



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**

June 8, 2020 at 1:00 pm

**THIS MEETING WILL BE HELD BY A ZOOM
MEETING**

FOR PRESS AND PUBLIC

Join Zoom Meeting

<https://zoom.us/j/97669309769?pwd=WFprYkZZR2hDc0w5RnptTjhLUE8zdz09>

Meeting ID: 976 6930 9769

Password: 984106

One tap mobile

+16465588656,,97669309769# US (New York)

+13126266799,,97669309769# US (Chicago)

Dial by your location

+1 646 558 8656 US (New York)

+1 312 626 6799 US (Chicago)

- Approve minutes of the May meeting
- Approve Audit
- Open public hearing on proposed local law 3-20 Entitled A Local Law Authorizing A Yates County Traffic Diversion Program
- Open public hearing on proposed local law 4-20 Entitled A Local Law Providing For A Change In The Term Of The Legislators On The Yates County Legislature
- Updates from Director of Public Health Deb Minor, Director of Emergency Management Brian Winslow, Director of Finger Lakes Economic Development Center Steve Griffin on COVID -19
- Committee reports

RESOLUTIONS

Cutler 217-20 Authorize Chairman To Enter Into A Purchase And Sale Contract For The Purchase Of A Parcel Of Real Property Located At Emerson Road In The Town Of Italy, County Of Yates, State of New York.

Bronson 218-20 Recognizing New York Invasive Species Awareness Week
 219-20 Amend Resolution 528-19
 220-20 Authorize Sheriff To Fill Two (2) Positions (Correction Officer)
 221-20 Amend Resolution 284-19
 222-20 Authorize Chairman To Sign Contract With Info Quick Solutions, Inc.
 223-20 Authorize Chairman To Enter Into Legal Services Agreements With Napoli Shkolnik PLLC Concerning The Prosecution Of Claims Related To Certain Pharmaceuticals, And Further Authorize The Commencement

Of The Prosecution Of Such Claims On The County's Behalf By Napoli Shkolnik PLLC

- 224-20 Authorize Chairman Of Legislature To Sign NYS Elections Cybersecurity Plan and 2020 Remediation Grant
- 225-20 Authorize Chairman To Sign Agreement Between Yates County And Gila LLC, D/B/A Municipal Services Bureau
- 226-20 Authorize Chairman To Sign Agreements With Springbuk And Lifetime Benefit Solutions For Plan Administration Of The Yates County Medical Plan
- 227-20 Set Date For Public Hearing On Proposed Local Law 5-2020 Entitled A Local Law Amending County Of Yates Local Law No. 1 Of The Year 1956 – A Local Law Establishing A Plan Of Self-Insurance As Provided For In Article 5 Of The Workmen's Compensation Law, And Providing For The Administration Thereof
- 228-20 Adopt 2020 Non-Union Exempt Employee Salary Schedule
- 229-20 Adopt 2020 Non-Union Non-Exempt Employee Wage Schedule

Church

- 230-20 Appoint Member To The Yates County Community Services Board Mental Health Sub-Committee
- 231-20 Sign Amendment #1 With The Trustees Of Columbia University In The City Of New York
- 232-20 Renew Residential Services Contracts From July 1, 2020 – June 30, 2021
- 233-20 Reappointment To The Finger Lakes Workforce Investment Board
- 234-20 Workforce Development Budget Transfer
- 235-20 Authorize Workforce Development To Enter Into Contract
- 236-20 Authorize Chair To Sign Chief Elected Official Agreement For The Workforce Investment Board
- 237-20 Authorize Agreement With Clear
- 238-20 Authorize Agreement With America Homecare
- 239-20 Recognition Of New York State Women Veterans On June 12, 2020

Holgate

- 240-20 2020 Budget Transfers
- 241-20 Authorize Chairman To Sign Cares Act Airport Grants Agreement With The United States Of America, Acting Through The Federal Aviation Administration

Cutler

- 242-20 Adopt Local Law 3-2020 Entitled A Local Law Authorizing A Yates County Traffic Diversion Program

Bronson

- 243-20 Adopt Local Law 4-2020 Entitled A Local Law Providing For A Change In The Term Of The Legislators On The Yates County Legislature

- Public Comment
- Executive session if needed

Res. No. 217-20
Motioned By: Cutler

Date: June 8, 2020
Seconded By:

**AUTHORIZE CHAIRMAN TO ENTER INTO A PURCHASE AND SALE CONTRACT
FOR THE PURCHASE OF A PARCEL OF REAL PROPERTY LOCATED AT
EMERSON ROAD IN THE TOWN OF ITALY, COUNTY OF YATES, STATE OF NEW
YORK**

WHEREAS, Yates County (hereinafter referred to as the “County”) wishes to acquire a parcel of real property to accommodate the installation and operation of a County owned public safety communications tower; and

WHEREAS, the County has found a parcel of real property conducive to such objective, namely: a parcel of real property consisting of vacant land owned by Paul Dale Cayward and Lourie J. Cayward, located in the Town of Italy, County of Yates, State of New York, at Emerson Road, and being a portion of the parcel of real property having a current tax map parcel number of 80.03-1-10 and currently commonly known as 2869 Emerson Road (hereinafter referred to as the “Acquisition Parcel”); and

WHEREAS, the County wishes to acquire the Acquisition Parcel by way of purchase; and

WHEREAS, to such end, the County has agreed to a negotiated purchase price of \$30,000 for the Acquisition Parcel, along with the County paying all closing costs, including such closing costs of the seller;

NOW, THEREFORE, BE IT RESOLVED, that upon approval by the County Attorney, the County hereby authorizes and the Chairman may enter into, a written purchase and sale contract between the County and Paul Dale Cayward and Lourie J. Cayward for the County’s purchase of the Acquisition Parcel from said Caywards, for a purchase price of \$30,000, in a size and dimension deemed suitable for the installation and operation of a County owned public safety communications tower and access thereto from Emerson Road, with the County paying all closing costs, including such closing costs of the seller, and containing any other provisions approved by the County Attorney; and be it further

RESOLVED, that subsequent to the parties’ execution of such purchase and sale contract, the Chairman is hereby authorized to execute any and all documentation necessary to effectuate the County’s purchase of the Acquisition Parcel and the conveyance of the Acquisition Parcel to the County; and be it further

RESOLVED, that a copy of this resolution be given to the County Sheriff, County Administrator, County Treasurer, County Attorney, and Paul Dale Cayward and Lourie J. Cayward.

Res. No. 218-20
Motioned By: Bronson

Date: June 8, 2020
Seconded By:

RECOGNIZING NEW YORK INVASIVE SPECIES AWARENESS WEEK

WHEREAS, June 7th – 13th, 2020 is New York Invasive Species Awareness Week (NYISAW); and

WHEREAS, Yates County encourages community members and visitors to increase their understanding and awareness of invasive species and the threats to environmental, economic, and human health, and to take preventative measures to stop the introduction and spread of invasive species; and

WHEREAS, invasive species are recognized as the second greatest threat to biodiversity worldwide; and

WHEREAS, the introduction and spread of invasive species threatens the survival of native species through loss of habitat, predation, and resource competition; and

WHEREAS, invasive species interfere with ecosystem health and services by changing natural processes such as water availability and flooding; and

WHEREAS, invasive species impede industry, threaten agriculture and tourism, endanger human health and are increasingly more difficult to prevent and control as a result of globalization and human travel patterns; and

WHEREAS, invasive species control and remediation costs are \$120 billion yearly in the United States; and

WHEREAS, prevention and early detection are far less expensive than control and an educated and aware public is highly effective at the early detection of invasive species;

NOW, THEREFORE, the Yates County Legislature, hereby proclaims that Yates County will continue to recognize and participate in education and outreach efforts to the Yates County community during New York Invasive Species Awareness Week.

Res. No. 219-20
Motioned By: Bronson

Date: June 8, 2020
Seconded By:

AMEND RESOLUTION 528-19

WHEREAS, Resolution 528-19 was duly adopted on December 30, 2019 and created a temporary full time Correction Officer position in the Sheriff's Office for six (6) months; and

WHEREAS, there is still a need for the temporary position in the Sheriff's Office;

NOW, THEREFORE, BE IT RESOLVED, that “. . . six (6) months . . .” in the first and third paragraphs of Resolution 228-19 be changed to “. . . twelve (12) months . . .”; and be it further

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

Res. No. 220-20
Motioned By: Bronson

Date: June 8, 2020
Seconded By:

**AUTHORIZE SHERIFF TO FILL TWO (2) POSITIONS
(CORRECTION OFFICER)**

WHEREAS, two (2) Correction Officer vacancies were recently created on April 22, 2020 and May 8, 2020; and

WHEREAS, the Sheriff through the vacancy review process has identified the continued need for the two (2) Correction Officer positions and is requesting that the positions be filled; and

WHEREAS, the estimated annual cost to fill one position is \$64,205 which includes fringe benefits; and

WHEREAS, the estimated total cost to the County to fill the two (2) positions is \$128,410;

NOW, THEREFORE, BE IT RESOLVED, that effective June 8, 2020 the Sheriff is hereby approved to fill two (2) Correction Officer positions; and be it further

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

Res. No. 221-20
Motioned By: Bronson

Date: June 8, 2020
Seconded By:

AMEND RESOLUTION 284-19

WHEREAS, Resolution 216-18 was duly adopted on June 11, 2018 authorizing the Director of Public Health to create and fill a part time Public Health Nurse position for a time period not to exceed twelve (12) months; and

WHEREAS, Resolution 284-19 was duly adopted on July 8, 2019 authorizing an additional twelve (12) month extension; and

WHEREAS, the Director of Public Health has provided justification for the continued need of the position and to extend the position for another twelve (12) month time period;

NOW, THEREFORE, BE IT RESOLVED, that "...an additional twelve (12) months..." in the second paragraph of Resolution 284-19 be changed to "... an additional twenty-four (24) months..." and in the third paragraph "...for a time period not to exceed twelve (12) months..." be changed to "for a time period not to exceed thirty-six (36) months effective June 11, 2018 through June 10, 2021..." and be it further

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

Res. No. 222-20
Motioned By: Bronson

Date: June 8, 2020
Seconded By:

**.AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH
INFO QUICK SOLUTIONS, INC. (IQS)**

WHEREAS, AVENU Insights and Analytics (f/k/a ACS Enterprise Solutions, Inc.) and Yates County entered into a five-year contract renewal for professional services authorized by Resolution No. 317-15; and

WHEREAS, the above referenced contract expires on September, 25, 2020; and

WHEREAS, Info Quick Solutions, Inc. (IQS) and Yates County now wish to enter into a five-year contract for professional services;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is authorized to sign a contract between Info Quick Solutions, Inc. (IQS) and Yates County for professional services to the Yates County Clerk's Office in the amount of \$3,400.00 per month for the next five years, expiring July 31, 2025; and be it further

RESOLVED, that copies of this resolution be provided to the County Clerk and County Treasurer.

Res. No. 223-20
Motioned By: Bronson

Date: June 8, 2020
Seconded By:

**AUTHORIZE CHAIRMAN TO ENTER INTO LEGAL SERVICES AGREEMENTS
WITH NAPOLI SHKOLNIK PLLC CONCERNING THE PROSECUTION OF CLAIMS
RELATED TO CERTAIN PHARMACEUTICALS, AND FURTHER AUTHORIZE THE
COMMENCEMENT OF THE PROSECUTION OF SUCH CLAIMS ON THE
COUNTY'S BEHALF BY NAPOLI SHKOLNIK PLLC**

WHEREAS, the County of Yates (hereinafter referred to as "County") wishes to pursue the prosecution of claims related to i) Momenta Pharmaceuticals, Inc. and Sandoz, Inc. based upon their alleged actions in fixing prices, allocating markets, and engaging in other antitrust violations or other wrongdoing with respect to the drug Lovenox and/or its generic equivalent (Enoxaparin) and ii) Warner Chilcott, Allergan, Watson Pharmaceuticals, Inc. and Lupin Pharmaceuticals Inc. based upon their alleged actions in fixing prices, allocating markets, and engaging in other antitrust violations or other wrongdoing with respect to Loestrin 24 and Minastrin 24 and/or their generic equivalents (hereinafter collectively referred to as the "Claims"); and

WHEREAS, the County wishes to retain outside counsel to prosecute such Claims on the County's behalf, with all work to be performed on a contingency fee basis and without the County advancing costs and expenses for the same; and

WHEREAS, the County has decided that it wishes to engage the law firm of NAPOLI SHKOLNIK PLLC (hereinafter referred to as "Napoli Shkolnik") as outside counsel to prosecute such Claims on behalf of the County;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the Yates County Attorney, the Chairman of the Yates County Legislature is hereby authorized on behalf of the County to enter into legal services agreements with Napoli Shkolnik for the purposes of prosecuting the Claims on behalf of the County; and be it further

RESOLVED, that pursuant to the terms of such legal services agreements and upon the approval of the Yates County Attorney, the County hereby authorizes Napoli Shkolnik to proceed with the prosecution of such Claims on the County's behalf, with Napoli Shkolnik being the County's attorney of record in such matters; and be it further

RESOLVED, that copies of this resolution be given to the County Administrator, County Attorney and Napoli Shkolnik PLLC

Res. No. 224-20

Date: June 8, 2020

Motioned By: Bronson

Seconded By:

**AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN NYS ELECTIONS
CYBERSECURITY PLAN AND 2020 REMEDIATION GRANT**

WHEREAS, the New York State Board of Elections has allocated certain State funds provided to the County Boards of Election for reimbursement of expenses related to Cybersecurity remediation; and

WHEREAS, the Yates County Board of Elections desires to use the funding (approximately \$70,000) allocated to the county for the purposes set forth as quickly as possible; and

WHEREAS, time is of the essence, as the State is asking for remediation in critical areas prior to the November 3, 2020 general election;

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

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

Res. No. 225-20

Date: June 8, 2020

Motioned By: Bronson

Seconded By:

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT BETWEEN YATES COUNTY
AND GILA LLC, D/B/A MUNICIPAL SERVICES BUREAU**

WHEREAS, Yates County desires to enter into an agreement with Gila, LLC, a Texas limited liability company d/b/a Municipal Services Bureau, concerning credit card payment processing for County departments;

NOW, THEREFORE, BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign an agreement between Yates County and Gila, LLC, d/b/a Municipal Services Bureau; and be it further

RESOLVED, that a copy of this resolution be provided to Gila, LLC d/b/a Municipal Services Bureau, the Personnel Officer, County Administrator, and County Treasurer.

Res. No. 226-20
Motioned By: Bronson

Date: June 8, 2020
Seconded By:

AUTHORIZE CHAIRMAN TO SIGN AGREEMENTS WITH SPRINGBUK AND LIFETIME BENEFIT SOLUTIONS FOR PLAN ADMINISTRATION OF THE YATES COUNTY MEDICAL PLAN

WHEREAS, Yates County desires to enter into an agreement with Springbuk concerning the administration of the Yates County Medical Plan and specifically the data analytics, predictive modeling of claims costs and other activities related to healthcare options;

NOW, THEREFORE, BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign the following agreements/documentation on behalf of Yates County concerning the Yates County Medical Plan:

- i) Springbuk's Terms of Service
- ii) Business Associate Agreement between Yates County and Lifetime Benefit Solutions, Inc.

And be it further

RESOLVED, that a copy of this resolution be provided to Lifetime Benefit Solutions, Inc., Relph Benefit Advisors an Alera Group Company, Springbuk, the Personnel Officer, County Administrator, and County Treasurer.

Res. No. 227-20
Motioned By: Bronson

Date: June 8, 2020
Seconded By:

SET DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW 5-2020 ENTITLED A LOCAL LAW AMENDING COUNTY OF YATES LOCAL LAW NO. 1 OF THE YEAR 1956 – A LOCAL LAW ESTABLISHING A PLAN OF SELF-INSURANCE AS PROVIDED FOR IN ARTICLE 5 OF THE WORKMEN'S COMPENSATION LAW, AND PROVIDING FOR THE ADMINISTRATION THEREOF

BE IT RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed local law 5-2020 entitled "A Local Law Amending County Of Yates Local Law No. 1 Of The Year 1956 – A Local Law Establishing A Plan Of Self-Insurance As Provided For In Article 5 Of The Workmen's Compensation Law, And Providing For The Administration Thereof"; and be it further

RESOLVED, said public hearing shall be held July 13, 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 Filing

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

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 5-20 ENTITLED: A LOCAL LAW AMENDING COUNTY OF YATES LOCAL LAW NO. 1 OF THE YEAR 1956 – A LOCAL LAW ESTABLISHING A PLAN OF SELF-INSURANCE AS PROVIDED FOR IN ARTICLE 5 OF THE WORKMEN’S COMPENSATION LAW, AND PROVIDING FOR THE ADMINISTRATION THEREOF

Be it enacted by the Legislature of the

County
City of Yates as follows:
Town
Village

Section 1: Legislative Intent

The intent of this Local Law is to amend County of Yates Local Law No. 1 of the Year 1956, entitled A Local Law Establishing A Plan Of Self-Insurance As Provided For In Article 5 of the Workmen’s Compensation Law, And Providing For The Administration Thereof, which establishes a plan of self-insurance pursuant to the New York State Workers’ Compensation Law and provides a framework for its administration. Said Local Law No. 1-1956 was first amended by way of Local Law No. 1 of the Year 1961. The intent of this Local Law herein is to enact a second amendment to said Local Law No. 1-1956.

Section 2: Physical Examination Requirement

The Section numbered “5” of County of Yates Local Law No. 1 of the Year 1956, is hereby amended as follows:

SECTION 5: Every new employee of any participant in the plan, with the exception of any Exempt Employee, as such term is defined in this Section herein, shall undergo a physical examination before undertaking any of the duties of his or her employment, except in the case of an emergency, in which case the participant employing such employee shall arrange for such physical examination at the earliest possible time after such undertaking of duties. The expense of such physical examination shall be paid from the funds of the plan. Reports of medical examinations shall be filed with the Executive Secretary of the Committee. No participant shall allow an employee to assume a position, the duties of which will aggravate any physical defect or disability known at the date of employment. The following employees constitute Exempt Employees for the purposes of this Section: (a) all elected officials, (b) all members, officers and employees of boards of elections, (c) all members of any participant’s boards or committees, (d) recipients of public assistance who are required to participate in community service or work experience activities pursuant to the New York State Social Services Law, namely workforce development activities, community aide activities and youth program activities and (e) any employee of a particular participant who was last employed by that particular participant within one (1) year of being re-employed by such participant.

Section 3: Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Res. No. 228-20
Motioned By: Bronson

Date: June 8, 2020
Seconded By:

ADOPT 2020 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE

WHEREAS, Resolution 531-19 was duly adopted on December 30, 2019 which adopted the 2020 Non-Union Salary Schedule; and

WHEREAS, to maintain consistency and transparency with employee classifications the Personnel Office recommended a new format for the Non-Union Salary Schedule and the Non-Union Hourly Wage Schedule so employees are appropriately identified as being either Exempt or Non-Exempt in accordance with the Department of Labor and the Fair Labor Standards Act; and

WHEREAS, to accurately identify the salary of the Public Defender and the Assistant Public Defenders the dollar amounts associated with the Hurrell-Harring Grant have been incorporated into the newly titled Non-Union Exempt Employee Salary Schedule as “Hurrell-Harring Grant Add-On” as follows:

- Assistant Public Defender – Hurrell-Harring Grant Add-On – \$47,744
- Assistant Public Defender – Hurrell-Harring Grant Add-On – \$4,275
- Public Defender – Hurrell-Harring Grant Add-On – \$9,877;

And

WHEREAS, the initials for the Assistant Public Defenders and Assistant District Attorneys have been removed to ensure accurate records are maintained;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature hereby adopts the following Non-Union Exempt Employee Salary Schedule effective June 8, 2020; and be it further

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

<u>Elected Officials</u>	<u>Annual</u>
County Clerk	\$69,938
County Treasurer	\$77,585
District Attorney	\$200,400
Legislators (14 at \$8,933 each)	\$125,062
Legislature Chairman	\$8,933
Sheriff	\$101,275
<u>Exempt Employees</u>	<u>Annual</u>
Assistant District Attorney	\$39,803
Assistant District Attorney	\$68,000
Assistant District Attorney	\$83,640
Assistant Public Defender	\$43,764
Assistant Public Defender – Hurrell-Harring Grant Add-On	\$47,744

Assistant Public Defender	\$35,896
Assistant Public Defender – Hurrell-Harring Grant Add-On	\$4,275
Budget Officer	\$17,000
Building Maintenance Supervisor	\$68,790
Chief Corrections Officer	\$68,216
Clerk, County Legislature	\$58,790
Commissioner of Social Services	\$72,024
Confidential Assistant to Sheriff	\$44,962
Conflict Defender	\$49,189
County Administrator	\$26,100
County Attorney	\$99,039
Deputy County Clerk	\$43,720
Deputy County Treasurer	\$50,220
Deputy County Treasurer – Add-On	\$6,000
Deputy Director of Public Health	\$68,967
Deputy Director of Public Health – Schuyler Add-On	\$2,500
Deputy Highway Superintendent	\$68,312
Deputy Highway Superintendent – Add-On	\$9,420
Director of Child and Family Services	\$62,710
Director of Community Services	\$78,045
Director of Emergency Management	\$70,840
Director of Income Maintenance & Child Support	\$62,710
Director of Public Health	\$76,650
Director of Public Health – Schuyler Add-On	\$20,000
Director of Real Property Tax Services	\$67,500
Director of Veterans’ Services Agency	\$52,900
Election Commissioner (D)	\$52,900
Election Commissioner (R)	\$52,900
Highway Superintendent	\$87,783
Information Technology Director	\$78,447
Personnel Officer	\$69,657
Planner	\$61,915
Probation Director	\$68,220
Public Defender	\$73,288
Public Defender – Add-On	\$9,877
Social Services Attorney	\$71,116
Undersheriff	\$80,533

Res. No. 229-20
Motioned By: Bronson

Date: June 8, 2020
Seconded By:

ADOPT 2020 NON-UNION NON-EXEMPT EMPLOYEE WAGE SCHEDULE

WHEREAS, Resolution 532-19 was duly adopted on December 30, 2019 which adopted the 2020 Non-Union Hourly Wage Schedule; and

WHEREAS, to maintain consistency and transparency with employee classifications the Personnel Officer recommended a new format for the Non-Union Salary Schedule and the Non-Union Hourly Wage Schedule so employees are appropriately identified as being either Exempt or Non-Exempt in accordance with the Department of Labor and the Fair Labor Standards Act;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature hereby adopts the following Non-Union Non-Exempt Employee Wage Schedule effective June 8, 2020; and be it further

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

	<u>Start Rate</u>	<u>After 12 Months</u>	<u>After 3 Years</u>
Account Clerk Typist (<i>Sheriff's Office</i>)	\$14.88	\$15.14	\$15.66
Animal Control Officer (<i>Part Time</i>)	\$15.69		
Clerk (<i>Historian/Records Management Office/Sheriff</i>)	\$14.94		
Correction Officer	\$18.49	\$19.58	
Correction Officer/ Court Security	\$18.49	\$19.58	
Coroner	\$100.00/case		
County Code Enforcement Officer	\$21.33		
County Historian (<i>Part Time</i>)	\$25.66		
Deputy Sheriff (<i>Experience 80% CO82 LE contract for appropriate step</i>)	\$18.91		
Deputy Sheriff (<i>90% as above, if duty requires special instructor or certification</i>)	\$21.28		
Deputy Election Commissioner	\$23.93		
Polling Site Coordinator	\$16.32		
Poll Inspector	\$12.24		
Poll Inspector (<i>traveling</i>)	\$13.36		
Polling Site Chairperson/Electronic Poll Book Team Leader	\$15.30		
Polling Site Chairperson/Electronic Poll Book Team Leader (<i>traveling</i>)	\$16.32		
Electronic Machine Technician II	\$25.50		
Emergency Services Dispatcher	\$15.42	\$15.88	
Examination Monitor	\$15.46		

	<u>Year 1</u>		<u>After 12 Months</u>		<u>After 3 Years</u>	
	<u>Start Rate</u>	<u>Premium</u>	<u>Rate</u>	<u>Premium</u>	<u>Rate</u>	<u>Premium</u>
Jail Cook	\$11.80	\$13.79	\$12.38	\$14.06	\$12.89	\$14.33
Laborer (<i>Seasonal- Highway Department</i>) (<i>80% CSEA Contract rate</i>)	\$12.86					
Law Enforcement Liaison	\$22.90					
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>			
Marine Patrol Officer (<i>Seasonal</i>)	\$15.77	\$16.38	\$17.06			
Motor Equipment Operator (<i>YC Stop- SMART</i>)	\$14.38					
Motor Vehicle Supervisor	\$25.68					
Personnel Assistant	\$21.88					
Public Health Program Coordinator (<i>Part Time</i>)	\$27.05					
Records Management Officer	\$18.85					
Registered Nurse	\$33.23					
Secretary to County Attorney	\$33.60					
Secretary to District Attorney	\$20.63					
Secretary to Public Defender	\$21.04					
Secretary to Sheriff	\$25.23					
Senior Account Clerk Typist (<i>Public Health</i>)	\$18.36					
Senior Account Clerk Typist (<i>Treasurer</i>)	\$25.00					
SPOA Coordinator	\$57.00					
Youth Bureau Director	\$25.11					

Res. No. 230-20
Motioned By: Church

Date: June 8, 2020
Seconded By:

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD
MENTAL HEALTH SUB-COMMITTEE**

WHEREAS, Nikki Jo Beechner residing at 11 Railroad Ave., Rushville, New York 14544 has been recommended for appointment to serve on the Mental Health Sub-committee;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby appoints Nikki Jo Beechner to the Mental Health Subcommittee; and be it further

RESOLVED, that her term will end 12/31/2024; and be it further

RESOLVED, that copies of this resolution be provided to Nikki Jo Beechner, and the Yates County Department of Community Services.

Res. No. 231-20
Motioned By: Church

Date: June 8, 2020
Seconded By:

**SIGN AMENDMENT #1 WITH THE TRUSTEES OF COLUMBIA UNIVERSITY IN
THE CITY OF NEW YORK**

WHEREAS, Yates County Public Health has received notice of the grant award for Year 2 with Columbia University in the amount of \$197,039; and

WHEREAS, said grant award will be for the period of April 1, 2020 – March 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is hereby authorized to sign an agreement with The Trustees of Columbia University in the City of New York for the period April 1, 2020 through March 31, 2021 for Amendment #1; and be it further

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

Res. No. 232-20
Motioned By: Church

Date: June 8, 2020
Seconded By:

**RENEW RESIDENTIAL SERVICES CONTRACTS
FROM JULY 1, 2020- JUNE 30, 2021**

WHEREAS, the Department of Social Services is required to pay for children in foster care;

NOW, THEREFORE, BE IT RESOLVED, that contingent on the approval of the County Attorney, the Chairman of the Legislature and the Social Services Commissioner are hereby authorized to sign contracts for residential services for eligible youth at the amended daily rates as shown below, or as adjusted by OCFS (New York State), and at the following institutions as listed below for the time frame July 1, 2020- June 30, 2021.

Children's Home of Wyoming	Institution	\$329.52
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	Emergency	\$348.30
	Group Home	\$331.21/\$260.80
	FBH	\$37.45
	Therapeutic Foster	\$50.74
Cayuga Homes	Group Residence	\$433.76
	Institution (JD enhanced)	\$883.05
	Institution (Emmerson)	\$374.23
	Therapeutic FBH	\$93.47
William George Agency	Institution	\$272.76
	HTP (Sex Off.)	\$389.86
	HTP Special	\$328.62
Glove House	Group Home	\$275.06
	Therapeutic	\$78.00
	FBH	\$31.19
Hillside Children's Center	Institution	\$373.08
	HTP (Horton) Institution	\$366.98
	HTP (Varick) Institution	\$438.24
	HTP (X Systems-Varick)	\$615.00
	Foster Boarding Home	\$37.43
	Therapeutic FB Home	\$87.68
Kinship Family & Youth Services	Therapeutic FB Home	\$45.34
Snell Farms	Institution	\$403.33
Villa of Hope	Institution	\$325.22
	Group Home	\$323.77
Vanderheyden Hall	Regular Institution	\$397.80
	HTP Institution	\$392.80
	Group Home	\$293.28
St. Catherine's	Group Home	\$330.87
	FBH	\$50.19
Northeast Parent & Child Society	Emg. Institution	\$412.78
	Regular GH	\$316.20
	Therapeutic FBH	\$62.43
Pathways	Therapeutic FBH	\$88.48
Toomey Residential Services	Regular Agency FBH	\$302.64
	Regular FBH	\$53.16
	Therapeutic FBH	\$55.25

And be it further

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

Res. No. 233-20
Motioned By: Church

Date: June 8, 2020
Seconded By:

REAPPOINTMENT TO THE FINGERLAKES WORKFORCE INVESTMENT BOARD

WHEREAS, this legislature, by resolution, has authorized the creation of the Finger Lakes Workforce Investment Board for the Counties of Yates, Ontario, Seneca and Wayne in compliance with the Workforce Investment and Opportunity Act (WIOA) of 2014; and

WHEREAS, the Workforce Investment Board members must be appointed by the respective legislative boards; and

WHEREAS, the Executive Director has solicited nominations in accordance with the Law; and

WHEREAS, the Finger Lakes Workforce Investment Board Bylaws state voting members shall be appointed for terms of three (3) years, and that the terms shall be staggered

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby re-appoint the following representatives to the Finger Lakes Workforce Investment Board to fill a three-year term from July 1, 2020 to June 30, 2023.

Jennifer DeVault
Vice President of Associate Services
Thompson Health

Mike Kaufman
General Manager
Eastview Mall

Lori Parish
AVP/Corporate Secretary
Generations Bank

Lina Brennan
Human Resources Manager
Finger Lakes Regional Health System

Mike Rusinko
Assistant VP/Small Business Lending
Lyons National Bank

Danielle Maloy
Regional Coordinator
ACCES-VR

Lynn Fried
Regional Director
Workforce Development Institute

And be it further

RESOLVED, that certified copies of this resolution be sent to Wayne, Ontario and Seneca Counties, the Yates County Department of Social Services, the Finger Lakes Workforce Investment Board, and to the aforementioned appointees.

Res. No. 234-20
Motioned By: Church

Date: June 8, 2020
Seconded By:

WORKFORCE DEVELOPMENT BUDGET TRANSFER

BE IT RESOLVED, that the following transfers be made in the Yates County Workforce Development account:

TO:	CD6293 4C	WIOA Youth Operating Expense	\$ 1,000.00
FROM:	CD6293 11C	WIOA Youth Participant Wage	\$ 500.00
	CD6293 81C	WIOA Youth Participation Participant Fringe	\$ 500.00

And be it further

RESOLVED, that copies of this resolution be provided to the DSS Commissioner and the Yates County Treasurer.

Res. No. 235-20
Motioned By: Church

Date: June 8, 2020
Seconded By:

AUTHORIZE WORKFORCE DEVELOPMENT TO ENTER INTO CONTRACT

WHEREAS, The Workforce Innovation and Opportunity Act (WIOA) of 2014 requires an Administrative Agreement between the Chief Elected Officials and the Workforce Investment Board for the allocation of Title I Workforce Innovation and Opportunity Act funds, and for the designation of the Career Center(s); and

WHEREAS, it is necessary for the County to enter into financial contracts with the Finger Lakes Workforce Investment Board Inc., as Grant Recipient for WIOA Title I Administration, Adult and Dislocated Worker funds and for Youth funds as indicated below for the period July 1, 2020-June 30, 2021:

- | | |
|--|----------|
| 1. WIOA Youth | \$81,101 |
| 2. WIOA Adult/Dislocated Worker/ Admin | \$67,982 |

WHEREAS, these budget amounts have been approved by the Finger Lakes Workforce Investment Board, Inc.;

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 the Finger Lakes Workforce Investment Board to administer this funding; and be it be it further

RESOLVED, that certified copies of this resolution be sent to The Finger Lakes Workforce Investment Board Inc. and the Yates County Commissioner of Social Services.

Res. No. 236-20
Motioned By: Church

Date: June 8, 2020
Seconded By:

**AUTHORIZE CHAIR TO SIGN CHIEF ELECTED OFFICIAL AGREEMENT FOR
THE WORKFORCE INVESTMENT BOARD**

RESOLVED, that after review by the County Attorney, the Chair of the Legislature is hereby authorized to sign The Chief Elected Official Agreement with the Finger Lakes Workforce Investment Board for the Program years 2020-2022; and be it further

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

Res. No. 237-20
Motioned By: Church

Date: June 8, 2020
Seconded By:

AUTHORIZE AGREEMENT WITH CLEAR

WHEREAS, the Department of Social Services wishes to continue to strengthen program integrity; and

WHEREAS, the Department of Social Services is interested in entering into an agreement with CLEAR for employment and legal background inquiries;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Social Services Commissioner and Chairman of the Legislature are authorized to sign an agreement with CLEAR at \$240.75 a month for a one-year period; and be it further

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

Res. No. 238-20
Motioned By: Church

Date: June 8, 2020
Seconded By:

AUTHORIZE AGREEMENT WITH AMERICA HOMECARE

WHEREAS, the Yates County Department of Social Services requires additional providers for fiscal intermediaries for the consumer directed personal assistance program;

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 are authorized to sign an agreement between the Yates County Department of Social Services and America Homecare for the provision of fiscal intermediary services to the Department of Social Services for the period of April 1, 2020 to December 31, 2020 at no cost; 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. 239-20
Motioned By: Church

Date: June 8, 2020
Seconded By:

RECOGNITION OF NEW YORK STATE WOMEN VETERANS ON JUNE 12, 2020

WHEREAS, Seventy-Two years ago, on June 12, 1948, President Harry S. Truman signed into law the Women's Armed Services Act of 1948 (P.L. 625-80th Congress); this law ensured that women would have a permanent place in the Army, Navy, Air Force and Marines; and

WHEREAS, Women have always answered the call to duty, serving The United States of America with integrity and respect; and; and

WHEREAS, Women make up nearly 15% of today's active duty military; 19.5% of the United States Coast Guard and United States Reserve forces are women; and

WHEREAS, Women from New York who have served in the Armed Forces of the United States have made countless contributions and tremendous sacrifices; and

WHEREAS, It is important to recognize the contributions of New York women veterans and educate the people of New York concerning the role of women in our military; and

WHEREAS, Women serving in the military continue to demonstrate their professionalism, dedication, leadership, and skills, as well as the patriotism and love for their country as they mobilize in record numbers to support Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn, Operation Inherent Resolve and the Global War on Terrorism; and

WHEREAS, Among the Armed Forces, there are over 48,800 women veterans in the State of New York and approximately 100 women veterans in Yates County; and

WHEREAS, Women have served this country in uniform, during wartime and peacetime service, have earned our respect and thanks; and

WHEREAS, Through its avowed commitment to those who have served in the cause of America's Freedom, Women Veterans Recognition Day does so unselfishly advance the spirit of the united purpose and shared concern which is the unalterable manifestation of our American experience;

NOW, THEREFORE, BE IT RESOLVED, that this Legislative Body pause in its deliberations to the bravery, patriotism and sacrifice made by women, both those still living and those who died in service of our great country; and most proudly commemorate the 72nd Anniversary of the signing of the Women's Armed Forces Act of 1948, which later came to be known as Women Veterans Recognition Day; and be it further

RESOLVED, that the Yates County Legislature, in patriotic tradition, recognizes the importance of honoring all Yates County Women Veterans who served in battle and on the home front and acknowledges the immeasurable sacrifices that helped to preserve freedom; and to proclaim Friday June 12th, 2020 as Women Veterans Day in Yates County.

2020 BUDGET TRANSFERS

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

From:	To:	Amount:
A1990.54905 CONTINGENT 1,520.00	A1325.51030 TRS-Treasurer	\$
A1990.54905 CONTINGENT	A1325.58100 TRS-FICA/MED	\$ 116.28
A1990.54905 CONTINGENT	A1325.51030 TRS-Dep. Treasurer	\$ 1,995.00
A1990.54905 CONTINGENT	A1325.58100 TRS-FICA/MED	\$ 152.62
A1990.54905 CONTINGENT	A1410.51005 CC-County Clerk	\$ 2,383.00
A1990.54905 CONTINGENT	A1410.58100 CC-FICA/MED	\$ 182.30
A1990.54905 CONTINGENT	A1410.51110 CC-Dep. County Clerk	\$ 1,868.00
A1990.54905 CONTINGENT	A1410.58100 CC-FICA/MED	\$ 142.90
A1990.54905 CONTINGENT	A1420.51590 CA-County Attny	\$ 1,942.00
A1990.54905 CONTINGENT	A1420.58100 CA-FICA/MED	\$ 148.56
A1990.54905 CONTINGENT	A3110.51025 SH-Sheriff	\$ 1,987.00
A1990.54905 CONTINGENT	A3110.58100 SH-FICA/MED	\$ 152.01
A1990.54905 CONTINGENT	A1165.51038 DA-Asst. DA	\$ 780.00
A1990.54905 CONTINGENT	A1165.58100 DA-FICA/MED	\$ 59.67
A1990.54905 CONTINGENT	A1165.51037 DA-Asst. DA	\$ 1,640.00
A1990.54905 CONTINGENT	A1165.58100 DA-FICA/MED	\$ 125.46
A1990.54905 CONTINGENT	A1170.51565 PD-Asst. PD	\$ 876.00
A1990.54905 CONTINGENT	A1170.58100 PD-FICA/MED	\$ 67.01
A1990.54905 CONTINGENT	A1430.51575 BO-Budget Officer	\$ 3,931.00
A1990.54905 CONTINGENT	A1430.58100 BO-FICA/MED	\$ 300.72
A1990.54905 CONTINGENT	A1625.51040 B&G-Bld Maint Sup.	\$ 2,360.00
A1990.54905 CONTINGENT	A1625.58100 B&G-FICA/MED	\$ 180.54
A1990.54905 CONTINGENT	A3150.51791 SH-Chief Corr. Off.	\$ 2,349.00
A1990.54905 CONTINGENT	A3150.58100 B&G-FICA/MED	\$ 179.70
A1990.54905 CONTINGENT	A4010.51153 PH-Dep Director PH	\$ 1,351.00
A1990.54905 CONTINGENT	A4010.58100 PH-FICA/MED	\$ 103.35
A1990.54905 CONTINGENT	A3110.51105 SH-Conf. Asst. to Sher.	\$ 55.00
A1990.54905 CONTINGENT	A3110.58100 SH-FICA/MED	\$ 4.21
A1990.54905 CONTINGENT	A6010.51102 DSS-Dir. Child & Fam Svc	\$ 1,229.00
A1990.54905 CONTINGENT	A6010.58100 DSS-FICA/MED	\$ 94.02
A1990.54905 CONTINGENT	A6010.51052 DSS-Comm of Soc. Svc.	\$ 2,424.00
A1990.54905 CONTINGENT	A6010.58100 DSS-FICA/MED	\$ 185.44
A1990.54905 CONTINGENT	A4320.51605 CS-Dir of Comm Svc	\$ 1,530.00
A1990.54905 CONTINGENT	A4320.58100 CS-FICA/MED	\$ 117.05
A1990.54905 CONTINGENT	A3645.51070 OEM-Dir of Emerg. Mgmt.	\$ 2,399.00
A1990.54905 CONTINGENT	A3645.58100 OEM-FICA/MED	\$ 183.52
A1990.54905 CONTINGENT	A6010.51125 DSS-Dir of Income Maint	\$ 1,229.00
A1990.54905 CONTINGENT	A6010.58100 DSS-FICA/MED	\$ 94.02
A1990.54905 CONTINGENT	A4010.51065 PH-Director of Pub. Health	\$ 2,514.00
A1990.54905 CONTINGENT	A4010.58100 PH-FICA/MED	\$ 192.32

A1990.54905 CONTINGENT	A6510.51061 VET-Dir of Vet Svcs	\$ 2,050.00
A1990.54905 CONTINGENT	A6510.58100 VET-FICA/MED	\$ 156.83
A1990.54905 CONTINGENT	A1450.51050 ELEC-Elect. Commiss.	\$ 2,050.00
A1990.54905 CONTINGENT	A1450.58100 ELEC-FICA/MED	\$ 156.83
A1990.54905 CONTINGENT	A1450.51051 ELEC-Elect. Commiss.	\$ 2,050.00
A1990.54905 CONTINGENT	A1450.58100 ELEC-FICA/MED	\$ 156.83
A1990.54905 CONTINGENT	A1680.51076 IT-Dir of Information Tech	\$ 1,538.00
A1990.54905 CONTINGENT	A1680.58100 IT-FICA/MED	\$ 117.66
A1990.54905 CONTINGENT	A1430.51140 PERS-Personnel Assnt	\$ 787.00
A1990.54905 CONTINGENT	A1430.58100 PERS-FICA/MED	\$ 60.21
A1990.54905 CONTINGENT	A8020.51085 PLN-Planner	\$ 2,225.00
A1990.54905 CONTINGENT	A8020.58100 PLN-FICA/MED	\$ 170.21
A1990.54905 CONTINGENT	A3140.51090 PROB- Probation Dir	\$ 2,350.00
A1990.54905 CONTINGENT	A3140.58100 PROB-FICA/MED	\$ 179.78
A1990.54905 CONTINGENT	A3110.51770 SH-Secretary to Sher	\$ 756.00
A1990.54905 CONTINGENT	A3110.58100 SH-FICA/MED	\$ 57.83
A1990.54905 CONTINGENT	A1170.51646 PD-Secretary to PD	\$ 757.00
A1990.54905 CONTINGENT	A1170.58100 PD-FICA/MED	\$ 57.91
A1990.54905 CONTINGENT	A6010.51645 DSS-Social Svcs Attny	\$ 1,394.00
A1990.54905 CONTINGENT	A6010.58100 DSS-FICA/MED	\$ 106.64
A1990.54905 CONTINGENT	A3110.51155 SH-Undersheriff	\$ 2,590.00
A1990.54905 CONTINGENT	A3110.58100 SH-FICA/MED	\$ 198.14
A1990.54905 CONTINGENT	A7510.51075 HIST-Historian	\$ 3,784.40
A1990.54905 CONTINGENT	A7510.58100 SH-FICA/MED	\$ 289.51
A1990.54905 CONTINGENT	A1450.51595 ELEC-Dep Elect Commiss	\$ 6,334.60
A1990.54905 CONTINGENT	A1450.58100 ELEC-FICA/MED	\$ 484.60
A1990.54905 CONTINGENT	A1410.51135 CC-Motor Vehicle Sup.	\$ 2,265.12
A1990.54905 CONTINGENT	A1410.58100 CC-FICA/MED	\$ 173.28
A1990.54905 CONTINGENT	A1460.51581 REC MGMT-Rec Mgmt Off.	\$ 331.50
A1990.54905 CONTINGENT	A1460.58100 REC MGMT-FICA/MED	\$ 25.36
A1990.54905 CONTINGENT	A4010.51332 PH-Reg. Nurse	\$ 100.37
A1990.54905 CONTINGENT	A4010.58100 PH-FICA/MED	\$ 7.68
A1990.54905 CONTINGENT	A1420.51644 CA-Secretary to Cnty Attny	\$ 717.20
A1990.54905 CONTINGENT	A1420.58100 CA-FICA/MED	\$ 54.87
A1990.54905 CONTINGENT	A7310.51657 YTH-Youth Bureau Dir.	\$ 695.28
A1990.54905 CONTINGENT	A7310.58100 YTH-FICA/MED	\$ 53.19

And be it further

RESOLVED, that copies of this resolution be provided to the County Clerk, Personnel Officer, the Building Maintenance Supervisor, the District Attorney, the County Attorney, the Public Defender, the Clerk of the Legislature, the Director of Public Health, the Director of Community Services, the Director of Emergency Management, the Information Technology Director, the Sheriff, the Election Commissioners, the Planner, the Probation Director, the Historian, the Commissioner of Social Services, the Director of Veterans' Services Agency, the Youth Bureau Director, and the County Treasurer/Budget Officer.

Res. No. 241-20
Motioned By: Holgate

Date: June 8, 2020
Seconded By:

**AUTHORIZE CHAIRMAN TO SIGN CARES ACT AIRPORT GRANTS AGREEMENT
WITH THE UNITED STATES OF AMERICA, ACTING THROUGH THE FEDERAL
AVIATION ADMINISTRATION**

WHEREAS, the County of Yates (hereinafter the “County”) has applied for and been awarded grant financial assistance pursuant to the Coronavirus Aid, Relief, and Economic Security Act (aka CARES Act), pertaining to the County’s airport (hereinafter referred to as the “Grant”); and

WHEREAS, in order to effectuate the Grant, the County’s execution of a grant agreement with the United States of America, acting through the Federal Aviation Administration is required; and

WHEREAS, to this end, a grant agreement entitled: “CARES Act Airport Grants Agreement”, dated June 1, 2020, between the County and The United States of America, acting through the Federal Aviation Administration as parties (said agreement hereinafter referred to as the “Grant Agreement”) has been presented to the County for review and execution;

NOW, THEREFORE, BE IT RESOLVED, that the County is authorized to enter into the Grant Agreement, and to this end, the Chairman of the Legislature, upon the approval of the County Attorney, is hereby authorized to sign such Grant Agreement on behalf of the County, and any other ancillary documentation related to the proper execution thereof; and be it further

RESOLVED, that copies of this resolution be given to the County Administrator, County Planner and Federal Aviation Administration.

Res. No. 242-20
Motioned By: Cutler

Date: June 8, 2020
Seconded By:

**ADOPT LOCAL LAW 3-2020 ENTITLED A LOCAL LAW AUTHORIZING A YATES
COUNTY TRAFFIC DIVERSION PROGRAM**

WHEREAS, proposed Local Law 3-2020 entitled “A Local Law Authorizing a Yates County Traffic Diversion Program” was introduced at the May 4th meeting; and

WHEREAS, a public hearing was duly held on June 8, 2020;

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law 3-2020 entitled “A Local Law Authorizing a Yates County Traffic Diversion Program” is hereby adopted; and be it further

RESOLVED, that a copy of this resolution be given to the County Attorney and the Secretary of State.

Local Law Filing

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

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 3-2020 ENTITLED: A LOCAL LAW AUTHORIZING A YATES COUNTY TRAFFIC DIVERSION PROGRAM

Be it enacted by the Legislature of the

County
City of Yates_ as follows:
Town
Village

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. 243-20
Motioned By: Bronson

Date: June 8, 2020
Seconded By:

ADOPT LOCAL LAW 4-2020 ENTITLED A LOCAL LAW PROVIDING FOR A CHANGE IN THE TERM OF THE LEGISLATORS ON THE YATES COUNTY LEGISLATURE

WHEREAS, proposed Local Law 4-2020 entitled “A Local Law Providing For A Change In The Term Of the Legislators On The Yates County Legislature” was introduced at the May 4th meeting; and

WHEREAS, a public hearing was duly held on June 8, 2020;

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law 4-2020 entitled “A Local Law Providing For A Change In The Term Of The Legislators On The Yates County Legislature” is hereby adopted; and be it further

RESOLVED, that a copy of this resolution be given to the County Attorney and the Secretary of State.

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 4-2020 ENTITLED:
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
City of Yates as follows:
Town
Village

SECTION 1. LEGISLATIVE INTENT

In order to provide for continuity in government, to modify the terms of legislators so that no more than one half (1/2) of the legislators are elected in any election year (i.e., to stagger legislators’ terms) 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.