



YATES COUNTY LEGISLATURE
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Douglas Paddock
Chairman

Connie C. Hayes
Clerk

**YATES COUNTY LEGISLATIVE
AGENDA**

May 11, 2020 at 1:00 pm

**THIS MEETING WILL BE DONE BY A ZOOM
WEBINAR**

PUBLIC AND PRESS WEBINAR PARTICIPATION INFORMATION ONLY

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

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Webinar ID: 254 418 139

- Approve minutes of the April meeting
- Approve Audit
- Committee reports
- Public Comment

RESOLUTIONS

Cutler	181-2020	Authorize Chairman To sign Software Maintenance Agreement Renewal
	182-2020	Set Date For Public Hearing On Proposed Local Law 3-2020 Entitled A Local Law Authorizing A Yates County Traffic Diversion Program
	183-2020	Authorize Chairman And Sheriff To Sign Jail Inmate Legal Library Agreement
	184-2020	Authorize Sheriff And Chairman To Sign Amendment For Jail Telephone Services
	185-2020	Recognize Peace Officers' Memorial Day
	186-2020	Recognize National Correctional Officers' And Employees' Week
Bronson	187-2020	Authorize Public Defender To create And Fill Full-Time Position (Assistant Public Defender)
	188-2020	Authorize Insurance Renewal
	189-2020	Change Date Of October Legislative Meeting
	190-2020	Amend Resolution No. 153-2020 (Authorize Chairman To Enter Into A Written Agreement With Dianne S. Lovejoy For The Administration Of Indigent Person Conflict Assignments)
	191-2020	Adopt Yates County Administrative Guide
	192-2020	Authorize Chairman To Sign Internet Services Contract (Spectrum Business Class –Rochester, NY)
	193-2020	Ratifying Memoranda Of Understanding With Council 82 Regarding County's Self-Funded Health Plan
	194-2020	Set Date For Public Hearing On Proposed Local Law 4-2020 Entitled A Local Law Providing For A Change In The Term Of The Legislators On The Yates County Legislature
	195-2020	Authorize Chairman Of Legislature To Sign NYS HAVA CARES ACT Grant Contract # BOE 01-C004227-1110000

Church	196-2020	Sign Inter-Municipal Public Health Shared Services Agreement
	197-2020	Sign Agreement With Health Research Inc. (HRI)
	198-2020	Authorize Chairman To Sign Contract With Michelle Westlake, Physical Therapist
	199-2020	Authorize Chairman To Sign Contract With Great Expectations Physical, Occupational And Speech Therapy, P.L.L.C.
	200-2020	Ratify Signature On Proposal
	201-2020	Authorize Contract With Gate Anger Management
	202-2020	Authorize Contract With Pro-Action Of Steuben And Yates Counties, Inc. For Staffing Of The Yates County Summer Youth Employment Program
	203-2020	Authorize Chairman To Sign Child And Family Services Plan
204-2020	Recognition Of WWII U.S. Army Veteran Martha D. Rouin's 100 th Birthday On May 13, 2020	
Banach	205-2020	Authorize Legislature Chairman To Sign 2020 Indemnification Agreements
	206-2020	Authorize Chairman To Sign An Agreement With Red Hawk Fire And Security
Holgate	207-2020	Authorize Chairman To Enter Into Tourism Funds Contracts With Various Organizations
	208-2020	2020 Budget Transfer
	209-2020	Accept NYSDOT Aviation Project Funding Agreement
	210-2020	State Environmental Quality Review And Authorize Chairman To Sign DV-21 Form, Regarding Airport Deicing Pad Project
	211-2020	Approve Mortgage Tax Apportionment
	212-2020	Intent To Declare Unlisted Action for The USDA ReConnect Program Grant (NY1702-A61)

**AUTHORIZE CHAIRMAN TO SIGN SOFTWARE MAINTENANCE AGREEMENT
RENEWAL**

WHEREAS, the Yates County Probation Department operates the computer software program Caseload Explorer, owned by AutoMon Corporation and requires an annual agreement for software maintenance;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman is authorized to sign the Automon Corporation Software Maintenance Agreement for one year beginning July 20, 2020 at a cost of \$6,370.02; and be it further

RESOLVED, that a copy of this resolution be sent to the Probation Director.

**SET DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW 3-2020 ENTITLED
A LOCAL LAW AUTHORIZING A YATES COUNTY TRAFFIC DIVERSION
PROGRAM**

BE IT RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed local law 3-2020 entitled “A Local Law Authorizing A Yates County Traffic Diversion Program”; and be it further

RESOLVED, said public hearing shall be held June 8, 2020 at 1:05 p.m. in the Yates County Legislative Chambers, 417 Liberty Street, Penn Yan, NY., or may be held by remote access if needed..

LOCAL LAW NO. 3 OF THE YEAR 2020

A Local Law Authorizing a Yates County Traffic Diversion Program

Be it enacted by the County Legislature of the County of Yates, New York as follows:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this Local Law to authorize the establishment of a traffic diversion educational program for persons referred by the District Attorney pursuant to this Local Law and guidelines hereby authorized to be instituted by the District Attorney, to provide for an educational program under State authority authorizing local government to provide for the safety and well-being of persons within the County of Yates. The Traffic Diversion Program will be a voluntary education program with the goal to increase safety of the roads in Yates County by way of educating motorists on driver safety and the rules of the road.

SECTION 2. DEFINITIONS

- a) “Traffic Diversion Program” – shall have the meaning set forth in Section 3 of this Local Law.
- b) “District Attorney” – shall mean the Yates County District Attorney.
- c) “County Treasurer” – shall mean the Yates County Treasurer.
- d) “County” – shall mean Yates County.

SECTION 3. ESTABLISHMENT OF PROGRAM

In order to effectuate the government, protection, order, conduct, safety, health and well-being of persons and property within the County of Yates, and pursuant to its home rule authority, the County hereby establishes a traffic diversion educational program for any and all such persons referred to the same, by the District Attorney (hereinafter referred to as the “Traffic Diversion Program” or the “Program”), as set forth herein:

- a) The District Attorney is hereby authorized, pursuant to the County’s home rule authority under Section 10 of the New York Municipal Home Rule Law and Section 700(1) of the New York County Law, to establish written guidelines for the Traffic Diversion Program addressing i) eligibility for participation in the Program, ii) the application process for eligible persons to participate in the Program and iii) the educational content of the Program.
- b) The District Attorney’s Office is authorized to administer all non-financial aspects of the Traffic Diversion Program in order to effectuate the intent of this Local Law.
- c) The District Attorney shall maintain its Traffic Diversion Program records in accordance with Section 700(7) of the New York County Law.
- d) The County Treasurer is authorized to accept all financial payments, as set forth herein in Section 4 below, for individuals deemed eligible by the District Attorney to participate in the Traffic Diversion Program.
- e) Any disbursements by the County Treasurer of such financial payments made pursuant to Section 4 below, including but not limited to disbursements to departments/offices of County government or to other municipalities, shall be as authorized by resolution(s) of the Yates County Legislature.

SECTION 4. SERVICE CHARGE

- a) Based on the legislative intent stated herein, the County Treasurer is authorized to collect a service charge of \$250 for alleged New York Vehicle and Traffic Law traffic infractions and/or \$350 for alleged New York Vehicle and Traffic Law misdemeanors for an individual’s voluntary participation in the Traffic Diversion Program. The District Attorney shall have the authority to waive all or part of such service charge(s) in instances of an individual’s demonstrated financial hardship.
- b) All payments for such voluntary participation in the Traffic Diversion Program shall be submitted to the County Treasurer and all checks for the same shall be payable to “Yates County Treasurer” and shall be deposited in the general fund of Yates County; whereupon after deducting the cost of the Program, 65% of the remainder shall be distributed to the municipality having original jurisdiction concerning the traffic infraction(s) and/or misdemeanor(s) at issue and 35% of the remainder shall be retained by the County.
- c) The County Treasurer shall periodically review the comprehensive costs of the Traffic Diversion Program to ensure the service charge(s) imposed under this Section reasonably reflect the costs associated with conducting the Program.
- d) Pursuant to this Local Law, the Yates County Legislature shall have the authority upon recommendation by the District Attorney and/or the County Treasurer, to modify, change or otherwise adjust the service charge(s) set forth herein.

SECTION 5. SEPARABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered.

SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately.

Res. No. 183-2020
Motioned By: Cutler

Date: May 11, 2020
Seconded By:

**AUTHORIZE CHAIRMAN AND SHERIFF TO SIGN JAIL
INMATE LEGAL LIBRARY AGREEMENT**

WHEREAS, presently an agreement exists with West Law for \$326.54 a month for legal law services required by statute to inmates at the county jail and the Sheriff desires to change the vendor for these services for less cost and for enhanced services;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman and Sheriff are authorized to sign an agreement with Lexis Nexis for \$225 a month cost including tablets, etc; and be it further

RESOLVED, that copies of this resolution be provided the Sheriff and Treasurer.

Res. No. 184-2020
Motioned By: Cutler

Date: May 11, 2020
Seconded By:

**AUTHORIZE SHERIFF AND CHAIRMAN TO SIGN
AMENDMENT FOR JAIL TELEPHONE SERVICES**

BE IT RESOLVED, that upon the approval of the County Attorney, the inmate telephone services agreement with GTL company provider per Res. No. 61-15 and as amended by Res. 54-19 be further amended regarding call rates, tablet utilization, etc. for enhanced technology services that currently extends to March 16, 2021 unless acted upon; and be it further

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

Res. No. 185-2020
Motioned By: Cutler

Date: May 11, 2020
Seconded By:

RECOGNIZE PEACE OFFICERS' MEMORIAL DAY

WHEREAS, the Congress and President have designated May 15th as Peace Officers Memorial Day during National Police Week recognizing that law enforcement plays an essential role in safeguarding the rights and freedoms of citizens while members understand their duties, responsibilities, hazards, sacrifices, and duty to serve and safeguard life and property against violence and disorder, and that local law enforcement provides an essential public safety service; and

WHEREAS, in this year 2020 law enforcement and all related public safety services our men and women are serving a vital community role during the state of emergency virus pandemic that has increased their vulnerability to the risks of the profession;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature extends its appreciation to the men and woman of local law enforcement, corrections and public safety related duties on this national week and observance of May 15th where public law 103-322 directs flags at government buildings be at half-staff in observance of this recognition; and be it further

RESOLVED, that copies of this resolution be provided Sheriff Spike, Building Maintenance Supervisor and Presidents of all local Council 82 unions #9875, #086, and #9010.

**RECOGNIZE NATIONAL CORRECTIONAL
OFFICERS' AND EMPLOYEES' WEEK**

WHEREAS, the week of May 3rd thru May 9th is recognized as National Correctional Officers' and Employees' Week by President Reagan's proclamation commencing in 1984 to honor the work of correctional officers as peace officers, and correctional personnel working at jails and court houses nationwide guarding, transporting and supervising offenders in the facility, the community, and preparing offenders for their return to their communities are critical to protecting public safety, while related personnel prepare meals, laundry services, education, recreation and related inmate care and custody often working under demanding circumstances facing danger in their daily lives;

NOW, THEREFORE, BE IT RESOLVED that this Legislature joins with the Sheriff and recognizes the contributions made by the men and women who work in our county jail protecting and serving our community 24X7 during this national week and thank them for their essential public service; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff, and President of the Council 82 #086

**AUTHORIZE PUBLIC DEFENDER TO CREATE AND FILL FULL-TIME POSITION
(ASSISTANT PUBLIC DEFENDER)**

WHEREAS, pursuant to Article 18a and Article 18b of County Law, subject to approval from the County Legislature, a public defender may appoint his/her employees as deemed necessary; and

WHEREAS, as a result of the February 28, 2020 Public Defender appointment, an Assistant Public Defender vacancy was created; and

WHEREAS, the Public Defender through the vacancy review process has not only identified the continued need for the Assistant Public Defender position but is also requesting that the position be made full-time; and

WHEREAS, the NYS Office of Indigent Legal Services has requested that the County increase the part-time position to full-time to improve the quality of mandated representation throughout Yates County; and

WHEREAS, the estimated annual cost to the County to fill the position is \$49,934 which includes fringe benefits; and

WHEREAS, the remaining salary including fringe will be funded by the Hurrell-Harring grant which is estimated to be \$68,309;

NOW, THEREFORE, BE IT RESOLVED, effective May 11, 2020 the Public Defender is hereby authorized to create and fill a full-time Assistant Public Defender position; and be it further

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

Res. No. 188-2020
Motioned By: Bronson

Date: May 11, 2020
Seconded By:

AUTHORIZE INSURANCE RENEWAL

WHEREAS, various insurance policies on behalf of the County expire on May 15th, 2020; and

WHEREAS, the total premium amount for the period May 15th, 2020 to May 14th, 2021 is \$322,040.00;

NOW, THEREFORE, BE IT RESOLVED, that the County continue their policies with the Stork Insurance Agency; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized to renew said policies with the Stork Insurance Agency with an expiration date of May 14th, 2021; and be it further

RESOLVED, that copies of this resolution be given to the Treasurer and the Stork Insurance Agency.

Res. No. 189-2020
Motioned By: Bronson

Date: May 11, 2020
Seconded By:

CHANGE DATE OF OCTOBER LEGISLATIVE MEETING

WHEREAS, Columbus Day falls on October 12th, 2020;

NOW, THEREFORE, BE IT RESOLVED, that the October Legislative Board meeting will be held on October 13th, 2020 at 1:00 p.m. in the Legislative Chambers; and be it further

RESOLVED, that all departments receive a copy of this resolution.

Res. No. 190-2020
Motioned By: Bronson

Date: May 11, 2020
Seconded By:

AMEND RESOLUTION 153-2020

(Authorize Chairman To Enter Into A Written Agreement With Dianne S. Lovejoy For The Administration Of Indigent Person Conflict Assignments)

WHEREAS, resolution 153-2020 authorized the Chairman to sign an agreement with Dianne S. Lovejoy for the administration of indigent person conflict assignments as Assigned Counsel Administrator for an amount of \$13,500; and

WHEREAS, it has been determined the actual agreement amount is \$7,500 with the additional \$6,000 coming from grant funding;

NOW, THEREFORE, BE IT RESOLVED, that resolution 153-2020 is amended to read for the sum of \$7,500; and be it further

RESOLVED, that a copy of this resolution be given to the County Administrator, County Attorney, County Treasurer and Dianne S. Lovejoy.

Res. No. 191-2020
Motioned By: Bronson

Date: May 11, 2020
Seconded By:

ADOPT YATES COUNTY ADMINISTRATIVE GUIDE

WHEREAS, the Administrative Guide Committee has recommended for adoption and implementation the Yates County Administrative Guide;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Administrative Guide is hereby adopted effective May 11, 2020; and be it further

RESOLVED, that all prior versions of the Administrative Guide be rescinded; and be it further

RESOLVED, that the Administrative Guide be made accessible to all County Department Heads by means of the Intranet; and be it further

RESOLVED, that the Personnel Officer is authorized to make changes to the Administrative Guide that do not affect content and is further authorized to post said changes to the Intranet after receiving approval from the County Administrator and Chairperson of the Government Operations Committee; and be it further

RESOLVED, that any changes to the content of the Administrative Guide shall require legislative approval; and be it further

RESOLVED, that all departmental policies directly affected by the adoption of the Administrative Guide be updated to reflect the language contained within the updated Guide; and be it further

RESOLVED, that a copy of this resolution be forwarded to all Department Heads.

Res. No. 192-2020
Motioned By: Bronson

Date: May 11, 2020
Seconded By:

**AUTHORIZE CHAIRMAN TO SIGN INTERNET SERVICES CONTRACT
(Spectrum Business Class – Rochester, NY)**

BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Spectrum Business Class of Rochester for Internet Services for the following services for a one (1) year term.

Monthly Recurring Charges

- 13 Static IP addresses 50.00
- 100Mbps Dedicated Internet Access 1080.00

Total MRC - 1130.00

And be it further

RESOLVED, that copies of this resolution be given to Spectrum and to the IT Director.

**RATIFYING MEMORANDA OF UNDERSTANDING WITH COUNCIL 82
REGARDING COUNTY'S SELF-FUNDED HEALTH PLAN**

WHEREAS, the New York State Law Enforcement Officers Union, Council 82, AFSCME, AFL-CIO ("Council 82") represents three bargaining units of the County of Yates consisting of deputy sheriffs, correction officers and other employees, and emergency communications personnel; and

WHEREAS, the collective bargaining teams for the County of Yates, the Yates County Sheriff, and Council 82 have met and conferred/negotiated in good faith with regard to the County's decision to self-fund the County's health plan effective January 1, 2020, and have reached final tentative agreements in that regard in the form of a Memorandum of Understanding for each bargaining unit; and

WHEREAS, the bargaining unit members have ratified said Memoranda of Understanding;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby ratifies said Memoranda of Understanding, and authorizes the expenditure of the necessary funds therefor; and be it further

RESOLVED, that the Chairman of the Yates County Legislature is hereby authorized to execute said Memoranda of Understanding on behalf of the County; and be it further

RESOLVED, that copies of this resolution be given to the Sheriff, the Council 82 Unit Presidents, the County Administrator, Personnel Officer and the County's Labor Attorney.

**SET DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW 4-2020 ENTITLED
A LOCAL LAW PROVIDING FOR A CHANGE IN THE TERM OF THE
LEGISLATORS ON THE YATES COUNTY LEGISLATURE**

BE IT RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed local law 4-2020 entitled "A Local Law Providing For A Change In The Term Of The Legislators On The Yates County Legislature"; and be it further

RESOLVED, said public hearing shall be held June 8, 2020 at 1:07 p.m. in the Yates County Legislative Chambers, 417 Liberty Street, Penn Yan, NY., or may be by remote access if needed.

**A Local Law Providing For A Change In The Term of The Legislators On
The Yates County Legislature**

Be it enacted by the Legislature of the County of Yates as follows:

Section 1. Legislative Intent

In order to provide for continuity in government and to amend the length of term of its legislators, it is the intent of the Yates County Legislature that at the general election to be held in November 2021, seven (7) legislators shall be elected by the registered voters of the County of Yates for a term of four (4) years and the other seven (7) legislators shall be elected by the registered voters of the County of Yates for a term of two (2) years. Thereafter, all legislators shall be elected by the registered voters of the County of Yates for a term of four (4) years.

Section 2. Determination of Term

- A. Districts 1 and 2: The four (4) candidates from District 1 and the three (3) candidates from District 2 receiving the highest number of votes at the general election to be held in November 2021 shall be elected to a term of four (4) years commencing on January 1, 2022. Said term thereafter shall be four (4) years.
- B. Districts 3 and 4: The four (4) candidates from District 3 and the three (3) candidates from District 4 receiving the highest number of votes at the general election to be held in November 2021 shall serve a term of two (2) years commencing on January 1, 2022. Said term thereafter shall be four (4) years.

Section 3. Severability

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

Section 4. Effective Date

This Local Law shall be subject to a mandatory referendum to be held at the next general election on November 3, 2020. It shall not become effective unless approved at said referendum.

Res. No. 195-2020

Motioned By: Bronson

Date: May 11, 2020

Seconded By:

**AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN NYS HAVA CARES ACT
GRANT CONTRACT # BOE01-C004227-1110000**

WHEREAS, the Federal Government through the New York State Board of Elections has allocated certain Federal/State funds provided to New York State for reimbursement for coronavirus expenses related to Federal Elections; and

WHEREAS, the Yates County Board of Elections desires to use the funding in the amount of \$26,980 for the purposes set forth;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Legislature be authorized to sign the contract for the acceptance of this grant funding; and be it further

RESOLVED, that a copy of this resolution be given to the Election Commissioners, and the Treasurer.

Res. No. 196-2020

Motioned By: Church

Date: May 11, 2020

Seconded By:

SIGN INTER-MUNICIPAL PUBLIC HEALTH SHARED SERVICES AGREEMENT

WHEREAS, Yates and Schuyler Counties are committed to providing essential public health related services to their residents; and

WHEREAS, Article 5-G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service; and

WHEREAS, given the mutual goal of Yates and Schuyler to work collectively towards fiscal responsibility balanced with public health services delivery, Yates and Schuyler are desiring to continue an inter-municipal agreement regarding the sharing of managerial and non-managerial positions;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature approves the terms and conditions of the aforementioned agreement; and be it further

RESOLVED, that upon approval of the County Attorney, the Chairman is hereby authorized to sign an inter-municipal agreement for shared services with Schuyler County that shall become effective July 1, 2020 and will terminate on December 31, 2021; and be it further

RESOLVED, that a copy of this resolution be sent to the Public Health Office and the Yates County Treasurer.

Res. No. 197-2020

Date: May 11, 2020

Motioned By: Church

Seconded By:

SIGN AGREEMENT WITH HEALTH RESEARCH INC. (HRI)

WHEREAS, Yates County Public Health has received the New York State Department of Health Emergency Preparedness Program grant award of \$249,625; with \$49,625 available to the County and \$200,000 restricted for use by NYSDOH; and

WHEREAS, said grant period will be for the period of July 1, 2020 - June 30, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is hereby authorized to sign an agreement with Health Research Inc. (HRI) for the period July 1, 2020 through June 30, 2021 for the Public Health Emergency Preparedness and Response Grant; and be it further

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

Res. No. 198-2020

Date: May 11, 2020

Motioned By: Church

Seconded By:

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH MICHELLE WESTLAKE,
PHYSICAL THERAPIST**

WHEREAS, the County is desirous of engaging the services of Michelle Westlake, Physical Therapist for the purpose of providing services for preschool children;

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 Michelle Westlake, Physical Therapist; and be it further

RESOLVED, that said contract will run from May 1, 2020 to December 31, 2024 at an all-inclusive per visit rate for services rendered to children: \$63.00 in 2020, \$64.00 in 2021, \$65.00 in 2022, \$66.00 in 2023 and \$67.00 in 2024; and be it further

RESOLVED, that copies of this resolution be provided to the Public Health office and the Treasurer.

Res. No. 199-2020

Motioned By: Church

Date: May 11, 2020

Seconded By:

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH GREAT EXPECTATIONS
PHYSICAL, OCCUPATIONAL AND SPEECH THERAPY, P.L.L.C.**

WHEREAS, the County is desirous of engaging the services of Great Expectations Physical, Occupational and Speech Therapy, P.L.L.C. for the purpose of providing services for preschool children.

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 Great Expectations Physical, Occupational and Speech Therapy, P.L.L.C.; and be it further

RESOLVED, that said contract will run from July 1, 2020 to June 30, 2025 at an all-inclusive per visit rate for services rendered to children at \$70.00 for Physical Therapy, \$60.00 for Occupational Therapy, and \$65.00 for Speech Therapy; and be it further

RESOLVED, that copies of this resolution be provided to the Public Health office and the Treasurer.

Res. No. 200-2020

Motioned By: Church

Date: May 11, 2020

Seconded By:

RATIFY SIGNATURE ON PROPOSAL

WHEREAS, the Finger Lakes Workforce Investment Board issued a request for proposals to apply for Workforce Investment and Opportunity Act (WIOA) Title 1 Youth Funding for the program year July 1, 2020 to June 30, 2021; and

WHEREAS, the Yates County Department of Social Services has been the recipient of this funding for a number of years and desires to continue as a recipient in order to continue to provide services to youth in Yates County; and

WHEREAS, the Yates County Department of Social Services submitted a proposal for this funding in the amount of \$81,100 on the response-required date of April 24, 2020; and

WHEREAS, a signature from the Chief Elected Official was required at the time of submittal;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature authorizes the Chairman of the Legislature to execute and deliver the aforementioned Finger Lakes Workforce Investment Board proposal, on behalf of Yates County, and as such hereby ratifies the Chairman's execution and delivery of the same dated April 23, 2020; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Yates County Department of Social Services.

Res. No. 201-2020
Motioned By: Church

Date: May 11, 2020
Seconded By:

AUTHORIZE CONTRACT WITH GATE ANGER MANAGEMENT

WHEREAS, The Yates County Department of Social Services requires a provider for anger management services that is made available to clients;

NOW, THEREFORE, BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Legislature and the Commissioner of Social Services be authorized to sign a contract between the Yates County Department of Social Services and GATE Anger Management for the provision of anger management services to the Department of Social Services for the period of April 1, 2020 to December 31, 2020 at the following rates:

\$60 per hour Individual Session
\$25 per hour Group Session
\$60 per hour Family Session

And be it further

RESOLVED, that a copy of this resolution be forwarded to the Yates County Treasurer and the Yates County Department of Social Services.

Res. No. 202-2020
Motioned By: Church

Date: May 11, 2020
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 Chairman 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 5/1/20-9/30/20 for an amount not to exceed \$9,000; and be it further

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

Res. No. 203-2020
Motioned By: Church

Date: May 11, 2020
Seconded By:

AUTHORIZE CHAIRMAN TO SIGN CHILD AND FAMILY SERVICES PLAN

WHEREAS, it is necessary for each Local Department of Social Services to develop a Child and Family Services plan for the time period April 1, 2018-March 31, 2023, and submit said plan and annual updates to the New York State Office of Children and Family Services, and that this plan requires approval from the Chief Elected Official; and

WHEREAS, the Commissioner of Social Services is authorized to make technical adjustments in the Child and Family Services Plan if so directed by the NYS Office of Children and Family Services;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is hereby authorized to electronically sign the plan on behalf of the county; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Yates County Department of Social Services.

Res. No. 204-2020
Motioned By: Church

Date: May 11, 2020
Seconded By:

**RECOGNITION OF WWII U.S. ARMY VETERAN MARTHA D. ROUIN'S 100TH
BIRTHDAY ON MAY 13, 2020**

WHEREAS, May 13, 2020 marks the 100th birthday of U.S. Army Veteran Martha D. Rouin; and

WHEREAS, throughout the history of our state and nation, countless brave individuals have answered the call to patriotic duty, including World War II Veteran Martha Danforth Rouin, who honorably served our grateful nation, caring for the sick and wounded, while others risked their lives fighting on the battlefields in European and Pacific theatres for the ideals of democracy; and

WHEREAS, Mrs. Rouin enlisted in the United States Women's Army Auxiliary Corps in September of 1943, shortly after receiving her Bachelors of Arts degree from Smith College, graduated from basic training, received specialized advanced medical training and was assigned to the Army Signal Corps as a Surgical Technician at Fort Monmouth, New Jersey; and

WHEREAS, Mrs. Rouin was honorably discharged in on February 5, 1946 with the rank of Private First Class; and

WHEREAS, The United States Army, awarded Mrs. Rouin the following military awards: Army Good Conduct Medal, American Campaign Service Medal, and World War II Victory Medal, for her honest and faithful service to this county; and

WHEREAS, we solemnly commemorate the 100th anniversary of her birth and reflect on its significance for past, present, and future generations;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature recognizes the service of Martha D. Rouin during World War II, extends its gratitude for her contribution to the Allies' victory and exclaims, "Congratulations!" upon the occasion of her 100th Birthday; and be it further

RESOLVED, that the Yates County Legislature, in patriotic tradition, recognizes the importance of honoring all those from Yates County who served in battle and on the home front during the Great War and acknowledges the immeasurable sacrifices that helped to preserve freedom; and be it further

RESOLVED, that copies of this resolution be provided to Martha D. Rouin and the Director of Veterans' Services.

Res. No. 205-2020
Motioned By: Banach

Date: May 11, 2020
Seconded By:

AUTHORIZE LEGISLATURE CHAIRMAN TO SIGN 2020 INDEMNIFICATION AGREEMENTS

WHEREAS, due to a recognized need for an indemnification agreement to be executed between Yates County and various municipalities or entities within the County that may receive loaned equipment and vehicles from the County without operators; and

WHEREAS, the County Attorney has recommended that such an agreement be executed in the event the County is asked to loan equipment or vehicles without operators to various municipalities or entities within Yates County; and

WHEREAS, the indemnification agreement will be in effect for five years from the date of signature by the Chairman of the Yates County Legislature;

NOW, THEREFORE, BE IT RESOLVED, to authorize the Chairman of the Yates County Legislature to sign the indemnification agreements with various municipalities or entities within Yates County; and be it further

RESOLVED, that a copy of this resolution be sent to the Yates County Treasurer, the Yates County Highway Department and each municipality or entity that wishes to borrow County equipment and vehicles without operators.

Res. No. 206-2020
Motioned By: Banach

Date: May 11, 2020
Seconded By:

AUTHORIZE CHAIRMAN TO SIGN AN AGREEMENT WITH RED HAWK FIRE AND SECURITY

WHEREAS, the inspection and test of the automatic fire detection systems in the Courthouse, County Office Building and Buildings & Grounds facilities is due annually; and

WHEREAS the Building Maintenance Supervisor has received a proposal from our current vendor, ADT Commercial dba Red Hawk Fire and Security, under State Contract number PT68848 for \$8,024 per year; and

WHEREAS Red Hawk is certified by Siemens Building Technology to work on and service the County's Siemens fire alarm detection systems;

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 ADT Commercial dba Red Hawk Fire and Security to perform the annual inspection and test on the automatic fire detection systems including FM-200 system in the Courthouse, County Office Building and the Buildings & Grounds facility; and be it further

RESOLVED, that said contract will run from 5-6-20 to 5-5-23 for a total sum of \$8,024.00 annually; and be it further

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

Res. No. 207-2020
Motioned By: Holgate

Date: May 11, 2020
Seconded By:

**AUTHORIZE CHAIRMAN TO ENTER INTO TOURISM FUNDS CONTRACTS WITH
VARIOUS ORGANIZATIONS**

WHEREAS, the promotion, attraction, stimulation, development and expansion of tourism within the County is of vital and necessary importance to the citizenry of the County, since such activities are an important part of the County's economy; and

WHEREAS, funds for the effectuation of the above recited public purpose are made available to the County through its collection of an occupancy tax pursuant to local law (said funds hereinafter referred to as "Tourism Funds"); and

WHEREAS, it has been duly determined that the following organizations are engaging in project(s) that effectuate the promotion, attraction, stimulation, development and expansion of tourism within the County, thereby providing a public benefit to the County; and

WHEREAS, upon due review, and by way of duly passed resolution, the County has agreed that the following organizations be awarded certain funding from its Tourism Funds in order to carry out such tourism project(s) in the year 2020:

<u>Organization</u>	<u>Funding Amount</u>
Yates County Chamber of Commerce	\$190,000.00 (TPA Program) and \$151,583.00 (Chamber Program)
Finger Lakes Museum & Aquarium	\$ 5,000.00
Yates County History Center	\$ 2,000.00
Finger Lakes Tourism Alliance	\$ 22,000.00
Finger Lakes Wine Country Tourism Marketing	\$ 47,800.00
Finger Lakes Regional Tourism Council	\$ 22,200.00
Arts Center of Yates County	\$ 5,500.00
Keuka College	\$ 15,000.00
Finger Lakes Economic Development Center	\$ 5,000.00
Keuka Lake Wine Trail	\$ 15,000.00
Fox Run Vineyards	\$ 3,483.00
Camp Cory	\$ 1,700.00
Keuka Comfort Care Home	\$ 6,900.00

And

WHEREAS, the County will distribute such funding to each respective organization upon the execution of a written contract between the County and such organization concerning the tourism project(s) being implemented and the funding amount;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman is hereby authorized to execute separate written contracts on behalf of the County with each of the aforementioned organizations for their respective implementation of tourism projects and the amount to be paid thereon from Tourism Funds, for the year 2020; and be it further

RESOLVED that distribution of such funding to an organization named above is conditioned upon the execution of such written contract; and be it further

RESOLVED that the written contract between the County and the Yates County Chamber of Commerce make provision for the Yates County Chamber of Commerce's assistance to the County regarding the distribution of the funding allocated to the other organizations recited above; and be it further

RESOLVED that copies of this resolution be sent to the County Treasurer, Yates County Chamber of Commerce, all of the above recited recipient organizations and all members of the Yates County Tourism Advisory Committee.

Res. No. 208-2020
Motioned By: Holgate

Date: May 11, 2020
Seconded By:

2020 BUDGET TRANSFERS

BE IT RESOLVED, that the following transfers be made in the 2020 budget:

From:	To:	Amount:
A3021.51963 E911-PSAP FY18	A3021.52959 E911-PSAP FY19	\$ 18,058.16
A3021.58102 E911-PSAP FY19	A3021.52959 E911-PSAP FY19	\$ 12,422.00

And be it further

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

Res. No. 209-2020
Motioned By: Holgate

Date: May 11, 2020
Seconded By:

ACCEPT NYSDOT AVIATION PROJECT FUNDING AGREEMENT

WHEREAS, Yates County has received a grant from the New York State Department of Transportation (NYSDOT) to pay 90% of the allowable costs incurred in accomplishing the Weather and Emergency Preparedness Project (NYSDOT PIN: 6906.88) at Penn Yan – Yates County Airport; and

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

State	\$	558,652
Local	\$	62,072
Total Project Cost	\$	<u>620,724</u>

NOW, THEREFORE, BE IT RESOLVED that Yates County enter into an agreement with the NYSDOT concerning the receipt, implementation and administration of the above recited grant, entitled “Aviation Project Funding Agreement”, concerning the financial assistance for the project described above for Penn Yan – Yates County Airport; and be it further

RESOLVED, that the Chairman of the Yates County Legislature is hereby authorized to execute, on behalf of Yates County, the aforementioned Aviation Project Funding Agreement, between Yates County and NYSDOT, as well as any and all necessary documents pursuant thereto; 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; and be it further

RESOLVED, that this resolution shall take effect immediately.

Res. No. 210-2020
Motioned By: Holgate

Date: May 11, 2020
Seconded By:

STATE ENVIRONMENTAL QUALITY REVIEW AND AUTHORIZE CHAIRMAN TO SIGN DV-21 FORM, REGARDING AIRPORT DEICING PAD PROJECT

WHEREAS, Yates County (the “County”) has received a grant from the New York State Department of Transportation (NYSDOT) to pay 90% of the allowable costs incurred in accomplishing the following project at Penn Yan – Yates County Airport (NYSDOT PIN: 6906.88):

Construct concrete deicing pad, with associated containment system for glycol contaminated stormwater storage & removal, an emergency backup generator, and purchase friction measuring equipment (decelerometer) for braking action analysis and reporting. Project includes construction of concrete deicing pad, sized to service the type of business jet aircraft that routinely travel through the airport. A controllable containment system would also be installed, facilitating the proper treatment/disposal of glycol-contaminated stormwater. Deicing dispensing equipment to be purchased, enabling the County to deice aircraft on-site efficiently. Purchase & install emergency backup generator. The generator will be installed on a concrete pad, in a location convenient to connect the airfield lighting, weather monitoring equipment (ASOS), and the airport's fuel farm. The generator will be sized to accommodate the necessary circuits with capacity to provide modest future growth and will be powered by either natural or propane gas. Purchase decelerometer for use in determining braking action on airfield pavements as well as runway condition reporting (the “Project”); 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: “Unlisted Action – with no significant effect (Environmental Assessment Form or Environmental Assessment and Negative Declaration have been prepared and filed)”; and be it further

RESOLVED, that the Chairman 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 Passero Associates and any applicable government agency upon request.

Res. No. 211-2020
Motioned By: Holgate

Date: May 11, 2020
Seconded By:

APPROVE MORTGAGE TAX APPORTIONMENT

WHEREAS, this Legislature is in receipt of the Mortgage Tax Report showing the amounts to be credited to each tax district of the County, of the money collected during the period October 1, 2019 to March 31, 2020;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 53 of the Tax Law, this Legislature issue a Tax Warrant for the payment to the respective tax districts of the amounts so credited and authorize and direct the County Treasurer to make payments of said amounts so credited and to the respective districts in accordance with the report:

Total Tax Collected	\$294,266.06
Recording Officer's Expense	\$15,323.34
Treasurer's Expense	
Interest Received	\$115.68
Adj and refunds	
Net amount of Distribution	\$279,058.40

Town	Net After	To Towns	Village	To Village	Total
Barrington	\$28,475.68	\$28,475.68			\$28,475.68
Benton	\$27,126.38	\$26,343.98	Penn Yan	\$782.40	\$27,126.38
Italy	\$8,047.92	\$8,047.92			\$8,047.92
Jerusalem	\$81,075.20	\$80,815.77	Penn Yan	\$259.43	\$81,075.20
Middlesex	\$17,513.10	\$17,513.10			\$17,513.10
Milo	\$61,043.37	\$49,393.74	Penn Yan	\$11,649.63	\$61,043.37
Potter	\$13,678.93	\$13,071.90	Rushville	\$607.03	\$13,678.93
Starkey	\$27,962.16	\$25,149.39	Dundee	\$2,812.77	\$27,962.16
Torrey	<u>\$14,135.66</u>	<u>\$13,722.45</u>	Dresden	<u>\$413.21</u>	<u>\$14,135.66</u>
	\$279,058.40	\$262,533.93		\$16,524.47	\$279,058.40

Res. No. 212-2020

Motioned By: Holgate

Date: May 11, 2020

Seconded By:

INTENT TO DECLARE UNLISTED ACTION FOR THE USDA RECONNECT PROGRAM GRANT (NY1702-A61)

WHEREAS, Yates County has applied for and been awarded grant financial assistance pursuant to the Rural Utilities Service ReConnect Program, concerning the construction of a broadband infrastructure project to serve rural areas where at least 100% of the households are without sufficient access to broadband (hereinafter referred to as the "Grant"); and

WHEREAS, as part of the Program, an environmental review shall be conducted under the requirements of 7 CFR 1970 as part of the National Environmental Policy Act;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the National Environmental Review Act regulations (NEPA), the Yates County Legislature announces its intent to serve as lead agency to conduct an environmental review of the proposed ReConnect Program Project site; and be it further

RESOLVED, that the County Legislature has determined that the proposed action is an "Unlisted Action" as defined under NEPA; and be it further

RESOLVED, that the County Legislature will conduct a coordinated review with all Involved Agencies; and be it further

RESOLVED, that in accordance with the requirements of the funding agency, the County Legislature will notify the involved agencies of its intention to act as Lead Agency for this project and will provide them with a copy of the Long Environmental Assessment Forms.