York State's Fiscal Year 2024 Executive Budget (the "Budget"); and

WHEREAS, the Budget includes Article VII Revenue Bills; and

WHEREAS, Article VII Revenue Bills includes Part M adding a new section 989 of the Real Property Tax Law titled “Distribution of surplus in tax enforcement proceedings” (“Proposed Budget Legislation”); and

WHEREAS, the Proposed Budget Legislation seeks to require municipalities governed by Article 11 of the Real Property Tax Law (“RPTL”) to give excess money to a prior owner of real property sold by the municipality after taking title pursuant to Article 11 of the RPTL; and

WHEREAS, the Proposed Budget Legislation should be removed from the Fiscal Year (“FY”) 2024 Budget because (1) it is unconstitutional since Article VIII, Section 1 of the New York Constitution restricts a county from giving any money to or in aid of any individual, or private corporation or association or private undertaking, (2) it is unfair to lien holders since all liens are cut off by Section 1131 of Article 11 at the time an interested party fails to redeem or answer, which time comes prior to the County taking title and selling the parcel, (3) it will be practically impossible for a county to accurately account for all administrative costs associated with administering enforcement of taxes for thousands of parcels during a two year time period involving subcontractors and staff from multiple departments, (4) it is unclear whether litigation costs incurred in enforcing taxes pursuant to Article 11 would be included, (5) the number of unpaid parcels are likely to increase with owners knowing that they do not have to pay lien holders, including the mortgage lien on their home, real estate agents and other costs that would be required absent this Proposed Budget Legislation, (6) the Proposed Budget Legislation does not address the circumstances where there is no “prior owner” or the prior owner has deceased or the method and attempts required to ensure that the “prior owner” accepts payment and (7) it is unfair to the gross majority of parcel owners in the County who timely pay their taxes or properly sell their home if they no longer desire to own it; and

WHEREAS, the Finance Committee has reviewed this resolution and recommends that the Governor remove Part M from the FY 2024 Executive Budget; now, therefore, be it

RESOLVED, that the Yates County Legislature hereby calls on the Governor of New York State to remove from the FY 2024 Executive Budget Part M of the Revenue Bills; and further, be it

RESOLVED, that the Clerk of this Legislature transmit a certified copy of this resolution to Governor Kathy Hochul and Yates County's representatives in the New York State Legislature: Senator Tom O’Mara and Assemblyman Phil Palmesano. With copies sent to the Yates County Administrator, County Attorney, County Treasurer, and Director of Real Property.

Resolution No. 123-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

ACCEPT NYSDOT AVIATION CAPITAL PROJECT AGREEMENT

WHEREAS, Yates County has received a grant from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following project at Penn Yan – Yates County Airport:

Acquire Aircraft Deicing Equipment (Acquire New Aircraft Deicing Vehicle).
FAA Project No. 3-36-0094-043-2022 NYS PIN 6906.39

And

WHEREAS, the New York State Department of Transportation is offering a matching grant to the federal grant for 50% of the non-federal share of eligible costs; and

WHEREAS, Yates County has committed funds for the local share of project costs. Funding shares for project costs are as follows:

Federal	\$ 267,597
State	\$ 14,867
Local	\$ 14,866
Total Project Cost	\$ 297,330

And

WHEREAS, if Yates County and/or the FAA notifies the NYSDOT that Yates County has requested and received an increase in federal funding for the project based on increased eligible costs and has authorized the proportionate increase in local funding, the New York State share noted above shall be increased proportionately up to a maximum increase of 15%;

NOW, THEREFORE, BE IT RESOLVED, that Yates County enter into an agreement with the State of New York for financial assistance for the project described above at Penn Yan-Yates County Airport; and be it further

RESOLVED, that the Chairwoman of the County Legislature be authorized to execute all necessary documents on behalf of Yates County with NYS in connection with the project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with the project.

Resolution No. 124-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

STATE ENVIRONMENTAL QUALITY REVIEW AND AUTHORIZE CHAIRWOMAN TO SIGN DV-21 FORM, REGARDING AIRPORT ENVIRONMENTAL ASSESSMENT PREPARATION PROJECT

WHEREAS, Yates County (the “County”) has received a grant from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following project at Penn Yan – Yates County Airport:

Extend Parallel Taxiway “B” (From Taxiway A Intersection to Runway 28 End), Including MITL, Associated Drainage & Remarkings - Design (Extend existing Parallel Taxiway B (1,840’) an additional 1,700’ for a total of 3,540’ including associated drainage and remarkings).

FAA Project No. 3-36-0094-042-2022 NYSPIN 6906.38 (the “Project”); and

WHEREAS, the New York State Department of Transportation is offering a matching grant to the federal grant for 50% of the non-federal share of eligible costs; and

WHEREAS, in connection with the obtaining of the grant, the County is required to determine the classification of the Project in accordance with New York State regulations

pursuant to the intent of the State Environmental Quality Review Act, as well as execute and file an applicable “DV-21” Form reciting such classification determination;

NOW, THEREFORE, BE IT RESOLVED, that upon a review of the Project particulars, the County hereby determines that the aforementioned Project is classified pursuant to the State Environmental Quality Review Act as follows: “Type II Action”; and be it further

RESOLVED, that the Chairwoman of the County Legislature is authorized to execute the aforementioned “DV-21” Form, reciting the above classification determination, as well as any other written instrument or document calling for said classification determination; and be it further

RESOLVED, that a copy of this resolution be sent to any applicable government agency upon request.

Resolution No. 125-23
Motioned By: Holgate

Date: 2/13/23
Seconded By:

ACCEPT NYSDOT AVIATION CAPITAL PROJECT AGREEMENT

WHEREAS, Yates County has received a grant from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following project at Penn Yan – Yates County Airport:

Extend Parallel Taxiway “B” (From Taxiway A Intersection to Runway 28 End), Including MITL, Associated Drainage, & Remarking - Design (Extend existing Parallel Taxiway B (1,840’) an additional 1,700’ for a total of 3,540’ including associated drainage and remarking).

FAA Project No. 3-36-0094-042-2022 NYS PIN 6906.38

And

WHEREAS, the New York State Department of Transportation is offering a matching grant to the federal grant for 50% of the non-federal share of eligible costs; and

WHEREAS, Yates County has committed funds for the local share of project costs. Funding shares for project costs are as follows:

Federal	\$	166,527
State	\$	9,252
Local	\$	9,251
Total Project Cost	\$	<u>185,030</u>

And

WHEREAS, if Yates County and/or the FAA notifies the NYSDOT that Yates County has requested and received an increase in federal funding for the project based on increased eligible costs and has authorized the proportionate increase in local funding, the New York State share noted above shall be increased proportionately up to a maximum increase of 15%;

NOW, THEREFORE, BE IT RESOLVED, that Yates County enter into an agreement with the State of New York for financial assistance for the project described above at Penn Yan-Yates County Airport; and be it further

RESOLVED, that the Chairwoman of the County Legislature be authorized to execute all necessary documents on behalf of Yates County with NYS in connection with the project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with the project.

Resolution No. 126-23

Date: 2/13/23

Motioned By: Holgate

Seconded By:

**STATE ENVIRONMENTAL QUALITY REVIEW AND AUTHORIZE CHAIRWOMAN
TO SIGN DV-21 FORM, REGARDING AIRPORT ENVIRONMENTAL ASSESSMENT
PREPARATION PROJECT**

WHEREAS, Yates County (the “County”) has received a grant from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following project at Penn Yan – Yates County Airport:

Acquire Aircraft Deicing Equipment (Acquire New Aircraft Deicing Vehicle).
FAA Project No. 3-36-0094-043-2022 NYSPIN 6906.39 (the “Project”); and

WHEREAS, the New York State Department of Transportation is offering a matching grant to the federal grant for 50% of the non-federal share of eligible costs; and

WHEREAS, in connection with the obtaining of the grant, the County is required to determine the classification of the Project in accordance with New York State regulations pursuant to the intent of the State Environmental Quality Review Act, as well as execute and file an applicable “DV-21” Form reciting such classification determination;

NOW, THEREFORE, BE IT RESOLVED, that upon a review of the Project particulars, the County hereby determines that the aforementioned Project is classified pursuant to the State Environmental Quality Review Act as follows: “Exempt Act”; and be it further

RESOLVED, that the Chairwoman of the County Legislature is authorized to execute the aforementioned “DV-21” Form, reciting the above classification determination, as well as any other written instrument or document calling for said classification determination; and be it further

RESOLVED, that a copy of this resolution be sent to any applicable government agency upon request.