



YATES COUNTY LEGISLATURE  
417 Liberty Street  
Penn Yan, New York 14527  
Phone 315-536-5150  
Fax 315-536-5166

Leslie Church  
Chairwoman  
Emilee D. Miller  
Clerk

**YATES COUNTY LEGISLATIVE AGENDA  
June 12, 2023 at 1:00 pm**

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

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- Call to Order & the Pledge of Allegiance
- Zoom Attendees
- Approve Minutes from the Meetings on May 4<sup>th</sup> and May 8<sup>th</sup>
- Public Comment
- Approve Audit
- Committee Reports

**RESOLUTION**

|         |        |  |
|---------|--------|--|
| Killen  | 274-23 | Authorize Chairwoman to Sign Memorandum of Understanding for Ambulance Housing (Branchport/Keuka Park Fire District)                                       |
|         | 275-23 | Authorize Chairwoman to Sign Memorandum of Understanding for Ambulance Housing (Village of Dundee)   |
|         | 276-23 | Authorize Sheriff to Purchase Commercial Washer for Jail   |
|         | 277-23 | Authorize Chairperson and Sheriff to sign Tompkins and Oswego County Jail contracts  |
|         | 278-23 | Authorize Sheriff to Purchase Security Camera Required by NYS  |
|         | 279-23 | Authorize Sheriff and Chairperson to sign Amendment for Jail Telephone Services  |
|         | 280-23 | Authorize Sheriff to Rent Communications Equipment Temporary Storage   |
|         | 281-23 | Declare as Surplus Property Legacy Public Safety Communications Towers, Microwave and Land Mobile Radio Equipment and Authorize Sheriff to Dispose of Same |
| Bronson | 282-23 | Authorize Planner to Create and Fill Planner Assistant Position  |
|         | 283-23 | Authorize Chairwoman to Sign Memorandum of Understanding (CSEA)  |

|         |        |  |
|---------|--------|--|
|         | 284-23 | Amend 2023 Non-Union Exempt Employee Salary Schedule   |
|         | 285-23 | Resolution in Support of Yates County Bicentennial Celebrations  |
| Chilson | 286-23 | Sign Authorization with Health Research Inc. (HRI)-Public Health Strengthening Infrastructure, Workforce and Data Systems                            |
|         | 287-23 | Authorize Contract with Finger Lakes Workforce Investment Board  |
|         | 288-23 | Authorize Contract for Client Translation  |
|         | 289-23 | Authorize Chairwoman to Sign Contract with the Penn Yan Central School District (Opioid Settlement)  |
| Banach  | 290-23 | Award Bid for Leachate Hauling for the County Landfill   |
|         | 291-23 | Amend Resolution No. 154-23 (C & S Engineers, Not to Exceed Contract Authorization)  |
|         | 292-23 | Amend Resolution No. 197-23 (Lloyd Mechanical Contract Amendment Authorization)  |
|         | 293-23 | Amend Resolution No. 196-23 (Building Innovation Group Contract Amendment Authorization)   |
|         | 294-23 | Award Bid for Contract No. 1-Chubb Hollow Culverts Guiderail Installation  |
|         | 295-23 | New Natural Gas Service to New Highway, Office of Emergency Services/Public Health Facility  |
|         | 296-23 | Amend Resolution No. 8-23 (Authorize Exception to the Procurement Policy)  |
|         | 297-23 | Authorize Chairwoman to Sign a Contract with Siemens for Highway, OES and Public Health Automation Controls  |
|         | 298-23 | Authorize Chairwoman to Sign a Contract with Stark Tech for Replacement of the Data Center HVAC Unit   |
| Holgate | 299-23 | 2023 Budget Transfers  |
|         | 300-23 | Appropriate Infrastructure Reserve   |
|         | 301-23 | Appropriate Additional Aid (HWY)   |
|         | 302-23 | Appropriate Additional State Aid (HWY)   |
|         | 303-23 | Rescind Resolution No. 264-23 (DSS)  |
|         | 304-23 | Appropriate Additional Aid (YB)  |
|         | 305-23 | Appropriate Additional State Aid (DSS)   |
|         | 306-23 | Appropriate Additional State Aid (DSS)   |
|         | 307-23 | Authorize Workforce Development Budget Allocations (WFD)   |
|         | 308-23 | Amend Resolution No. 294-22 (Enter into an Agreement for One Touch Make Ready Services for Phase 3 of the ReConnect Project with LaBella Associates) |
|         | 309-23 | Authorization for Legislative Chairwoman to Sign Documents Relating to the NYSEG Electric Connection at the TELCO Huts                               |
|         | 310-23 | Resolution Accepting Passero Associates Consultant Fee for Terminal Apron Construction as Reasonable (FFA Project Number 3-36-0094-XX-23)            |

- Public Comment

**Executive Session if needed**

**Resolution No. 274-23**

**Date: 6/12/23**

**Motioned By: Killen**

**Seconded By:**

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**AUTHORIZE CHAIRWOMAN TO SIGN MEMORANDUM OF UNDERSTANDING  
FOR AMBULANCE HOUSING  
(Branchport/Keuka Park Fire District)**

WHEREAS, Yates County Emergency Medical Services is preparing to begin operations within the County; and

WHEREAS, ambulances will be deployed to different parts of Yates County to maximize operational coverage; and

WHEREAS, the Branchport/Keuka Park Fire District is willing to allow Yates County to house an ambulance and applicable staff within their Ambulance building, subject to terms mutually agreed upon within a Memorandum of Understanding between the Branchport/Keuka Park Fire District and Yates County;

NOW, THEREFORE, BE IT RESOLVED, that after approval from the County Attorney, the Chairwoman is authorized to sign the Memorandum of Understanding between the Branchport/Keuka Park Fire District and Yates County; and be it further

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

**Resolution No. 275-23**

**Date: 6/12/23**

**Motioned By: Killen**

**Seconded By:**

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**AUTHORIZE CHAIRWOMAN TO SIGN MEMORANDUM OF UNDERSTANDING  
FOR AMBULANCE HOUSING  
(Village of Dundee)**

WHEREAS, Yates County Emergency Medical Services is preparing to begin operations within the County; and

WHEREAS, ambulances will be deployed to different parts of Yates County to maximize operational coverage; and

WHEREAS, the Village of Dundee is willing to allow Yates County to house an ambulance and applicable staff within their Ambulance building, subject to terms mutually agreed upon within a Memorandum of Understanding between the Village of Dundee and Yates County;

NOW, THEREFORE, BE IT RESOLVED, that after approval from the County Attorney, the Chairwoman is authorized to sign the Memorandum of Understanding between the Village of Dundee and Yates County; and be it further

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

**Resolution No. 276-23**

**Date: 6/12/23**

**Motioned By: Killen**

**Seconded By:**

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**AUTHORIZE SHERIFF TO PURCHASE COMMERCIAL WASHER FOR JAIL**

WHEREAS, the thirteen year old commercial washing machine in use at the Yates County Jail has been out of service due to unavailability of parts, etc. since May 8 and latest reports indicate several weeks may incur waiting with no guarantee of the parts arrival as the machine no longer being made; and

WHEREAS, presently for past 29 days alternative means being used by jail officers for daily laundry services at a cost at local laundromat, at cost to county, and creates a crisis of need; and

WHEREAS, Building Maintenance Supervisor has sought RFP's for a replacement commercial washing machine in the 40 lbs. class with five-year warranty as follows:

- Continental \$14,803 (delivery in 4-6 weeks)
- Huebsch \$13,847 (Immediately available)
- B&C Technologies \$13,600 (delivery 6 weeks)

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff or the Building Maintenance Supervisor due to this crisis of need is authorized to execute a purchase offer for the Huebsch at \$13,847 from Empire Machinery of Palmyra, NY as the most responsible purchase cost given delivery times and current ongoing expenses for the immediate install of this replacement machine, and should there be any value in the used not operating machine to pursue any credit; and be it further

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

**Resolution No. 277-23**

**Date: 6/12/23**

**Motioned By: Killen**

**Seconded By:**

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**AUTHORIZE CHAIRPERSON AND SHERIFF TO SIGN  
TOMPKINS AND OSWEGO COUNTY JAIL CONTRACTS**

WHEREAS, at times the situation may arise for Tompkins and Oswego County's to house inmates temporarily at the Yates County Jail at a cost of \$85/males and \$95/females a day; and

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney that the Chairperson and the Sheriff are authorized to sign a business and an inmate housing agreement for both counties effective 1/1/2023 thru 12/31/2023; and be it further

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

**Resolution No. 278-23**  
**Motioned By: Killen**

**Date: 6/12/23**  
**Seconded By:**

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**AUTHORIZE SHERIFF TO PURCHASE SECURITY CAMERA**

WHEREAS, the county of Yates authorized a contract with Integrated Systems, Inc. per Res. 68-23 to update security camera systems; and

WHEREAS, this resolution recognized a bid by Broome County awarded to Integrated Systems, and its relevance; and

WHEREAS, per this same bid Integrated Systems will provide a camera system for the Public Safety Building Interview room for a cost of \$5,054.63 with support;

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff is authorized to purchase this security camera for this amount using grant funding provided by the NYS Department of Homeland Security; and be it further

RESOLVED, that a copy of this resolution be provided the Director of Finance, the IT Director, the Building Maintenance Supervisor and the Sheriff.

**Resolution No. 279-23**  
**Motioned By: Killen**

**Date: 6/12/23**  
**Seconded By:**

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

WHEREAS, the inmate telephone services agreement with GTL/ViaPath Technologies company provider per Res. expires in March of 2027 and services have now been enhanced, thus the Sheriff would like to accept thus enhancements;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Sheriff and the Chairperson are hereby authorized to sign said enhanced services amendment agreement with GTL/ViaPath Technologies; and be it further

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

**Resolution No. 280-23**  
**Motioned By: Killen**

**Date: 6/12/23**  
**Seconded By:**

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**AUTHORIZE SHERIFF TO RENT COMMUNICATIONS  
EQUIPMENT TEMPORARY STORAGE**

WHEREAS, with the transition to the new public safety communications upgrade that various communications equipment may or may not be needed in the future, and requires immediate emergency storage as tower sites are presently being decommissioned on mandated timeline, and various radio and microwave antenna and equipment needs to be moved and secured; and

WHEREAS, Sheriff has no immediate adequate storage space available, and in

consultation with the Chair of the public Safety Committee and the review of Yates County Legislative resolution 381-22 that sought RFP's and resolved the Planner to rent storage containers from A-Verdi, LLC, and after Sheriff's review this authorization is still best proposal; and

NOW, THEREFORE, BE IT RESOLVED, as piggy back onto the spirit of Res. 381-22 the Sheriff is authorized to make the rental purchase of commercial ground level storage container with A-Verdi, LLC for transportation charge of \$192 and updated pricing of \$135 a month; and

RESOLVED, that a copy be provided the Budget Officer, Finance Director, and the Sheriff.

**Resolution No. 281-23**

**Date: 6/12/23**

**Motioned By: Killen**

**Seconded By:**

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**DECLARE AS SURPLUS PROPERTY LEGACY PUBLIC SAFETY  
COMMUNICATIONS TOWERS, MICROWAVE AND LAND MOBILE RADIO  
EQUIPMENT AND AUTHORIZE SHERIFF TO DISPOSE OF SAME**

WHEREAS, Yates County has undertaken a project to improve public safety communications within the county and has constructed, among others, new towers at the county's Sherman Hollow and Public Safety Building sites; and

WHEREAS, a tower in Ovid replaces the county's Angus site; and

WHEREAS, new public safety communications equipment and appurtenances have been installed at all tower sites and the system is now operational; and

WHEREAS, legacy towers located at Yates County's Sherman Hollow, Public Safety Building and Angus sites no longer have benefit to Yates County; and

WHEREAS, legacy public safety communications equipment, including but not limited to, some or all microwave equipment and antennas and land mobile radios, antennas and related equipment no longer have benefit to Yates County;

NOW, THEREFORE BE IT RESOLVED, that the legacy public safety communications towers located at Yates County's Sherman Hollow, Public Safety Building and Angus sites are hereby declared surplus and the Sheriff is authorized to create a request for proposals, send to auction, sell to another municipality or otherwise dispose of the said legacy public safety communications towers; and be it further

RESOLVED, that the legacy public safety communications equipment and/or appurtenances located at tower sites, Public Safety Building and/or Courthouse are hereby declared surplus and the Sheriff is hereby authorized to create a request for proposals, send to auction, sell to another municipality or otherwise dispose of the surplus equipment; and be it further

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

**Resolution No. 282-23**

**Date: 6/12/23**

**Motioned By: Bronson**

**Seconded By:**

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**AUTHORIZE PLANNER TO CREATE AND FILL PLANNER ASSISTANT POSITION**

WHEREAS, the part-time Project Manager in the Planning Department will be retiring in September 2023; and

WHEREAS, through the position review process the Planner has identified that the County's current staffing level of the Planning Department is insufficient as the department is currently unable to meet the growing demands and complexities of departmental projects, resulting in delays, inadequate support to municipalities, and missed opportunities for economic growth; and

WHEREAS, the Planner has identified the need to create and fill a full-time Planner Assistant position to significantly enhance the County's ability to provide professional guidance, expertise, and coordination to local governments, residents, and developers; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$62,598 to \$89,726;

NOW, THEREFORE, BE IT RESOLVED, that effective June 12, 2023 the Planner is hereby authorized to create and fill and full-time Planner Assistant position; and be it further

RESOLVED, the part-time Project Manager position will remain vacant after the retirement of the current incumbent; and be it further

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

**Resolution No. 283-23**

**Date: 6/12/23**

**Motioned By: Bronson**

**Seconded By:**

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

WHEREAS, the Emergency Preparedness Coordinator presented to the Public Safety Committee justification for the need of a non-traditional work schedule for the employees hired for the newly established ambulance service operations and specifically in the job titles of Paramedic and Emergency Medical Technician; and

WHEREAS, the County has engaged in discussions with the authorized representative for such employees regarding their work schedule;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding the work schedule for Emergency Services employees in the job titles of Paramedic and Emergency Medical Technician to consist of a minimum of a three (3) day work week and not to exceed forty (40) hours per week; and be it further

RESOLVED, that this action establishes the initial schedule for such employees, and it is subject to change in the future by subsequent resolution; and be it further

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

**Resolution No. 284-23**

**Date: 6/12/23**

**Motioned By: Bronson**

**Seconded By:**

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**AMEND 2023 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE**

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

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

NOW, THEREFORE, BE IT RESOLVED, that effective June 12, 2023, “Confidential Assistant to the Sheriff...\$48,902” be amended to “Confidential Assistant to the Sheriff...\$52,272”; and be it further

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

**Resolution No. 285-23**

**Date: 6/12/23**

**Motioned By: Bronson**

**Seconded By:**

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**RESOLUTION IN SUPPORT OF YATES COUNTY BICENTENNIAL CELEBRATIONS**

WHEREAS, the year 2023 marks a significant milestone for Yates County as it celebrates its bicentennial anniversary, signifying two centuries of community, progress, and resilience; and

WHEREAS, the villages of Penn Yan, Dresden, Rushville, and Dundee have demonstrated exceptional dedication and enthusiasm in organizing a wide range of activities, parades, and events to honor the Yates County Bicentennial and create cherished memories for residents, including our children; and

WHEREAS, the participation of each village in the countywide celebration has played a vital role in fostering a sense of pride, unity, and community engagement throughout Yates County; and

WHEREAS, the Yates County Legislature acknowledges the importance of providing further support to bolster the efforts made by these villages in ensuring the success and lasting impact of the bicentennial festivities;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature authorizes the Director of Finance to allocate \$500 to each of the Yates County Villages, totaling \$2000, from the Bicentennial fund, specifically designated for the enhancement and improvement of their respective local parks; and be it further



RESOLVED, that a copy of this resolution be provided to the Director of Finance, Budget Officer, Treasurer, and the villages of Penn Yan, Dresden, Rushville, and Dundee.

**Resolution No. 286-23**

**Date: 6/12/23**

**Motioned By: Chilson**

**Seconded By:**

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**SIGN AGREEMENT WITH HEALTH RESEARCH INC. (HRI) – PUBLIC HEALTH STRENGTHENING INFRASTRUCTURE, WORKFORCE AND DATA SYSTEMS**

WHEREAS, Yates County Public Health has received the New York State Department of Health Public Health (NYSDOH) Strengthening Infrastructure, Workforce and Data Systems grant award of \$5,672,787; with \$672,787 available to the County over five years and \$5,000,000 restricted for use by NYSDOH; and

WHEREAS, said grant period will be for the period of December 1, 2022 – November 30, 2027;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman is hereby authorized to sign an agreement with Health Research Inc. (HRI) for the period December 1, 2022 through November 30, 2027 for the Strengthening Infrastructure, Workforce and Data Systems Grant; and be it further

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

**Resolution No. 287-23**

**Date: 6/12/23**

**Motioned By: Chilson**

**Seconded By:**

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**AUTHORIZE CONTRACT WITH FINGER LAKES WORKFORCE INVESTMENT BOARD**

BE IT RESOLVED, that after review by the County Attorney, the Commissioner of Social Services and the Chair of the Legislature be authorized to sign contracts with the following agency for the time frame 7/1/2023-6/30/2024:

|                               |   |
|-------------------------------|---|
|                               | Finger Lakes Workforce Investment Board |
| Youth Funding                 | \$80,577.91                             |
| Admin/Adult/Dislocated Worker | \$69,148.00                             |

And, be it further;

RESOLVED, that copies of this resolution shall be provided the Commissioner of Social Services, Yates County Treasurer, and Director of Finance.

**Resolution No. 288-23**

**Date: 6/12/23**

**Motioned By: Chilson**

**Seconded By:**

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**AUTHORIZE CONTRACT FOR CLIENT TRANSLATION**

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

WHEREAS, the term of this contract is June 1, 2023 through December 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairwoman of the Yates County Legislature and Commissioner of Social Services are authorized to sign a contract with:

Stella Garcia , waiving liability insurance

And be it further

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

**Resolution No. 289-23**  
**Motioned By: Chilson**

**Date: 6/12/23**  
**Seconded By:**

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**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH THE PENN YAN  
CENTRAL SCHOOL DISTRICT (OPIOID SETTLEMENT)**

WHEREAS, Yates County Community Services wishes to enter into a contract with the Penn Yan Central School District to assist in substance abuse prevention education and prevention related activities for all youth; and

WHEREAS, the funds of \$6,011.04 were received from the 2022 Opioid settlement; and

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairperson of the Legislature is authorized to enter into an agreement with the Penn Yan Central School District; and be it further

RESOLVED, that said contract will run from 1/1/2023 to 12/31/2023; and be it further

RESOLVED, that a copy of this resolution be sent to Community Services, the Public Health office, Penn Yan Central School District, the Finance Director, and the Treasurer.

**Resolution No. 290-23**  
**Motioned By: Banach**

**Date: 6/12/23**  
**Seconded By:**

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**AWARD BID FOR LEACHATE HAULING FOR THE COUNTY LANDFILL**

WHEREAS, there is a need for Leachate Hauling & Disposal service for the County Landfill on Long Point Road in the Town of Torrey; and

WHEREAS, bids were requested and received on May 25, 2023 at 11:00 a.m. and two firms submitted a bid;

| ITEM NO. | DESCRIPTION  | ESTIMATED QUANTITY | UNITS    | Magee Transportation Services Inc |              | Gotta Do Contracting LLC |              |
|----------|--------------|--------------------|----------|-----------------------------------|--------------|--------------------------|--------------|
|          |              |                    |          | UNIT BID PRICE                    | TOTAL AMOUNT | UNIT BID PRICE           | TOTAL AMOUNT |
|          | MOBILIZATION | 1                  | LUMP SUM | \$1,360.00                        | \$1,360.00   | \$1,350.00               | \$1,350.00   |

|   |   |                 |                      |            |             |            |             |
|---|---|-----------------|----------------------|------------|-------------|------------|-------------|
| 1   |   |                 |                      |            |             |            |             |
| 2   | LOADING, REMOVAL, TRANSPORT, UNLOADING, AND DISPOSAL OF LEACHATE AT THE WATER POLLUTION CONTROL FACILITY. THIS PRICE INCLUDES ALL APPLICABLE FREIGHT, DELIVERY, ANALYTICAL, REGULATORY COMPLIANCE, AND INSURANCE COSTS AND CHARGES. | 200,000 gallons | PER THOUSAND GALLONS | \$155.00   | \$31,000.00 | \$135.00   | \$27,000.00 |
| TOTAL BID FOR YATES COUNTY TORREY LANDFILL LEACHATE HAULING AND DISPOSAL CONTRACT |   |                 |                      | \$1,515.00 | \$32,360.00 | \$1,485.00 | \$28,350.00 |

WHEREAS, the submitted bid documents have been reviewed by Barton & Loguidice, D.P.C., and a recommendation to award has been received from Barton & Loguidice, D.P.C.;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is hereby authorized to sign the agreement with Gotta Do Contracting, LLC; and be it further

RESOLVED, that copies of this resolution be provided to the Director of Finance, the County Administrator, the Highway Superintendent, Barton & Loguidice, D.P.C., and all bidders.

**Resolution No. 291-23**  
**Motioned By: Banach**

**Date: 6/12/23**  
**Seconded By:**

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**AMEND RESOLUTION NO. 154-23**  
**(C & S Engineers, Not to Exceed Contract Authorization)**

WHEREAS, Resolution No. 422-21 authorized a contract with C & S Engineers, Inc. for engineering services on the Yates County Highway, Office of Emergency Services and Public Health Facility Project for an amount not-to-exceed \$900,000; and

WHEREAS, Resolution No. 154-23 authorized \$129,684 in additional services for a revised contract totaling \$1,029,684; and

WHEREAS, the required scope of services for the Highway, Office of Emergency Services and Public Health Facility Project has increased beyond the amended scope of services as presented in Resolution 154-23; and

WHEREAS, the Highway Superintendent is requesting additional services for the construction administration portion of the project to allow C&S to complete the Time and Material NTE contract services; and

WHEREAS, the amount of said contract shall be increased by a sum not to exceed sixty-thousand (\$60,000);

NOW, THEREFORE, BE IT RESOLVED, that the “Not-to-Exceed” amount of said contract be amended to \$1,089,684; and be it further

RESOLVED, that after approval by the County Attorney, the Chairwoman of the Legislature is authorized to execute appropriate documents to affect the above amendment; and be it further

RESOLVED, that copies of this resolution be provided to C & S Engineers, Inc., the Office of Emergency Services Director, the Highway Superintendent, the Director of Public Health, the Director of Finance, the Building Maintenance Supervisor and the County Administrator/Budget Officer.

**Resolution No. 292-23**  
**Motioned By: Banach**

**Date: 6/12/23**  
**Seconded By:**

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**AMEND RESOLUTION NO. 197-23**  
**(Lloyd Mechanical Contract Amendment Authorization)**

WHEREAS, Resolution No. 197-23 authorized a contract with Lloyd Mechanical Company, LLC for the Plumbing Construction contract on the Yates County Highway, Office of Emergency Services and Public Health Facility Project for the amount of \$1,464,100; and

WHEREAS, the required scope of services for the Highway, Office of Emergency Services and Public Health Facility Project has increased beyond the originally identified scope of services as presented in the bid documents; and

WHEREAS, Lloyd Mechanical Co., LLC will be required to make necessary changes to the bid documents relating to the addition of an embedded shallow basin and associated piping for the waste water system; and

WHEREAS, the amount of said contract shall be increased by a sum not to exceed \$8,483.00;

NOW, THEREFORE, BE IT RESOLVED, that the revised amount of said contract be amended to \$1,472,583; and be it further

RESOLVED, that the Chairwoman of the Legislature is authorized to execute the appropriate documents to affect the above amendment; and be it further

RESOLVED, that copies of this resolution be provided to C & S Engineers, Inc., the Office of Emergency Services Director, the Highway Superintendent, the Director of Public Health, the Director of Finance, the Building Maintenance Supervisor and the County Administrator/Budget Officer.

**Resolution No. 293-23**  
**Motioned By: Banach**

**Date: 6/12/23**  
**Seconded By:**

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**AMEND RESOLUTION NO. 196-23**  
**(Building Innovation Group Contract Amendment Authorization)**

WHEREAS, Resolution No. 196-23 authorized a contract with Building Innovation Group, Inc. for the General Construction contract on the Yates County Highway, Office of Emergency Services and Public Health Facility Project for the amount of \$9,293,084; and

WHEREAS, the required scope of services for the Highway, Office of Emergency Services and Public Health Facility Project has been altered from the originally identified scope of services as presented in the bid documents; and

WHEREAS, Building Innovation Group, Inc. will be required to make necessary changes to the bid documents relating to the revisions to the pre-engineered metal building roof panel system; and

WHEREAS, the amount of said contract shall be decreased by the sum \$57,207.00;

NOW, THEREFORE, BE IT RESOLVED, that the revised amount of said contract be amended to \$9,235,877; and be it further

RESOLVED, that the Chairwoman of the Legislature is authorized to execute the appropriate documents to affect the above amendment; and be it further

RESOLVED, that copies of this resolution be provided to C & S Engineers, Inc., the Office of Emergency Services Director, the Highway Superintendent, the Director of Public Health, the Director of Finance, the Building Maintenance Supervisor and the County Administrator/Budget Officer.

**Resolution No. 294-23**

**Date: 6/12/23**

**Motioned By: Banach**

**Seconded By:**

**AWARD BID FOR CONTRACT NO. 1 - CHUBB HOLLOW CULVERTS GUIDERAIL INSTALLATION**

WHEREAS, bids were requested for Contract No. 1 - Chubb Hollow Culverts Guiderail Installation and received on June 1, 2023 at 2:00 p.m. and two firms submitted bids to the Yates County Highway Department;

|   |                                   |                                       |
|---|-----------------------------------|---------------------------------------|
| <b>BIDDER:</b>  | Pavilion Drainage Supply Co., Inc | Elderlee, Inc                         |
| Labor, materials, supplies, equipment, and allowances and other facilities and things necessary or proper for or incidental to the construction and completion of Contract No. 1:<br><b>Lump Sum:</b> | \$37,868.00                       | \$17,178.50<br><i>(Bid Withdrawn)</i> |

**SIGNED DOCUMENTS INCLUDED:**

|  |   |   |
|--|---|---|
| IRANIAN ENERGY SECTOR DIVESTMENT CERTIFICATION | X | X |
| BIDDERS STATEMENT ON SEXUAL HARASSMENT         | X | X |
| NON-COLLUSIVE BIDDING CERTIFICATION            | X | X |
| STATEMENT OF SURETY'S INTENT                   | X | X |
| BID SECURITY                                   | X | X |
| ACKNOWLEDGEMENT OF ADDENDA                     | X | X |

NOW, THEREFORE, BE IT RESOLVED, to award the bid for Contract No. 1 - Chubb Hollow Road Culverts Guiderail Installation to Pavilion Drainage Supply Co., Inc. for a lump sum cost of \$37,868.00; and be it further

RESOLVED, that contingent upon the approval of the County Attorney the Chairwoman is hereby authorized to execute any and all necessary documents, including but not limited to the aforementioned contract with Pavilion Drainage Supply Co., Inc.; and be it further

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

**Resolution No. 295-23**

**Date: 6/12/23**

**Motioned By: Banach**

**Seconded By:**

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**NEW NATURAL GAS SERVICE TO NEW HIGHWAY,  
OFFICE OF EMERGENCY SERVICES / PUBLIC HEALTH FACILITY**

WHEREAS, Resolution #205-23 authorized the Highway Superintendent to expend funds for the installation of a new gas main upon completion of a Public Information Meeting and upon receipt of a final decision of the Yates County Legislature of whether to proceed with Option #1 or Option #2; and

WHEREAS, the required Public Information Meeting was held on May 3, 2023 at the Benton Firehouse; and

WHEREAS, on June 6, 2023 at the monthly Public Works Committee meeting, the Public Works Committee has recommended to proceed with Option #1; and

WHEREAS, Option #1 includes the routing of the new gas main from the intersection of Pre-emption Road (CR15) and Havens Corners Road (CR14) along Havens Corners Road at a total length of approximately 9,860'; and

WHEREAS, the Public Works Committee has recommended that the termination point of the new gas main be at the point on Havens Corners Road where the Highway, Office of Emergency Services and Public Health facility contract documents identify the underground natural gas service piping to be installed on drawing C-204; and

WHEREAS, the amended Not to Exceed amount of funds to be expanded for this scope of services will be \$1,220,001 in lieu of the previously approved cost in Resolution #205-23; and

WHEREAS, the aforementioned resolution provided the Chairwoman authorization to enter into an agreement with New York State Electric & Gas (NYSEG);

NOW, THEREFORE, BE IT RESOLVED, that the Highway Superintendent is to proceed with this routing of the new gas main; and be it further

RESOLVED, that copies of this resolution be provided to the Director of Finance, the County Administrator, the Building Maintenance Supervisor, the Highway Superintendent, the Supervisor of the Town of Benton and NYSEG.

**Resolution No. 296-23**  
**Motioned By: Banach**

**Date: 6/12/23**  
**Seconded By:**

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**AMEND RESOLUTION NO. 8-23**  
**(Authorize Exception to the Procurement policy)**

WHEREAS, Resolution 8-23 authorized exception to the Procurement Policy; and

WHEREAS, there is a need to add two qualified contract to the list of acceptable purchasing contract;

NOW, THEREFORE, BE IT RESOLVED, that Equalis Group and Huston-Galveston Area Council (H-GAC) be added to the approved contracts; and be it further

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

**Resolution No. 297-23**  
**Motioned By: Banach**

**Date: 6/12/23**  
**Seconded By:**

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**AUTHORIZE CHAIRWOMAN TO SIGN A CONTRACT WITH SIEMENS FOR HIGHWAY, OES AND PUBLIC HEALTH BUILDING AUTOMATION CONTROLS**

WHEREAS, the controls that are needed to control the Building Automation Controls (BAC) for the new Highway, OES and Public Health facility are being procured by the County; and

WHEREAS, the Building Maintenance Supervisor sought a proposal for providing these controls to integrate with the current County BMS system from Siemens for \$292,438.00 under state contract pricing for this service;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into a contract with Siemens to provide controls for the BAC system at Highway, OES and Public Health facility; and be it further

RESOLVED, that said contract will run from 6-12-23 to 12-31-24 for a total sum of up to \$292,438.00; and be it further

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

**Resolution No. 298-23**  
**Motioned By: Banach**

**Date: 6/12/23**  
**Seconded By:**

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**AUTHORIZE CHAIRWOMAN TO SIGN A CONTRACT WITH STARK TECH FOR REPLACEMENT OF THE DATA CENTER HVAC UNIT**

WHEREAS, the HVAC unit that serves the primary data center for the County is aging and in need of replacement as identified in the 2023 capital plan; and

WHEREAS, the Building Maintenance Supervisor sought a proposal for providing and installing a new HVAC unit from Stark Teck for \$70,965.00 under Equalis contract pricing for this service;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into a contract with Stark Tech to provide a new HVAC unit and install said unit; and be it further

RESOLVED, that said contract will run from 6-12-23 to 3-31-24 for a total sum of up to \$70,965.00; and be it further

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

**Resolution No. 299-23**  
**Motioned By: Holgate**

**Date: 6/12/23**  
**Seconded By:**

---

**2023 BUDGET TRANSFERS**

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

| From:                         | To:                                   | Amount:      |
|-------------------------------|---------------------------------------|--------------|
| A1990.54905 Contingent        | A1230.51041 CA- Temp. County Ad. Asst | \$ 11,500.00 |
| D9010.58400 HWY-State Retire. | D5010.58303 HWY- Med Ins. CSEA        | \$ 22,300.00 |
| D9010.58400 HWY-State Retire. | D5010.58305 HWY- Med Ins. Non Union   | \$ 8,100.00  |
| CD6293.4A WFD-WIOA Adult Op.  | CD6293.8A WFD- WIOA Adult St. Fringe  | \$ 247.00    |
| CD6293.4B WFD-WIOA DW Op.     | CD6293.8B WFD- WIOA DW St. Fringe     | \$ 247.00    |
| CD6293.41F WFD- WIOA ISY Op.  | CD6293.11F WFD- WIOA ISY Part. Wage   | \$ 65.00     |
| CD6293.41F WFD- WIOA ISY Op.  | CD6293.81F WFD- WIOA ISY Part. Fringe | \$ 35.00     |

And be it further

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

**Resolution No. 300-23**  
**Motioned By: Holgate**

**Date: 6/12/23**  
**Seconded By:**

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**APPROPRIATE INFRASTRUCTURE RESERVE FUNDS**

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

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

NOW, THEREFORE, BE IT RESOLVED, said reserve funds will be appropriated from the Infrastructure Reserve Fund in the amount of \$53,386.44; and be it further

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

Revenue Account:



A511.000 Appropriate Reserve (Infrastructure Reserve A878.I) \$ 53,386.44

Appropriation Account:

A3020.54736 SH- Tower Transition \$ 4,959.00

A3020.54968 SH- Leases TS Intermedia \$ 48,427.44

And be it further

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

**Resolution No. 301-23**

**Date: 6/12/23**

**Motioned By: Holgate**

**Seconded By:**

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**APPROPRIATE ADDITIONAL AID  
(HWY)**

WHEREAS, the Highway Department has received revenue over the 2023 budgeted amount from a sale of equipment with corresponding expenditures; and

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

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

Revenue:

A1640.42665 HWY- Sale of Equipment \$ 4,800.00

Appropriation

A1640.52180 HWY- Vehicle Purchase \$ 4,800.00

And be it further

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

**Resolution No. 302-23**

**Date: 6/12/23**

**Motioned By: Holgate**

**Seconded By:**

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**APPROPRIATE ADDITIONAL STATE AID  
(HWY)**

WHEREAS, the Highway department has received revenue over the 2023 budgeted amount from PAVE NY, EWR, POP and CHIPS with corresponding expenditures; and

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

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

Revenue:

D5112.43510 HWY- CHIPS Capital \$ 256,423.00

D5112.43089 HWY – Other State Aid (PAVE NY, EWR, POP) \$ 933,430.00

Appropriation  
D5112.54602 HWY- Bituminous Materials \$1,189,853.00

And be it further

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

**Resolution No. 303-23**  
**Motioned By: Holgate**

**Date: 6/12/23**  
**Seconded By:**

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**RESCIND RESOLUTION NO. 264-23**  
**APPROPRIATE ADDITIONAL STATE AID**  
**(DSS)**

WHEREAS, Resolution No. 264-23 appropriated funds in error. Resolution No.264-23 is a duplication of Resolution No. 216-23; and

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 264-23 be rescinded to correct the duplication of revenue; and be it further

RESOLVED, that Resolution No. 264-23 is rescinded; and be it further

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

**Resolution No. 304-23**  
**Motioned By: Holgate**

**Date: 6/12/23**  
**Seconded By:**

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**APPROPRIATE ADDITIONAL AID**  
**(YB)**

WHEREAS, the Youth Bureau Department has received YDPP Funding and is allocating it to contracted programs; and

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

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

|  |    |           |
|--|----|-----------|
| Revenue:                                     |    |           |
| A7310.43820 YB- Youth Bureau Revenue         | \$ | 21,338.00 |
| Appropriation                                |    |           |
| A7310.54351 YB- Modeste Bedient Mem. Library | \$ | 2,000.00  |
| A7310.54352 YB- CFRC                         | \$ | 1,000.00  |
| A7310.54365 YB- Safe Harbors of the FL       | \$ | 2,500.00  |
| A7310.54356 YB- Rushville Summer Reading     | \$ | 1,000.00  |
| A7310.54368 YB- Summer Rec.                  | \$ | 6,000.00  |
| A7310.54371 YB- Big Brother/Big Sisters      | \$ | 1,250.00  |
| A7310.54373 YB- Dundee Library               | \$ | 1,400.00  |
| A7310.54379 YB-YCRR                          | \$ | 6,188.00  |

And be it further

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

**Resolution No. 305-23**  
**Motioned By: Holgate**

**Date: 6/12/23**  
**Seconded By:**

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**APPROPRIATE ADDITIONAL STATE AID  
(DSS)**

WHEREAS, the Department of Social Services has been awarded additional; revenue from TANF SYEP in the amount of \$73,023.00 for summer youth employment; and

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

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

|  |  |              |
|--|--|--------------|
| Revenue:                                   |  |              |
| A6010.44610 DSS- Social Service Admin      |  | \$ 73,023.00 |
| Appropriation                              |  |              |
| A6010.54381 DSS- TANF Summer Youth Employ. |  | \$ 73,023.00 |

And be it further

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

**Resolution No. 306-23**  
**Motioned By: Holgate**

**Date: 6/12/23**  
**Seconded By:**

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**APPROPRIATE ADDITIONAL STATE AID  
(DSS)**

WHEREAS, the Social Service department has received revenue over the 2023 budgeted amount from NY State Rental Supplement Program (RSP) with corresponding expenditures; and

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

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

|                                       |  |             |
|---------------------------------------|--|-------------|
| Revenue:                              |  |             |
| A6010.43610 DSS- Social Service Admin |  | \$ 1,779.00 |
| Appropriation                         |  |             |
| A6010.54027 DSS- Miscellaneous        |  | \$ 1,779.00 |

And be it further

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

**Resolution No. 307-23**  
**Motioned By: Holgate**

**Date: 6/12/23**  
**Seconded By:**

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**AUTHORIZE WORKFORCE DEVELOPMENT BUDGET ALLOCATIONS  
(WFD)**

WHEREAS, Yates County received funding from the Office of Temporary and Disability Assistance for the Summer Youth Employment Program;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be allocated to the 2023-2024 Workforce Budget;

|              |              |    |           |
|--------------|--------------|----|-----------|
| CD6294.1A    | Staff Wage   | \$ | 5,550.00  |
| CD6294.8A    | Staff Fringe | \$ | 1,280.00  |
| CD6294.11A   | Part. Wage   | \$ | 53,623.00 |
| CD6294.81A   | Part. Fringe | \$ | 5,500.00  |
| CD6294.4A    | Operating    | \$ | 7,070.00  |
| CD6294.42802 | Revenue      | \$ | 73,023.00 |

And be it further

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

**Resolution No. 308-23**  
**Motioned By: Holgate**

**Date: 6/12/23**  
**Seconded By:**

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**AMEND RESOLUTION NO. 294-22**

**(ENTER INTO AN AGREEMENT FOR ONE TOUCH MAKE READY SERVICES FOR  
PHASE 3 OF THE RECONNECT PROJECT WITH LABELLA ASSOCIATES)**

WHEREAS, Resolution 294-22 authorized entering into an agreement for One Touch Make Ready Services for Phase 3 of the ReConnect project with LaBella Associates; and

WHEREAS, there are a much greater number of midspan pole measurements required than was initially anticipated which will require additional field survey, midspan and design costs in order to complete Phase 3 of the network make ready design;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is authorized to approve an amended contract with LaBella Associates for an additional not to exceed \$75,000 for a total contract amount of \$391,608.70; and it be further

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

**Resolution No. 309-23**  
**Motioned By: Holgate**

**Date: 6/12/23**  
**Seconded By:**

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**AUTHORIZATION FOR LEGISLATIVE CHAIRWOMAN TO SIGN DOCUMENTS  
RELATING TO THE NYSEG ELECTRIC CONNECTION AT THE TELCO HUTS**

WHEREAS, the Middlesex and Dundee Huts, build for the ReConnect project and located within Yates County require an electric connection to facilitate their operations; and

WHEREAS, NYSEG (New York State Electric & Gas Corporation) has been identified as the appropriate utility company to provide electric services to the aforementioned Huts; and

WHEREAS, the necessary applications, documents and agreements must be signed and executed in order to initiate the electric connection process with NYSEG; and

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby authorizes and empowers the County Chairwoman to sign any and all documents required by NYSEG for the purpose of establishing electric connections at the Middlesex and Dundee Huts; and be it further

RESOLVED, that the County Chairwoman is granted the authority to execute any additional agreements, permits, or related documents necessary to facilitate the electric connection process, including but not limited to service applications, right-of-way agreements, and any associated paperwork; and be it further

RESOLVED, that the County Chairwoman is further authorized to enter into a contract with NYSEG on behalf of the county, wherein the county agrees to pay its portion of the monthly electric bill for the Middlesex and Dundee Huts; and be it further

RESOLVED, that a copy of this resolution shall be provided to the County Chairwoman, NYSEG, the Planning Dept and any other relevant parties involved in the electric connection process for the Middlesex and Dundee Huts.

**Resolution No. 310-23**

**Date: 6/12/23**

**Motioned By: Holgate**

**Seconded By:**

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**RESOLUTION ACCEPTING PASSERO ASSOCIATES CONSULTANT FEE FOR  
TERMINAL APRON CONSTRUCTION AS REASONABLE  
(FAA PROJECT NUMBER 3-36-0094-XX-23)**

WHEREAS, Yates County has received a grant from the FAA for the rehabilitation of the Penn Yan – Yates County Airport Terminal Apron; and

WHEREAS, Passero Associates has submitted a consultant fee for the construction phase of this project in the amount of \$65,000 for inspections and \$6,500 for administration for a total of \$71,500; and

WHEREAS, the FAA requires a “letter of reasonableness” from the County accepting the Passero fee; and

WHEREAS, the current County Airport Engineering Consultant, C&S Companies, agreed to do an informal IFE review and determined based on their estimate of inspections, grant work, testing, travel time that a \$70,000 fee would be reasonable,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature agrees the Passero Associates fee of \$71,500 is reasonable; and

RESOLVED, that copies of this resolution be furnished to the Airport Council, Passero Associates, C&S Companies, and to the FAA via Passero.