



YATES COUNTY LEGISLATURE
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Leslie Church
Chairwoman
Emilee D. Miller
Clerk

**YATES COUNTY LEGISLATIVE AGENDA
April 11, 2022 at 1:00 pm**

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- Call to Order & the Pledge of Allegiance
- Tammy Slaton & Lisa Minns, Mozaic, Quarterly STOA Update
- Approve Minutes from the March 17th Meeting
- Approve Audit
- Committee Reports
- Public Comment

RESOLUTION

Willson	128-22	Authorize Chairwoman to Sign Contract (David Dowdle)
	129-22	Authorize Chairwoman and Sheriff to Sign Jail Renewal of Inmate Legal Library Agreement
	130-22	Authorize Sheriff and Chairwoman to Renew Inmate Medical Services Agreement with S & S Memorial Hospital
	131-22	Authorize Sheriff to Donate Surplus Property
	132-22	Recognize 2022 National Crime Victims' Week
	133-22	Recognize National Public Safety Telecommunications Week for 2022
	134-22	Grant Unpaid Military Leave of Absence (Schafer)
	135-22	Amend Resolution 46-22 (Empire Access)
	136-22	Accept Bid for Public Safety Communications Project Tower Site Construction
	137-22	Authorize Sheriff and Chairwoman to Enter into Tenant-at-Will (Month-to-Month) Lease Agreement (Dundee-Crown Castle)
	138-22	Authorize Sheriff and Chairwoman to Enter into Tenant-at-Will (Month-to-Month) Lease Agreement (Italy Hill-American Towers)
	139-22	Accept Bid for Public Safety Communications Project Package Engine Generators

Bronson	140-22	Amend Resolution 106-22 Authorize Sheriff and Director of Public Health to Create and Fill a Shared Part-Time Physician Position
	141-22	Authorize Sheriff to Fill Correction Officer Position
	142-22	Opposing any Decrease to the Farm Labor Overtime Threshold –Approval of
	143-22	Authorize Chairwoman to Sign Memorandum of Understanding (CSEA)
	144-22	Request County Attorney to Create Local Law Adjusting Boundaries of Yates County Legislative Districts
	145-22	Approving Memorandum of Understanding with CSEA Concerning Altering the Work Hours for an Office of Emergency Management Employee
Chilson	146-22	Authorize Contracts with Catholic Charities of Steuben and Livingston Counties
	147-22	Authorize Contract with Pro-Action of Steuben and Yates Counties, Inc. for Staffing of the Yates County Summer Youth Employment Program
	148-22	Appoint Early Intervention Official (S. Christensen)
	149-22	Appoint Early Intervention Official Designee (C. Bailey)
	150-22	Appoint Member to the Yates County Mental Health and Substance use Subcommittees (Holly R. Smith)
Banach	151-22	Authorize Legislature Chairwoman to Sign 2022 Roadside Mowing Contracts
	152-22	Award Bid for Cold Milling of Asphalt Pavement
	153-22	Award Bid for Liquid Bituminous Material
	154-22	Award Bid for Hot Mix Asphalt Concrete
	155-22	Award Bid for Paver Placed Surface Treatment
	156-22	Commence SEQRA Review and Evaluate Need for Local Approval for the Highway, Office of Emergency Services & Public Health Facility Project
	157-22	Authorizing the Implementation and Funding of the Costs of 100% of the Costs of a Transportation Project, Which may be Eligible for Federal-Aid and/or State-Aid, or Reimbursement from Bridge NY Funds
	158-22	Authorize Legislature Chairwoman to Sign an Agreement for the Engineering and Design of the Bridge NY Project Known as Haley Road Over Big Stream (PIN 6755.55)
	159-22	Designate Deputy Highway Superintendent as the Responsible Local Official (RLO) for the Bridge NY Project Known as Haley Road Over Big Stream (PIN 6755.55)
	160-22	Amendment to Resolution No. 14-22 (Authorize Exceptions to the Procurement Policy)
	161-22	Authorize Chairwoman to Sign Contract with Chemsearch FE
Holgate	162-22	Authorize Chairman to Sign Contract with Labella Associates for One Touch Make Ready Services for Phase 1B of the Yates County ReConnect Project

- 163-22 Authorize Chairwoman to Sign Inter-Municipal Agreement with Schuyler County for Household Hazardous Waste Day Services
- 164-22 Authorize Letter of Support for Finger Lakes Land Trust to Submit an Application to NYS Dept. of Ag and Markets for the Purchase of a Conservation Easement on Henderson Farm
- 165-22 Authorize Yates County to Submit an Application to the Office of Community Renewal for a Community Development Block Grant on Behalf of Yates County
- 166-22 2022 Budget Transfers
- 167-22 Appropriate Additional State Aid (Social Services)
- 168-22 Appropriate Additional State Aid (Social Services)
- 169-22 Accept Bid for the Penn Yan Airport Emergency Weather Grant Generator Purchase and Installation
- 170-22 Accept Bid for the Penn Yan Airport Deicing Vehicle Purchase

Executive Session if needed

Resolution No. 128-22
Motioned By: Willson

Date: 4/11/22
Seconded By:

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT
(David Dowdle)

BE IT RESOLVED, that the Chairwoman is hereby authorized to sign the agreement contract with David Dowdle to serve as Instructor Trainee and or Practical Evaluator for Emergency Medical Services Training, Sponsored by Yates County Emergency Services for calendar year 2022; and be it further

RESOLVED, that the liability insurance requirement is waived; and be it further

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

Resolution No. 129-22
Motioned By: Willson

Date: 4/11/22
Seconded By:

AUTHORIZE CHAIRWOMAN AND SHERIFF TO SIGN JAIL
RENEWAL OF INMATE LEGAL LIBRARY AGREEMENT

BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman and Sheriff are authorized to sign a renewal agreement with Lexis Nexis on legal material services for \$225 a month cost including tablets, etc. for the period 6/1/2022 thru 5/31/2025; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff, Director of Finance, Budget Officer, and Treasurer.

Resolution No. 130-22
Motioned By: Willson

Date: 4/11/22
Seconded By:

AUTHORIZE SHERIFF AND CHAIRWOMAN TO RENEW INMATE MEDICAL
SERVICES
AGREEMENT WITH S&S MEMORIAL HOSPITAL

WHEREAS, Resolution #62-15 as approved by the County Attorney and Legislature authorized the 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 and Chairwoman is authorized to renew the letter of agreement for related hospital billing effective March 1, 2022 through February 28, 2023; and be it further

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

Resolution No. 131-22
Motioned By: Willson

Date: 4/11/22
Seconded By:

AUTHORIZE SHERIFF TO DONATE SURPLUS PROPERTY

WHEREAS, the war in the Country of Ukraine has national attention and that government is in need of safety and defensive equipment, and the NYS Sheriffs' Association (NYSSA) is organizing with others for county Sheriff's Offices to donate surplus no longer used equipment to that Country's as aid in defense; and

WHEREAS, the Sheriff has older surplus bullet proof vests, gas masks and filters, batons and rifle bi-pods no longer intended for use to be declared surplus;

NOW, THEREFORE, BE IT RESOLVED, that the described inventoried property identified by the Sheriff is declared surplus property, and the Sheriff may dispose of same with the NYSSA Aid to Ukraine program; and be it further

RESOLVED, that the Sheriff receive a copy of this resolution.

Resolution No. 132-22
Motioned By: Willson

Date: 4/11/22
Seconded By:

RECOGNIZE 2022 NATIONAL CRIME VICTIMS' RIGHTS WEEK

WHEREAS, the National Crime Victim's Rights Week is designated as April 24-30 acknowledging the victims' rights movement that has resulted in the passage of laws at the local, state, and federal levels that established essential rights for victims, and the theme this year is *Rights, access, equity, for all victims*. The theme underscores the importance of helping crime survivors find their justice by enforcing victims' rights, expanding access to services, and ensuring equity and inclusion for all; and

WHEREAS, the District Attorney, the Victim's Advocates, the Sheriff, the Victims Impact Panel Coordinator, and the Probation Director in their commitments to raise victim awareness now request a proclamation for recognition of this annual victims' rights week; and

WHEREAS, it was 1984 when President Reagan signed crime victims' rights act that has provided victims with ways to participate meaningfully throughout the criminal justice process, with a more equitable and supportive response to victims as the system can be a confusing experience; and

WHEREAS, honoring the rights of victims—including the rights to be heard and to be treated with fairness, dignity, and respect – and working to meet their needs rebuilds their trust in the criminal justice and social service systems; and

WHEREAS, our community's continues engagement with the challenges faced by victims of crime will ensure that the progress we have made to date is not lost and that new ground is broken to gain greater healing for all victims; and

WHEREAS, in Yates County criminal justice services both public and private are dedicated to strengthen victims and survivors available to help rebuild lives, and thus victims' rights are a critical component that of the Probation Officers, District Attorney's staff and Victim's Advocates, Sheriff's services including STOP program Victims Impact Panel, and

VINE in-custody hotline and the notification of the service of protective orders all play a role in victims' support; and

WHEREAS, both public and private entities are hereby dedicated to strengthening victims and survivors in the aftermath of crime, building resilience in our communities and our victim service providers, and bringing hope and healing to all victims and survivors;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature recognizes **National Crime Victims' Rights Week** April 24 – 30, 2022 as providing an opportunity to recommit to ensure that accessible, and trauma informed services are offered to all victims of crime, and supports the rights of crime victims and survivors to be treated with dignity and fairness; and be it further

RESOLVED that this Legislature thank all the local efforts of so many advocates, volunteers, individuals, public employees and entities in our community; and be it further

RESOLVED, that a copy of this resolution be provided to the Director, Safe Harbors of the Finger Lakes; Director of Victim/witness services at the D.A. and Sheriff's Office; STOP program VIP Coordinator, Probation Director, District Attorney; and to the Sheriff .

Resolution No. 133-22
Motioned By: Willson

Date: 4/11/22
Seconded By:

**RECOGNIZE NATIONAL PUBLIC SAFETY
TELECOMMUNICATIONS WEEK FOR 2022**

WHEREAS, **National Public Safety Telecommunications Week** has been designated by APCO (Association of Public-Safety Communications Officials) as April 10-16, 2022, celebrating all emergency telecommunications personnel hard work, sacrifices and devotion to their law enforcement and public safety efforts in their local communities; and

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services; and when an emergency occurs the prompt response of police officers, firefighters and emergency medical responders is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers, firefighters and first responders is dependent upon the quality and accuracy of information obtained from citizens who telephone or text the Yates County 911 emergency communications center; and Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; where they monitor emergency responders activities by radio, providing them information and insuring their safety; and have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients, while exhibiting compassion, understanding and professionalism during the performance of their duties job in the past year;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature takes recognition of the National Public Safety Telecommunications Week and joins Sheriff Spike thanking all the Yates

County 911 emergency services dispatch personnel, and related staff for their continued efforts to preserve the public's safety and health; and be it further

RESOLVED, that copies of this resolution be provided Sheriff Spike, the Director of OEM Winslow, Chief Dispatcher Bassett, the 911 Advisory Board members, and President Lindsay Tones of Local #9010 of Council 82.

Resolution No. 134-22
Motioned By: Willson

Date: 4/11/22
Seconded By:

**GRANT UNPAID MILITARY LEAVE OF ABSENCE
(SCHAFER)**

WHEREAS, in accordance with United States Code, Title 32 §502 (f)(1), §504, and §505, Corrections Officer, Mason Schafer has been ordered to attend Formal Training School under the authority of the New York Air National Guard; and

WHEREAS, Mr. Schafer's attendance for such training is required for the time period of April 3, 2022 to May 7, 2022; and

WHEREAS, Mr. Schafer will exhaust his Military Leave Time effective May 1, 2022;

NOW, THEREFORE, BE IT RESOLVED, that Corrections Officer, Mason Schafer, be granted a Military Leave of Absence without pay effective May 2, 2022 for a time period not to exceed May 31, 2022; and be it further

RESOLVED, that copies of this Resolution be given to Mr. Schafer, Sheriff, Personnel Officer, County Administrator/Budget Officer, Treasurer, and Director of Finance.

Resolution No. 135-22
Motioned By: Willson

Date: 4/11/22
Seconded By:

**AMEND RESOLUTION 46-22
(Empire Access)**

WHEREAS, resolution 46-22 authorized the Chairwoman of the Legislature to sign a contract or contracts with Empire Access for fiber installation and internet access; and

WHEREAS, the service agreement is an extension of the Empire Access account that has already been authorized;

NOW, THEREFORE, BE IT RESOLVED, that resolution 46-22 be amended to include the Alternate PSAP as an additional connection site; and be it further

RESOLVED, that the Sheriff be authorized to sign a service agreement with Empire Access for the connection of Empire fiber/internet service to the Alternate PSAP site; and be it further

RESOLVED, that a copy of this resolution be provided to Empire Access, the Sheriff, the Director of Finance, County Administrator/Budget Officer, Treasurer, and the I.T. Director.

Resolution No. 136-22
Motioned By: Willson

Date: 4/11/22
Seconded By:

**ACCEPT BID FOR PUBLIC SAFETY COMMUNICATIONS PROJECT
TOWER SITE CONSTRUCTION**

WHEREAS, on March 29, 2022, bids for Sherman Hill and Public Safety Building tower site construction (Phase 1, Contract 4 – Yates County Public Safety Communications Project Site Construction) were received, opened, read aloud and documented, as follows:

Company	Location	Bid
Patriot Towers	Scottsville, NY 14546	\$427,934
Mid-State Communications	Oriskany, NY 13424	\$445,000
Kaplan-Schmidt Electric, Inc.	Rochester, NY 14623	\$408,830

And;

WHEREAS, the apparent low bidder for Tower Site Construction, Phase 1, Contract 4 is Kaplan-Schmidt Electric, Inc. of Rochester, NY; and

WHEREAS, the County's project consultant, C & S Engineers, has reviewed the bids and recommends accepting said bid from Kaplan-Schmidt;

NOW, THEREFORE, BE IT RESOLVED, that the above Kaplan-Schmidt Electric, Inc. bid is hereby accepted, contingent upon the execution of a written contract related thereto between the County and Kaplan-Schmidt Electric, Inc., and to this end, the Chairwoman of the Legislature, upon the approval of the County Attorney, is authorized to sign such a contract on behalf of the County, as well as any other necessary documents with Kaplan-Schmidt Electric, Inc., to enable site construction for the Public Safety Communications Project, including, but not limited to change orders; and be it further

RESOLVED, that total contract shall not exceed \$408,830; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Sheriff, County Administrator/Budget Officer, Director of Emergency Services, Highway Superintendent, Information Technology Director, Director of Finance, Treasurer, C & S Engineers and all bidders.

Resolution No. 137-22
Motioned By: Willson

Date: 4/11/22
Seconded By:

**AUTHORIZE SHERIFF AND CHAIRWOMAN TO ENTER INTO TENANT-AT-WILL
(MONTH-TO-MONTH) LEASE AGREEMENT
(Dundee – Crown Castle)**

WHEREAS, Yates County leases space for public safety communications on a tower site owned by Crown Castle in the Town of Starkey for \$1,718.16 per month; and

WHEREAS, said lease automatically renews on July 25, 2022 unless Crown Castle is notified 90 days prior that the County does not wish to renew the lease; and

WHEREAS, as part of the County's Public Safety Communications Project, a new, County-owned tower will be erected on Bill Bailey Road in the Town of Barrington, thus the lease with Crown Castle will no longer be needed; and

WHEREAS, it is unlikely that the new communications system will be fully operational by July 25, 2022, necessitating continued operation of the current system beyond that date; and

WHEREAS, the Sheriff has negotiated a Tenant-at-Will (month-to-month) lease extension on the current site after termination of the current lease; and

WHEREAS, the Sheriff has formally notified Crown Castle of Yates County's intent to terminate the current lease agreement on the Dundee tower site at the end of its current term by letter dated March 31, 2022;

NOW, THEREFORE, BE IT RESOLVED, that after approval by the County Attorney the Sheriff and Chairwoman of the legislature are hereby authorized to enter into a Tenant-at-Will (month-to-month) lease agreement with Crown Castle for the current Dundee tower site after the end of the current lease term for the amount of \$2,000.00 per month; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Sheriff, County Administrator/Budget Officer, Director of Finance, Treasurer, County Attorney, Crown Castle and C & S Engineers.

Resolution No. 138-22

Date: 4/11/22

Motioned By: Willson

Seconded By:

**AUTHORIZE SHERIFF AND CHAIRWOMAN TO ENTER INTO TENANT-AT-WILL
(MONTH-TO-MONTH) LEASE AGREEMENT
(Italy Hill – American Towers)**

WHEREAS, Yates County leases space for public safety communications on a tower site owned by American Tower Corporation in the Town of Italy for \$5,380.83 per month; and

WHEREAS, said lease automatically renews on November 1, 2022 at an increased monthly rate unless American Tower Corporation is notified 190 days prior that the County does not wish to renew the lease; and

WHEREAS, as part of the County's Public Safety Communications Project, a new, County-owned tower will be erected on Emerson Road in the Town of Italy, thus the lease with American Tower Corporation will no longer be needed; and

WHEREAS, it is possible that the new communications system may not be fully operational by November 1, 2022, necessitating continued operation of the current system beyond that date; and

WHEREAS, the Sheriff has negotiated a Tenant-at-Will (month-to-month) lease extension on the current site after termination of the current lease;

WHEREAS, the Sheriff has formally notified American Tower Corporation of Yates County's intent to terminate the current lease agreement on the Italy Hill tower site at the end of its current term by letter dated March 31, 2022;

NOW, THEREFORE, BE IT RESOLVED, that after approval by the County Attorney the Sheriff and Chairwoman of the legislature are hereby authorized to enter into a Tenant-at-Will (month-to-month) lease agreement with American Tower Corporation for the current Italy Hill tower site after the end of the current lease at the current monthly rate; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Sheriff, County Administrator/Budget Officer, Director of Finance, Treasurer, County Attorney, American Tower Corporation and C & S Engineers.

Resolution No. 139-22

Date: 4/11/22

Motioned By: Willson

Seconded By:

**ACCEPT BID FOR PUBLIC SAFETY COMMUNICATIONS PROJECT
PACKAGE ENGINE GENERATORS**

WHEREAS, on April 4, 2022, one bid for package engine generators for the Bluff Point, Dundee and Italy Hill tower sites with an add-on alternate for the Ovid tower site (Phase 1, Contract 5 – Yates County Public Safety Communications Project Package Engine Generators) was received, opened, read aloud and documented, with Kinsley Power Systems of East Syracuse, NY bidding \$21,400 for each package engine generator delivered to each tower site; and

WHEREAS, the County’s project consultant, C & S Engineers, has reviewed the bid and recommends accepting said bid from Kinsley Power Systems;

NOW, THEREFORE, BE IT RESOLVED, that the above Kinsley Power Systems bid is hereby accepted, contingent upon the execution of a written contract related thereto between the County and Kinsley Power Systems, and to this end, the Chairwoman of the Legislature, upon the approval of the County Attorney, is authorized to sign such a contract on behalf of the County, as well as any other necessary documents with Kinsley Power Systems, to enable acquisition of package engine generators for the Public Safety Communications Project, including, but not limited to change orders; and be it further

RESOLVED, that total contract shall not exceed \$85,600; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Sheriff, County Administrator/Budget Officer, Director of Emergency Services, Highway Superintendent, Information Technology Director, Director of Finance, Treasurer, C & S Engineers and Kinsley Power Systems.

Resolution No. 140-22

Date: 4/11/22

Motioned By: Bronson

Seconded By:

**AMEND RESOLUTION 106-22
AUTHORIZE SHERIFF AND DIRECTOR OF PUBLIC HEALTH TO CREATE AND
FILL A SHARED PART-TIME PHYSICIAN POSITION**

WHEREAS, resolution 106-22 authorized the Sheriff and Director of Public Health to create and fill a part-time Physician position to be shared between the two (2) departments, allowing the needs of each department to be satisfied and to meet the requirements for the continuation of State-Aid funding; and

WHEREAS, due to the current incumbent not receiving payment thus far in 2022 from the Department of Public Health, for efficiency purposes as it relates to the transition and fiscal management of the position, the resolution is in need of being amended to adjust the effective date;

NOW, THEREFORE, BE IT RESOLVED, that in the sixth paragraph "...effective March 17, 2022..." be changed to "...effective January, 1, 2022..."; and be it further

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

Resolution No. 141-22

Date: 4/11/22

Motioned By: Bronson

Seconded By:

AUTHORIZE SHERIFF TO FILL CORRECTION OFFICER POSITION

WHEREAS, a Correction Officer vacancy was created on March 28, 2022 as the result of a resignation; and

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

WHEREAS, the estimated annual cost to fill the position is \$60,921 to \$84,850, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective April 11, 2022 the Sheriff is hereby authorized to fill the Correction Officer position; and be it further

RESOLVED, that copies of this Resolution be given to the Sheriff, Personnel Officer, County Administrator/Budget Officer, Director of Finance and Treasurer.

Resolution No. 142-22

Date: 4/11/22

Motioned By: Bronson

Seconded By:

**OPPOSING ANY DECREASE TO THE FARM LABOR OVERTIME THRESHOLD-
APPROVAL OF**

WHEREAS, agriculture is New York State's largest industry; and

WHEREAS, the Farm Laborers Wage Board has proposed to decrease the farm labor overtime threshold from 60 to 40 hours; and

WHEREAS, farms are critical components of our regional economy and are necessary to ensure supermarkets are stocked with food; and

WHEREAS, from the outset of the COVID-19 Pandemic, farmers have stepped up and ensured their operations continued and were responsible for donating thousands of pounds of food to local food banks at a time of significant need; and

WHEREAS, Finger Lakes New York farmers face a tremendous number of challenges outside of their control including changes in consumer demand leading to price change,

obtaining labor, climate change, land management policies, foreign market competition, livestock and crops disease, competition for land; and

WHEREAS, in addition to the practical issues related to growing and selling food products, New York farmers have to contend with wavering levels of government regulations including changes in wages and overtime threshold; and

WHEREAS, one of the more pressing issues for the farming community has been mandated overtime requirements since the 2019 Farm Laborers Fair Practice Act, currently gives farmworkers a right to overtime after sixty (60) hours of work each week; and

WHEREAS, Yates County farmers are reliant on migratory work forces during the short growing season here in Finger Lakes New York as workers are here for only a few months in the spring and summer and they have only so many hours each year to get the work done; and

WHEREAS, the Act does not prohibit the Farm Laborers Wage Board from arbitrarily decreasing the overtime threshold again, thereby increasing costs to local farms; and

WHEREAS, decreasing the overtime threshold will negatively impact the farming community by increasing costs to farmers, who are already operating under very tight margins and will potentially cut into work opportunities for migrant workers; and

WHEREAS, cutting budgeted support levels and drastically increasing costs through government interference should be avoided whenever possible; and

WHEREAS, NYS Assembly Deputy Minority Leader Steve Hawley has voiced concern through letters written to Governor Kathy Hochul and NYS Labor Commissioner dated January 31, 2022; and

WHEREAS, most of the testimony provided in the hearing process requested “NO CHANGE” to the overtime threshold and this is another example of New York City interests ignoring the “other New York” and its robust economy;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature emphatically opposes any decrease to the 60 hour farm worker overtime threshold proposed by Farm Laborers Wage Board; and be it further

RESOLVED, that a copy of this resolution be forwarded to Governor Hochul, Senate Majority Leader Andrea Stewart-Cousins, NYS Assembly Speaker Carl Heastie, Assemblyman Philip A. Palmesano, Senator Thomas F. O’Mara, NYS Labor Commissioner, NYS Agriculture and Markets Commissioner, NYS Farm Bureau, Yates County Farm Bureau, NYSAC, WNY Inter-County Association, and any others deemed necessary.

Resolution No. 143-22

Date: 4/11/22

Motioned By: Bronson

Seconded By:

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

WHEREAS, the Director of Public Health has presented to the Human Services Committee justification for the title of Licensed Practical Nurse to be moved from Group VIII of the CSEA Non-Highway and Highway Clerical Employee Salary Schedule to Group IX;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding moving the job title of Licensed Practical Nurse to Group IX of the current collective bargaining agreement; and be it further

RESOLVED, that copies of this resolution be given to the Director of Public Health, CSEA Union President, CSEA Union Representative, Personnel Officer, County Administrator/Budget Officer, Treasurer, and Director of Finance.

Resolution No. 144-22

Date: 4/11/22

Motioned By: Bronson

Seconded By:

**REQUEST COUNTY ATTORNEY TO CREATE LOCAL LAW ADJUSTING
BOUNDARIES OF YATES COUNTY LEGISLATIVE DISTRICTS**

WHEREAS, U.S. Supreme Court rulings relative to the 14th Amendment and New York County Law require that county legislative representation be reviewed every ten years and adjustments be made, if, necessary, based on information obtained in the decennial U.S. Census; and

WHEREAS, an Ad Hoc Reapportionment/Redistricting Committee was formed, examined alternatives, delivered an initial report and two supplements based on input from the Government Operations Committee, other legislators, and citizens; and

WHEREAS, the Government Operations Committee has reviewed and discussed the report and supplements in detail and finds that the Legislative boundaries according to the plan reviewed April 4, 2022, shown in Supplement 2 Appendix A, having 15 legislators represents an acceptable approach to achieving parity in representation on Yates County Legislature;

NOW, THEREFORE, BE IT RESOLVED, that this legislature requests the County Attorney to draft a local law that represents the legislative district boundaries according to the plan reviewed April 4, 2022, shown in Appendix A of said Ad Hoc Committee Supplement 2, having 15 legislators; and be it further

RESOLVED, that such draft local law be prepared and included in the agenda for the May 2, 2022 Government Operations Committee meeting.

Resolution No. 145-22

Date: 4/11/22

Motioned By: Bronson

Seconded By:

**APPROVING MEMORANDUM OF UNDERSTANDING WITH CSEA CONCERNING
ALTERING THE WORK HOURS FOR AN OFFICE OF EMERGENCY
MANAGEMENT EMPLOYEE
(Deputy Director of Emergency Management)**

WHEREAS, the Director of Emergency Management has recommended that the work hours for the Deputy Director of Emergency Management position in his office be set at forty (40) hours per week;

NOW, THEREFORE, BE IT RESOLVED, that this County Legislature hereby approves said alteration of the work hours the position to be made effective May 1, 2022; and be it further

RESOLVED, that this County Legislature hereby approves a certain Memorandum of Understanding by and between the County and the Civil Service Employees Association, Local 1000 AFSCME, AFL-CIO, Yates County Unit, Yates County Local 862 (“CSEA”) for the purpose of memorializing a mutual agreement to amend the current collective bargaining agreement between the County and CSEA to accomplish the work hour alteration; and be it further

RESOLVED, that the Chairwoman of the County Legislature and the County Administrator are hereby authorized to execute said Memorandum of Understanding on behalf of the County; and be it further

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

Resolution No. 146-22

Date: 4/11/22

Motioned By: Chilson

Seconded By:

AUTHORIZE CONTRACTS WITH CATHOLIC CHARITIES OF STEUBEN AND LIVINGSTON COUNTIES

WHEREAS, Yates County and the Yates County Department of Social Services wishes to enter into contract with the following agencies/persons; and

WHEREAS, the term of these contracts is March 1, 2022, through December 31, 2022;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairwoman of the Yates County Legislature and Commissioner of Social Services are authorized to sign contracts with Catholic Charities of Steuben and Livingston Counties for the provision of Qualified Individual Assessments for \$50 per hour; and be it further

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

Resolution No. 147-22

Date: 4/11/22

Motioned By: Chilson

Seconded By:

AUTHORIZE CONTRACT WITH PRO-ACTION OF STEUBEN AND YATES COUNTIES, INC. FOR STAFFING OF THE YATES COUNTY SUMMER YOUTH EMPLOYMENT PROGRAM

WHEREAS, it is necessary for the Department of Social Services to contract with an outside agency for assistance in operating the Summer Youth Employment Program;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairwoman of the Legislature and the Commissioner of Social Services be authorized to sign a contract with Pro-Action of Steuben and Yates Counties, Inc to contract for summer staffing with the Department for the period 5/1/22-9/30/22 for an amount not to exceed \$9,500; and be it further

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

Resolution No. 148-22
Motioned By: Chilson

Date: 4/11/22
Seconded By:

APPOINT EARLY INTERVENTION OFFICIAL (S. Christensen)

WHEREAS, Title II-A of Article 25, Section 2541, of the Public Health Law calls for the designation of a local Early Intervention Official (EIO) by the Chief Executive Officer of the Municipality;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is hereby authorized to designate Sara Christensen, Director of Public Health, as the local Early Intervention Official (EIO); and be it further

RESOLVED, that a copy of this resolution be sent to the Public Health office, Sara Christensen, New York State Department of Health Bureau of Early Intervention and the Personnel Officer.

Resolution No. 149-22
Motioned By: Chilson

Date: 4/11/22
Seconded By:

APPOINT EARLY INTERVENTION OFFICIAL DESIGNEE (C. Bailey)

WHEREAS, it is a responsibility of the municipality to attend all Individual Family Service Plan meetings through its Early Intervention Official or through a designee;

NOW, THEREFORE, BE IT RESOLVED, that Chelsea Bailey, Deputy Director of Public Health be appointed to serve as a designee to represent the Yates County Early Intervention Official at Individual Family Service Plan meetings, and be it further

RESOLVED, that copies of this resolution be provided to the Public Health office, Chelsea Bailey, the New York State Department of Health Bureau of Early Intervention and the Personnel Officer.

Resolution No. 150-22
Motioned By: Chilson

Date: 4/11/22
Seconded By:

**APPOINT MEMBER TO THE YATES COUNTY MENTAL HEALTH AND
SUBSTANCE USE SUBCOMMITTEES
(Holly R. Smith)**

BE IT RESOLVED, that the Yates County Legislature appoint Holly R. Smith 19 Clover Crossings Manchester, New York 14504, to the Yates County Mental Health and Substance Use Subcommittee, to a first term ending 12/31/2024; and be it further

RESOLVED, that a copy of this resolution be provided to Holly R. Smith and to the Yates County Department of Community Services.

Resolution No. 151-22

Date: 4/11/22

Motioned By: Banach

Seconded By:

AUTHORIZE LEGISLATURE CHAIRWOMAN TO SIGN 2022 ROADSIDE MOWING CONTRACTS

WHEREAS, in the interest of public safety all Yates County roadsides need to be mowed during the months of May through September; and

WHEREAS, the adopted 2022 Yates County budget has sufficient funding appropriated to line D5110.54032 to contract with several Towns to do roadside mowing for Yates County at an established rate of \$155 per centerline mile; and

WHEREAS, the Town of Barrington, Town of Middlesex, and the Town of Potter have agreed to do contract mowing of Yates County roads within their Towns;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature, after review by the County Attorney, is authorized to sign roadside mowing contracts with each of the above named Towns; and be it further

RESOLVED, that a copy of this resolution be sent to the Yates County Treasurer, Yates County Director of Finance, Yates County Highway Superintendent and each Town performing roadside mowing for Yates County.

Resolution No. 152-22

Date: 4/11/22

Motioned By: Banach

Seconded By:

AWARD BID FOR COLD MILLING OF ASPHALT PAVEMENT

WHEREAS, bids were requested for Cold Milling of Asphalt Pavement and received on March 24, 2022 at 10:00 a.m. and two firms submitted bids to the Yates County Highway Department;

BIDDER:	Donegal Construction Corporation	Villager Construction Inc.

Project #1: CR #10/10F, North Vine Valley (3.74 miles)

3" depth, Estimated quantity: +/-
50,465 sy

With County Supplied Trucking /sq. yd:	\$1.55	\$1.30
Deduct for County Provided M&P of Traffic:	-\$0.19	-\$0.12
Total:	\$1.36	\$1.18

Project #2: CR #23, Lovejoy Road (5.85 miles)

3" depth, Estimated quantity: +/-
78,935 sy

With County Supplied Trucking /sq. yd:	\$1.08	\$1.33
Deduct for County Provided M&P of Traffic:	-\$0.08	-\$0.12
Total:	\$1.00	\$1.21

Project #3: CR #1, Himrod Road (4.31 miles)

3" depth, Estimated quantity: +/-

58,156 sy

With County Supplied Trucking /sq. yd:	\$1.24	\$1.21
Deduct for County Provided M&P of Traffic:	-\$0.09	-\$0.10
Total:	\$1.15	\$1.11

NOW, THEREFORE, BE IT RESOLVED, to award the bid for Project #1 and Project #3 to Villager Construction, Inc., and Project #2 to Donegal Construction Corporation; and be it further

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

Resolution No. 153-22

Date: 4/11/22

Motioned By: Banach

Seconded By:

AWARD BID FOR LIQUID BITUMINOUS MATERIAL

WHEREAS, bids were requested for Liquid Bituminous Material and received on March 24, 2022 at 10:00 a.m. and three firms submitted a bid to the Yates County Highway Department;

		Vestal Asphalt Inc.	Midland Asphalt Materials	Suit-Kote Corporation
LIQUID EMULSIFIED ASPHALT MATERIALS "PER GALLON"				
702-3101	RS-2	3.390	3.234	3.082
*	HFRS-2P	3.720	3.494	3.400
702-3301	HFMS-2	3.537	3.632	3.170
*	HFMS-2ST	3.484	3.632	2.916
*	AEPM	3.222	2.056	2.084
702-4101	CRS-2	3.485	3.214	3.142
*	CRS-2P	3.737	3.474	3.413
MIX PAVER OPTION "APPLIED PER GALLON"				
702-4201	CMS-2	NB	3.932	NB
*	HFMS-2GH	NB	4.040	NB
CHIPPER RENTAL & APPLIED OIL PRICE PER GALLON				
Chipper	w/CRS-2	2.386	3.474	2.055
	w/RS-2	2.319	3.494	2.045
	w/HFRS-2	3.720	3.494	2.105
	w/HFRS-2ST	3.724	3.494	3.358
	w/HFMS-2ST	3.776	3.494	3.170

PUG MILL and PAVER OPERATIONS "APPLIED PER GALLON"					
702-3301	HFMS-2		4.530	NB	3.780
*	HFMS-2C		4.587	NB	3.830
702-4201	CMS-2		4.518	NB	4.231
*	HFMS-2GH		4.663	NB	3.870

RENTAL OF EQUIPMENT INCLUDING OPERATOR			Vestal Asphalt Inc.	Midland Asphalt Materials	Suit-Kote Corporation
VIBRATORY DOUBLE DRUM ROLLER	/DAY		2,300.00	NB	2,300.00
10-12 TON RUBBER TIRED ROLLER	/DAY		2,150.00	2,100.00	2,100.00
MIX PAVER	/DAY		NB	3,200.00	NB
ASPHALT PAVER	/DAY		3,500.00	NB	3,400.00
MILLING MACHINE (75" DOWN CUT)	/DAY		NB	NB	5,850.00
PUG MILL OPERATION	/DAY		2,750.00	2,900.00	2,700.00
CHIPPER	/DAY		2,500.00	2,600.00	2,500.00

NOW, THEREFORE, BE IT RESOLVED, to award the bid to: Suit Kote Corporation for Liquid Emulsified Asphalt Materials RS-2, HFRS-2P, HFMS-2, HFMS-2ST, CRS-2 and CRS-2P. Chipper Rental & Applied Oil CRS-2, RS-2, HFRS-2, HFRS-2ST, and HFMS-2ST. Pug Mill and Paver Operations HFMS-2, HFMS-2C, CMS-2, and HFMS-2GH. To Midland Asphalt Materials for Liquid Emulsified Asphalt Materials AEPM. Mix Paver Options CMS-2 and HFMS-2GH; and be it further

RESOLVED, to award the bid for Rental of Equipment Including Operator to: Suit Kote Corporation for Vibratory Double Drum Roller, 10-12 Ton Rubber Tired Roller, Asphalt Paver, Milling Machine 75" Down Cut, Pug Mill Operation, and Chipper. To Midland Asphalt Materials Inc. for 10-12 Ton Rubber Tired Roller and Mix Paver. To Vestal Asphalt Inc. for Vibratory Double Drum Roller and Chipper; and be it further

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

Resolution No. 154-22
Motioned By: Banach

Date: 4/11/22
Seconded By:

AWARD BID FOR HOT MIX ASPHALT CONCRETE

WHEREAS, bids were requested for Hot Mix Asphalt Concrete and received on March 24, 2022 at 10:00 a.m. and five firms submitted bids to the Yates County Highway Department:

BIDDER:	Hanson Aggregates NY LLC	Spallina Materials Inc.	Dolomite Products Co. Inc.	Dolomite Products Co. Inc. DBA A.L. Blades	Seneca Stone Corporation
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NYS DOT ITEM	ITEM	F.O.B Est. QUANT. (Tons)					
403.198902	Type 7F Top	500-1,000	\$73.50	\$68.50	\$69.00	\$68.00	\$71.00
403.178302	Type 6F Top	500-1,000	\$72.00	\$67.00	\$65.00	\$64.00	\$69.00
*	Fine Binder	500-1,000	\$65.00	\$62.00	\$65.00	\$64.00	\$61.00
403.138902	Type 3 Binder	500-1,000	\$65.00	\$61.50	\$62.00	\$61.00	\$61.00
402.097203	9.5 mm < 30	500-1,000	\$75.50	\$68.50	\$69.00	\$68.00	\$69.00
402.127203	12.5 mm < 30	500-1,000	\$71.50	\$67.50	\$65.00	\$64.00	\$66.00
402.197903	19.0 mm < 30	500-1,000	\$65.00	\$61.50	\$62.00	\$61.00	\$61.00
402.257903	25.0 mm < 30	500-1,000	\$62.00	\$67.00	\$61.00	\$60.00	\$59.00

SPECIFIED IN-PLACE PROJECTS

Project #1 North Vine Valley Road/Pierce Hill Road

From NYSR 245 to the Boat Launch just west of the intersection of North Vine Valley and South Lake Rd						
3.74 Mi.	4,881 tons 19 mm < 30 (2") Unit:	\$56.89	\$135.00	NB	\$78.00	NB
	4,074 tons 9.5 mm < 30 (1.5") Unit:	\$66.24	\$145.00	NB	\$95.00	NB
	Total:	\$547,541.85	\$1,249,665.00		\$767,748.00	

Project #2 Lovejoy Road

From CR #22 (East Sherman Hollow Rd) to CR #02 (Ferguson Corners Rd)						
5.85 Mi.	7,634 tons 19 mm < 30 (2") Unit:	\$54.83	\$135.00	NB	\$78.00	NB
	6,373 tons 9.5 mm < 30 (1.5") Unit:	\$64.36	\$145.00	NB	\$95.00	NB
	Total:	\$828,738.50	\$1,954,675.00		\$1,200,887.00	

BIDDER:	Hanson Aggregates NY LLC	Spallina Materials Inc.	Dolomite Products Co. Inc.	Dolomite Products Co. Inc. DBA A.L. Blades	Seneca Stone Corporation
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Project #3 Himrod Road

From CR #36 (Plum Point Rd) to CR #28 (Leach Rd)						
4.31 Mi.	5,625 tons 19 mm < 30 (2") Unit:	\$56.20	\$135.00	NB	\$78.00	NB
	4,695 tons 9.5 mm < 30 (1.5") Unit:	\$66.29	\$145.00	NB	\$95.00	NB
	Total:	\$627,356.55	\$1,440,150.00		\$884,775.00	

UNSPECIFIED IN-PLACE PROJECTS

403.198302	Type 7F3 Top	Base Bid:	\$108.75	\$115.00	NB	NB	\$90.00
403.178302	Type 6F3 Top	Base Bid:	\$107.00	\$115.00	NB	NB	\$88.00
*	Fine Binder	Base Bid:	\$100.75	\$115.00	NB	NB	\$80.00
403.138902	Type 3 Binder	Base Bid:	\$100.50	\$110.00	NB	NB	\$80.00
402.097203	9.5 mm < 30	Base Bid:	\$109.50	\$115.00	NB	NB	\$89.00
402.127203	12.5 mm < 30	Base Bid:	\$106.50	\$115.00	NB	NB	\$86.00
402.197903	19.0 mm < 30	Base Bid:	\$100.75	\$110.00	NB	NB	\$81.00
402.257903	25.0 mm < 30	Base Bid:	\$98.25	\$110.00	NB	NB	\$79.00

NOW, THEREFORE, BE IT RESOLVED, due to various worksites throughout the County, the bid award for F.O.B. materials shall be awarded to all bidders and the purchase of F.O.B. 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; and be it further

RESOLVED, that Specified In-Place Project #1, Project #2, and Project #3 shall be awarded to Hanson Aggregates NY LLC. Unspecified In Place Projects to Seneca Stone Corporation for all items; and be it further

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

Resolution No. 155-22
Motioned By: Banach

Date: 4/11/22
Seconded By:

AWARD BID FOR PAVER PLACED SURFACE TREATMENT

WHEREAS, bids were requested for Paver Placed Surface Treatment and received on March 24, 2022 at 10:00 a.m. and one firm submitted a bid to the Yates County Highway Department:

	Midland Asphalt Materials	
PRICE/SY		
Range		
5,000 to 15,000 SY		
TYPE A - 1/4"	\$5.66	
TYPE B - 3/8"	\$5.55	
TYPE C - 1/2"	\$5.55	
15,001-30,000 SY		
TYPE A - 1/4"	\$5.25	
TYPE B - 3/8"	\$5.19	
TYPE C - 1/2"	\$5.19	
30,001 plus SY		
TYPE A - 1/4"	\$5.15	
TYPE B - 3/8"	\$5.08	
TYPE C - 1/2"	\$5.08	
Add-on	\$ 0.10	
	(per square yard if Contractor furnishes and operates compaction equipment)	
Add-on	\$ 0.60	

(per square yard if Contractor furnishes hauling of hot mix asphalt from plant to job site)

Add-on \$ \$0.25
(per square yard if Contractor supplies M&P of Traffic)

Add-on \$ \$0.15
(per square yard if warm mix additive is used)

Add-on \$ \$12.00
(per lineal foot for milling necessary rebates at 2 feet wide)

Add-on \$ \$0.35
(per lineal foot for abrading pavement striping at 4 inches wide)

Add-on \$ \$110.00
(each for abrading pavement symbols)

NOW, THEREFORE, BE IT RESOLVED, to award the bid to Midland Asphalt; and be it further

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

Resolution No. 156-22
Motioned By: Banach

Date: 4/11/22
Seconded By:

COMMENCE SEQRA REVIEW AND EVALUATE NEED FOR LOCAL APPROVAL FOR THE HIGHWAY, OFFICE OF EMERGENCY SERVICES & PUBLIC HEALTH FACILITY PROJECT

WHEREAS, Yates County (“County”) commissioned a highway department conditions and needs assessment study in 2019 and received a Highway Department Assessment and Recommendations Report (“Report”) in September 2019; and

WHEREAS, as a result of the study and Report, the County desires to install a Highway, Office of Emergency Services & Public Health facility located in the Town of Benton (the “Project”); and

WHEREAS, the purpose of the Project is to improve efficiencies of the Highway Department and facilitate the provision and readiness of services by Public Health and Office of Emergency Services Personnel for the benefit of all County residents; and

WHEREAS, the Project will include, in relevant part, the acquisition of real property interests, the design and construction of a new Highway, Offices of Emergency Services and Public Health facility; and

WHEREAS, the County has to date, and will continue in the future, to share information with the Town of Benton concerning the Project; and

WHEREAS, at the present time it is anticipated that the Town of Benton will not require strict compliance with local land use regulations for the Project; and

WHEREAS, the County desires to comply with the requirements of State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617; and

WHEREAS, the County desires (i) to classify the type of action for which the Project qualifies under SEQRA, (ii) to serve as lead agency for the SEQRA review of the Project, and (iii) in furtherance of the foregoing, to engage in a coordinated review and provide Part 1 of the Full Environmental Assessment Form ("FEAF") to other interested and involved agencies for their review and comment

NOW, THEREFORE, BE IT RESOLVED, that the County states its desire, upon the consent of other involved agencies, to serve as "Lead Agency" for the Project's environmental review and preliminarily classifies the Project as a Type "I" Action under SEQRA; and be it further

RESOLVED, that the County hereby authorizes its staff and consultants to complete Part 1 of the FEAF and to send it, together with a copy of this Resolution, to all involved and interested agencies, and to request involved agencies to consent to the County's serving as lead agency for the SEQRA review; and be it further

RESOLVED, that the County has determined that an important public interest would be served by the Project for the purpose to advance efficiencies by highway personnel, public health staff and the office of emergency services for the benefit of all County residents; and be it further

RESOLVED, that the County hereby determines that locations for the Project in the Town of Benton can best serve the public interest, and that the County is therefore committed to a process of information-sharing with municipal representatives of the Town; and be it further

RESOLVED, that the County anticipates that any local approvals for the Project will be granted on a timely basis or may not be required based on consideration of applicable laws; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that a copy of this Resolution shall be filed with the County Clerk and copies sent to the County Attorney, Highway Superintendent, Director of Emergency Services, Director of Public Health, Administrator, Planner, the Town of Benton, Mike LaMontagne of C & S Engineers

and Robert Tyson of Bond Schoeneck and King Attorneys

Resolution No. 157-22

Date: 4/11/22

Motioned By: Banach

Seconded By:

AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE COSTS OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS

WHEREAS, a project for the Bridge NY (3): Bridge Replacement (BIN 2219180) Haley Road over Big Stream, Town of Barrington, Yates County P.I.N. 6755.55 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, the County of Yates will design, let and construct the Project; and

WHEREAS, the County of Yates desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof;

NOW, THEREFORE, the Yates County Legislative Board, duly convened does hereby

RESOLVE, that the Legislature of the County of Yates hereby approves the above-subject Project; and be it further

RESOLVED, that the Legislature of the County of Yates hereby authorizes the County of Yates to pay 100% of the cost of Design and Right of Way Incidentals work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and be it further

RESOLVED, that the Yates County Legislative Board hereby agrees that the County of Yates shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the County of Yates; and be it further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the County of Yates shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that County of Yates hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Chairperson of the Yates County Legislature of the County of Yates be and is hereby authorized to execute on behalf of the County of Yates all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Yates' funding of Project costs and permanent funding of the local share of federal-aid and state-aid

eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and 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 Agreement in connection with the Project; and be it further

RESOLVED, this Resolution shall take effect immediately.

Resolution No. 158-22

Date: 4/11/22

Motioned By: Banach

Seconded By:

**AUTHORIZE LEGISLATURE CHAIRWOMAN TO SIGN AN AGREEMENT FOR THE
ENGINEERING AND DESIGN OF THE BRIDGE NY PROJECT KNOWN AS HALEY
ROAD OVER BIG STREAM
(PIN 6755.55)**

WHEREAS, Resolution 156-22 authorized participation in and the implementation and funding of a BRIDGE NY federal aid eligible superstructure replacement project known as Haley Road over Big Stream (PIN 6755.55) in the Town of Barrington, Yates County; and

WHEREAS, Engineering and Design work is required to develop plans and specifications to replace the superstructure; and

WHEREAS, Barton and Loguidice, D.P.C. was selected as the engineering consultant for this project;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Yates County Legislature is authorized to sign the Engineering and Design agreement with Barton and Loguidice, D.P.C contingent upon approval of the contract by the Yates County Attorney; and be it further

RESOLVED, that the Yates County Legislature Chairwoman is authorized to execute all subsequent and necessary Engineering and Construction Inspection agreements throughout the duration of the project; and be it further

RESOLVED, that copies of this resolution be forwarded to the Yates County Treasurer, Yates County Director of Finance, Barton and Loguidice, D.P.C., and the Yates County Highway Superintendent.

Resolution No. 159-22

Date: 4/11/22

Motioned By: Banach

Seconded By:

DESIGNATE DEPUTY HIGHWAY SUPERINTENDENT AS THE RESPONSIBLE LOCAL OFFICIAL (RLO) FOR THE BRIDGE NY PROJECT KNOWN AS HALEY ROAD OVER BIG STREAM (PIN 6755.55)

WHEREAS, Resolution 156-22 authorized funding for and participation in a federal aid eligible bridge replacement project know as Haley Road over Big Stream (PIN 6755.55) in the Town of Barrington, Yates County; and

WHEREAS, the NYSDOT requires the project sponsor (Yates County) to name a Responsible Local Official (RLO); and

WHEREAS, the RLO must sign the Initial Project Proposal, Smart Growth and Complete Streets documents, monitor the Equitable Business Opportunities (EBO) system for the duration of the project, sign Right-of-Way documents, ensure construction is completed in compliance with the project plans and specifications and sign the Final Acceptance certificate;

NOW, THEREFORE, BE IT RESOLVED, to designate the Yates County Deputy Highway Superintendent to be the RLO for PIN 6755.55; and be it further

RESOLVED, that a copy of this resolution be sent to the Yates County Highway Department and the New York State Department of Transportation.

Resolution No. 160-22

Date: 4/11/22

Motioned By: Banach

Seconded By:

**AMENDMENT TO RESOLUTION NO. 14-22
(AUTHORIZED EXCEPTIONS TO THE PROCUREMENT POLICY)**

WHEREAS, Resolution 14-22 authorized the exceptions to the procurement policy; and

WHEREAS, the Building Maintenance Supervisor would like to add another buying contract to the list;

NOW, THEREFORE, BE IT RESOLVED, that Resolution 14-22 be amended to include "Buy Board" as an approved contract for purchasing; and be it further

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

Resolution No. 161-22

Date: 4/11/22

Motioned By: Banach

Seconded By:

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH CHEMSEARCH FE

WHEREAS, the cooling tower at the Public Safety Building requires monitoring and treatment to maintain the proper water chemistry; and

WHEREAS, the Building Maintenance Supervisor has received a proposal from Chemsearch FE under the Buy Board contract #629-20 for the annual cost of \$3,596.15 for these 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 Chemsearch FE for monitoring and treatment to maintain the proper water chemistry of the PSB cooling tower; and be it further

RESOLVED, that said contract will run from 4/1/22 to 3/31/25 for an amount not to exceed \$3,596.15 per year; and be it further

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

Resolution No. 162-22

Date: 4/11/22

Motioned By: Holgate

Seconded By:

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH LABELLA ASSOCIATES
FOR ONE TOUCH MAKE READY SERVICES FOR PHASE 1B OF THE YATES
COUNTY
RECONNECT PROJECT**

WHEREAS, Yates County (hereinafter referred to as "County") has been awarded a USDA ReConnect grant to enable design and construction of a fiber-to-the premises broadband network to reach the unserved and underserved with regard to internet access; and

WHEREAS, the County has signed Pole Attachment Agreements with New York State Electric & Gas Corporation (hereinafter referred to as "NYSEG") and Frontier Communications (hereinafter referred to as "Frontier") licensing the use of NYSEG and Frontier poles for attaching and maintaining its telecommunications fiber; and

WHEREAS, in order to proceed with the actual attachments, NYSEG and Frontier charge an application fee covering Make Ready activities including field survey, design analysis, design system entry, mid-span measurement, structural analysis, construction inspection; and

WHEREAS, NYSEG and Frontier recommend that the County follow One Touch Make Ready processing where some of these activities are out-sourced to a certified engineering firm in return for a reduced application fee and a more stream-lined, efficient process; and

WHEREAS, LaBella Associates (hereinafter referred to as "LaBella") is certified by NYSEG and Frontier for these activities; and

WHEREAS, the County has previously signed a One Touch Make Ready Service agreement with LaBella covering NYSEG and Frontier poles included in Phase IA of the ReConnect project; and

WHEREAS, an additional 285 NYSEG and Frontier poles have been identified to complete Phase 1B of the ReConnect project and LaBella has submitted a One Touch Make Ready Services proposal for these Phase 1B poles;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to enter into a contract with LaBella for its provision of the above recited services, for a price not to exceed \$49,050; and be it further

RESOLVED, that copies of this resolution be provided to LaBella, USDA/RUS, County Administrator, Director of Finance, Treasurer, Planner, and the Grant Specialist.

Resolution No. 163-22

Date: 4/11/22

Motioned By: Holgate

Seconded By:

AUTHORIZE CHAIRWOMAN TO SIGN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER COUNTY FOR HOUSEHOLD HAZARDOUS WASTE DAY SERVICES

WHEREAS, Schuyler County and Yates County will be holding a joint 2022 Household Hazardous Waste Day for residents of Yates and Schuyler counties on July 23rd, 2022; and

WHEREAS, Yates County has agreed to pay \$4,500 for its participation along with supplying a dump truck for said event;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman is hereby authorized to sign an inter-municipal agreement with Schuyler County; and be it further

RESOLVED, that a copy of the resolution be provided to the Schuyler County Planner.

Resolution No. 164-22

Date: 4/11/22

Motioned By: Holgate

Seconded By:

AUTHORIZE LETTER OF SUPPORT FOR FINGER LAKES LAND TRUST TO SUBMIT AN APPLICATION TO NYS DEPT OF AG AND MARKETS FOR THE PURCHASE OF A CONSERVATION EASEMENT ON HENDERSON FARM

WHEREAS, an email was received from the Finger Lakes Land Trust on March 18, 2022 requesting a letter of support from the County Planner, for the purchase of a 413 acre conservation easement at the Henderson Farm. 2932 Route 14A, Penn Yan, NY 14527; and

WHEREAS, Finger Lakes Land Trust is making an application to the NYS Department of Ag and Markets for the funding of this purchase; and

WHEREAS, the first county goal listed in the Comprehensive Plan "RELATED TO NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION," is "To preserve that land for agriculture which are identified as having unique value"; and

WHEREAS, the USDA soil report classifies the soils on this property as a mix of 3 classifications. "Farmland of statewide importance", "All areas are prime farmland," and "Prime farmland if drained;"

NOW, THEREFORE, BE IT RESOLVED, that the Planner is authorized to prepare and send a letter of support to the Finger Lakes Land Trust for said application; and be it further

RESOLVED, that a copy of this resolution be furnished to the Planner and to Elizabeth Newbold, Finger Lakes Land Trust.

Resolution No. 165-22

Date: 4/11/22

Motioned By: Holgate

Seconded By:

**AUTHORIZE YATES COUNTY TO SUBMIT AN APPLICATION TO THE OFFICE OF
COMMUNITY RENEWAL FOR A COMMUNITY DEVELOPMENT BLOCK GRANT
ON BEHALF OF YATES COUNTY**

WHEREAS, the Yates County Comprehensive Plan 2020, under “Support Stewardship Efforts:” specifically calls out the county to “support efforts to protect the watersheds of all lakes within its borders;” and

WHEREAS, properly functioning septic and well systems are critical for the health of our citizens, the health of our ecosystems, and the health of our economy; and

WHEREAS, it is the desire of Yates County to submit an application for the 2022 New York State Community Development Block Grant (CDBG) program and to get funding to replace well and septic systems for low and moderate income families; and

WHEREAS, the process for CDBG applications involves holding one public hearing prior to submission of any 2022 CDBG applications to provide residents with information about the CDBG program and to discuss community development needs and priorities; and

WHEREAS, residents are invited to attend the hearing to assist the County in defining community development priorities; and

WHEREAS, the date and time of said public hearing are to be named in the future;

NOW, THEREFORE, BE IT RESOLVED, that Yates County is hereby authorized to submit an application to the Department of Housing and Community Renewal for a Community Development Block Grant; and be it further

RESOLVED, that Yates County’s Certifying Officer be hereby authorized to sign the application; and be it further

RESOLVED, that should said grant be awarded to Yates County, the County Treasurer is hereby authorized to deposit said grant in the appropriate line item in the Yates County Budget; and be it further

RESOLVED, that the Chairwoman of the Legislature is hereby authorized to sign all appropriate and necessary documents to implement said grant, subject to the approval of the Yates County Attorney; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Executive Director of the Keuka Housing Council, Inc., 160 Main Street, Penn Yan, NY 14527.

Resolution No. 166-22
Motioned By: Holgate

Date: 4/11/22
Seconded By:

2022 BUDGET TRANSFERS

WHEREAS, these funds are part of the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be made as tabulated below:

From:	To:	Amount:
A1430.54019 PER- EAP	A1430.51505 PER- Overtime	\$ 25.62
A1430.54019 PER- EAP	A1430.51661 PER- Comp Time BO	\$ 5.58

And be it further

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

Resolution No. 167-22
Motioned By: Holgate

Date: 4/11/22
Seconded By:

APPROPRIATE ADDITIONAL STATE AID
(SOCIAL SERVICES)

WHEREAS, the Department of Social Services has received grant revenue along 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:		
A6010.44610 DSS- Social Service Admin		\$ 2,597.00
Appropriation		
A6010.54027 DSS- Miscellaneous		\$ 2,597.00

And be it further

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

Resolution No. 168-22
Motioned By: Holgate

Date: 4/11/22
Seconded By:

APPROPRIATE ADDITIONAL STATE AID
(SOCIAL SERVICES)

WHEREAS, the Department of Social Services has received grant revenue along 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:		
A6010.44610 DSS- Social Service Admin		\$ 14,700.00
Appropriation		
A6010.54305 DSS- Family Assistance		\$ 14,700.00

And be it further

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

Resolution No. 169-22

Date: 4/11/22

Motioned By: Holgate

Seconded By:

**ACCEPT BID FOR THE PENN YAN AIRPORT EMERGENCY WEATHER GRANT
GENERATOR PURCHASE AND INSTALLATION**

WHEREAS, a specification was generated and bids were solicited for a standby (backup) generator set for the Penn Yan Airport Emergency Weather DOT Grant Project; and

WHEREAS, on March 23, 2022, bids for the airport generator purchase and installation (Penn Yan Airport Emergency Weather DOT Grant Project) were received, opened, read aloud and documented, as follows:

Description	Schuler-Haas Electric Corp.	Baseline King
Generator / Installation	\$ 53,700	\$ 56,000
NG Line Installation Allowance	\$ 6,000	\$ 6,000
Total with NG Line Allowance	\$ 59,700	\$ 62,000
Delivery (weeks)	24	29
Optional Extended Service Agreement (years 2 – 6)	\$2000.00	\$5,000.00
Generator Set Manufacturer / Model	Kohler 38RCLC	Kohler 38RCLC-Q50
kW Rating	38	38

And;

WHEREAS, the apparent low quote is from Schuler-Haas Electrical Corporation of Painted Post, NY; and

WHEREAS, the County's project consultant, Passero Associates, has reviewed the bids and recommends accepting said bid from Schuler-Haas Electrical Corporation.

NOW, THEREFORE, BE IT RESOLVED, that the above Schuler-Haas Electrical Corporation bid is hereby accepted, contingent upon the execution of a written contract related thereto between the County and Schuler-Haas Electrical Corporation, and to this end, the Chairwoman of the Legislature, upon the approval of the NYS Department of Transportation

(project grantor) and the County Attorney, is authorized to sign such a contract on behalf of the County, as well as any other necessary documents with Schuler-Haas Electrical Corporation to enable construction for the Penn Yan Airport Emergency Weather DOT Grant Project, including, but not limited to change orders; and be it further

RESOLVED, that total contract shall not exceed \$61,700; and be it further

RESOLVED, that copies of this resolution be furnished to the Airport Council, Building Maintenance Supervisor, County Administrator/Budget Officer, Director of Finance, Treasurer, Passero Associates and all bidders.

Resolution No. 170-22

Date: 4/11/22

Motioned By: Holgate

Seconded By:

ACCEPT BID FOR THE PENN YAN AIRPORT DEICING VEHICLE PURCHASE

WHEREAS, a specification was generated and bids were solicited for a deicing vehicle for the Penn Yan Airport; and

WHEREAS, on April 4, 2022 at 3 pm the sole bid for the airport deicing vehicle was received, opened, read aloud and documented, as follows:

Description	Ground Support Specialists, LLC
Deicing Vehicle including delivery	\$ 261,980
Truck Model	Hawk 800

And;

WHEREAS, the apparent low quote is from Ground Support Specialist, LLC of Horn Lake, MS; and

WHEREAS, the County's project consultant, Passero Associates, has reviewed the bids and recommends accepting said bid from Ground Support Specialist, LLC.

NOW, THEREFORE, BE IT RESOLVED, that the above Ground Support Specialist, LLC bid is hereby accepted, contingent upon the execution of a written contract related thereto between the County and Ground Support Specialist, LLC, and to this end, the Chairwoman of the Legislature, upon the approval of the FAA (project grantor) and the County Attorney, is authorized to sign such a contract on behalf of the County, as well as any other necessary documents with Ground Support Specialist, LLC to enable purchase for the Penn Yan Airport Deicing Vehicle Grant, including, but not limited to change orders; and be it further

RESOLVED, that total contract shall not exceed \$261,980; and be it further

RESOLVED, that copies of this resolution be furnished to the Airport Council, Highway Supervisor, County Administrator/Budget Officer, Director of Finance, Treasurer, Passero Associates and all bidders.