



YATES COUNTY LEGISLATURE

417 Liberty Street  
Penn Yan, New York 14527  
Phone 315-536-5150  
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Douglas Paddock  
Chairman

Connie C. Hayes  
Clerk

**YATES COUNTY LEGISLATIVE  
AGENDA**

**April 29, 2021 at 1:45 pm**

NOTE:

- Maximum attendance at any meeting is limited to 50 persons.
- Considering 14 Legislators, the Clerk of the Legislature and the County Administrator, public attendance will therefore be limited to 34 persons
- If it is desired to address the Legislature, it would be appreciated that the Clerk of the Legislature be contacted to assure that there will be capacity in the room. (Phone 315-536-5150 or email [chayes@yatescounty.org](mailto:chayes@yatescounty.org))
- Wear a mask when not seated.
- Wear a mask if not able to maintain 6 feet from adjacent persons (i.e., – social distance)
- Attendance can also be by ZOOM; the login information is below.

Join Zoom Meeting

<https://us02web.zoom.us/j/83036082316?pwd=OGt1M09Ec0R0amVKblpzU2VTNTNudz09>

Meeting ID: 830 3608 2316

Passcode: 629565

Dial by your location

+1 646 558 8656 US (New York)

The Yates County Legislature will meet in special session, Thursday, April 29, 2021 at 1:45 p.m. in the Legislative Chambers. The purpose of this meeting is to meet with Senator O'Mara and Assemblyman Palmesano for an update on state issues. The Legislature will also be considering the following resolutions.

**Resolution No. 177-21**

**Motioned By: Banach**

**Date: April 29, 2021**

**Seconded by:**

**INTRODUCING PROPOSED LOCAL LAW NO. 1 OF 2021 ENTITLED,  
A LOCAL LAW ADOPTING A PILOT YOUTH DEER HUNTING PROGRAM,  
AND SETTING A DATE FOR A PUBLIC HEARING THEREON**

WHEREAS, Environmental Conservation Law § 11-0935 establishes a pilot program wherein a hunting license holder who is 12 or 13 years of age may hunt deer with a crossbow, rifle, shotgun or muzzle loading firearm in areas where and during the hunting season in which such implements may be used; and

WHEREAS, Environmental Conservation Law § 11-0935 requires that in order to be an “eligible area”, a county must pass a local law authorizing participation in the pilot program; and

WHEREAS, according to a 2011 U.S. Fish and Wildlife Service study, the community spends approximately \$4.95 billion per year in the State of New York in pursuit of sporting

activities, and sporting activities are responsible for the support of approximately 56,000 jobs across New York State; and

WHEREAS, sporting activities have a positive impact on the local and statewide economy; and

WHEREAS, public interest and participation in sporting activities, including deer hunting, has significantly increased, including the number of individuals completing hunter education programs and purchasing hunting and other sporting licenses; and

WHEREAS, the universal hunting age of 12 is supported by the 2012 – 2016 NYS Deer Management Plan and the draft 2021 – 2025 NYS Deer Management Plan; and

WHEREAS, prior to the adoption of Environmental Conservation Law § 11-0935, 49 out of 50 states, with New York being the exception, permitted 12 and 13 year olds to participate in hunting under varying circumstances; and

WHEREAS, hunting with youth provides quality time for parents, guardians and other mentor figures to bond with their children, other family members and friends in an outdoor setting and presents an excellent opportunity to introduce youth to nature, stewardship, conservation, and responsible wildlife management; and

WHEREAS, hunting with youth provides an opportunity to mentor and instruct youth hunters regarding safe and responsible hunting; and

WHEREAS, the Yates County Legislature supports Yates County opting-in to the provisions of Environmental Conservation Law § 11-0935;

NOW, THEREFORE, BE IT RESOLVED, that a proposed Local Law, identified as Local Law No. 1 of 2021, entitled “A LOCAL LAW ADOPTING A PILOT YOUTH DEER HUNTING PROGRAM”, is hereby introduced before the Yates County Legislature; and be it further

RESOLVED, that the Yates County Legislature shall hold a Public Hearing on May 10, 2021 at 1:05 p.m. in the Legislature Chambers, 417 Liberty Street, Penn Yan, NY 14527 on the matter of the adoption of such proposed Local Law; and be it further

RESOLVED, that the Clerk of the Legislature be and hereby is directed to give notice of such Public Hearing in the manner prescribed by law.

NEW YORK STATE DEPARTMENT OF STATE  
162 WASHINGTON AVENUE, ALBANY, NY

**Local Law Filing**

**12231 (Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underling to indicate new matter.

**County**  
**City of Yates**  
**Town**  
**Village**

**LOCAL LAW 1-2021 ENTITLED: A LOCAL LAW ADOPTING A PILOT YOUTH  
DEER HUNTING PROGRAM**

**Be it enacted by the Legislature of the**

**County**

**City of Yates as follows:**

**Town**

**Village**

**SECTION 1. TITLE**

This Local Law shall be known as “A Local Law Adopting a Pilot Youth Deer Hunting Program.”

**SECTION 2. LEGISLATIVE INTENT**

The intent of this Local Law is to authorize Yates County to permit 12 and 13 year old individuals to participate in the new and safe hunting opportunities in accordance with Environment Conservation Law § 11-0935. The enacted 2021-2022 New York State Budget includes a pilot program allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2023 if a county authorizes such action within their municipality. Yates County is passing this local law as hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

**SECTION 3. PILOT PROGRAM AUTHORIZATION**

Pursuant to Environmental Conservation Law, ECL 11-0935, Yates County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2023.

**SECTION 4. STATE REQUIREMENTS TO ADHERE ONCE AUTHORIZED**

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, age 21 years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, age 21 years or older, with a crossbow during the times when other hunters may use crossbows; and
- Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- All licensed twelve (12) and thirteen (13) year old hunters as well as their adult supervisors shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and
- All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and

- Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year old with a firearm or crossbow.

#### SECTION 5. LOCAL LAW FILING REQUIREMENTS

A copy of this local law shall be sent to the New York State Department of Environmental Conservation as well as the New York State Department of State.

#### SECTION 6. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

#### SECTION 7. EFFECTIVE DATE

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

**Resolution No. 178-21**  
**Motioned By: Bronson**

**Date: April 29, 2021**  
**Seconded by:**

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### **AUTHORIZE COUNTY TREASURER TO CREATE AND FILL DEPUTY TREASURER POSITION**

WHEREAS, the Treasurer has requested to create and fill a full-time Deputy Treasurer position due to the anticipated vacancy that will occur on June 1, 2021 as the result of a resignation; and

WHEREAS, the County Treasurer through the vacancy review process has identified the need to create and fill a Deputy Treasurer position in order to allow for a seamless transition for personnel; and

WHEREAS, the estimated cost to fill the position, including fringe, is \$72,294 to \$92,607, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, effective April 29, 2021 the County Treasurer is hereby authorized to create and fill a full-time Deputy Treasurer position; and be it further

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