



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

Date: June 3, 2022
TO: Public
FROM: Emilee D. Miller, Clerk of the Yates County Legislature
RE: Public Hearings

NOTICE OF PUBLIC HEARING

The Yates County Legislature will meet on June 13th, 2022 in the Legislative Chambers located at 417 Liberty St., Penn Yan, NY 14527 for the purpose of conducting public hearings regarding Adopt Local Law 4-2022 “A Local Law Amending County of Yates Local Law No. 3 of the Year 1971, as Amended by Local Law No. 2 of the Year 1982, as Further Amended by Local Law No. 2 of the Year 2012 – For the Purpose of Adopting a Plan of Reapportionment of Legislative Districts Based on the 2020 Census” at 1:10 p.m. The legislature will also consider any other business that may properly come before it after the public hearing.

NOTICE OF PUBLIC HEARING

The Yates County Legislature will meet on June 13th, 2022 in the Legislative Chambers located at 417 Liberty St., Penn Yan, NY 14527 for the purpose of conducting public hearings regarding “Adopt the Expansion of Videoconferencing for Public Meetings” at 1:15 p.m. The legislature will also consider any other business that may properly come before it after the public hearing.

NOTICE OF PUBLIC HEARING

The Yates County Legislature will meet on June 13th, 2022 in the Legislative Chambers located at 417 Liberty St., Penn Yan, NY 14527 for the purpose of conducting public hearings regarding Adopt Local Law 3-2022 Entitled “A Local Law Creating the Department of Emergency Services in the County of Yates” at 1:20 p.m. The legislature will also consider any other business that may properly come before it after the public hearing.

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

Please click this URL to join.

<https://us02web.zoom.us/j/81275398368?pwd=QkVMdzFtbzRmYzhVL3Z4enJ3dWFZUT09>

Webinar ID: 812 7539 8368

Passcode: 664034

Or One tap mobile:

+16465588656,,81275398368# US (New York)

+13017158592,,81275398368# US (Washington DC)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592

LOCAL LAW NO. 4 OF THE YEAR 2022

ENTITLED:

A LOCAL LAW AMENDING COUNTY OF YATES LOCAL LAW NO. 3 OF THE YEAR 1971, AS AMENED BY LOCAL LAW NO. 2 OF THE YEAR 1982, AS FURTHER AMENED BY LOCAL LAW NO. 2 OF THE YEAR 2012- FOR THE PURPOSE OF ADOPTING A PLAN OF REAPPORTIONMENT OF LEGISLATIVE DISTRICTS BASED ON THE 2020 CENSUS

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

Section 1: Legislative Intent

The intent of this Local Law is to adopt a plan of reapportionment of legislative districts based upon county and town population data from the 2020 Census; and to do so in accordance with applicable constitutional, legal and statutory principles.

Section 2: Amendments

A. The paragraph numbered “4” of County of Yates Local Law No. 3 of the Year 1971, as Amended by Local Law No. 2 of the Year 1982, as Further Amended by Local Law No. 2 of the Year 2012, is hereby amended as follows:

4. That for the purpose of electing the members of the Yates County Legislature; the County of Yates is hereby divided into four (4) legislative districts as follows:

District No. 1: Town of Italy, Town of Jerusalem and Town of Middlesex.

District No. 2: Town of Benton, Town of Potter and Town of Torrey; with the Exception of All that portion of the Town of Benton located within the Village of Penn Yan.

District No. 3: Town of Milo and All that portion of the Town of Benton located within the Village of Penn Yan; with the Exception of All that portion of the Town of Milo located within the following area: Beginning at a point in the centerline of Sutherland Road, said point being in the common boundary line of the Town of Milo and the Town of Barrington, thence northerly along the centerline of Sutherland Road to a point in the centerline of Baker Road, thence easterly along the centerline of Baker Road to a point in the centerline of Chubb Hollow

Road, thence southerly along the centerline of Chubb Hollow Road to a point in the centerline of Rice Road, thence easterly along the centerline of Rice Road to a point in the centerline of Rice Road (a/k/a Cherry Street), thence easterly along the centerline of Rice Road (a/k/a Cherry Street) to a point in the centerline of Norris Road, thence northerly along the centerline of Norris Road to a point in the centerline of Plum Point Road, thence easterly along the centerline of Plum Point Road to a point in the westerly line of New York State Route 14, thence easterly on a perpendicular course across said New York State Route 14 to a point in the easterly line of New York State Route 14, thence northerly along the easterly line of New York State Route 14 to a point in the centerline of Plum Point Road, thence easterly along the centerline of Plum Point Road to a point in the westerly line of current Tax Map Parcel No. 088.67-1-6, thence northerly along the westerly line of said Tax Map Parcel to a point marking the northwest corner of said Tax Map Parcel, thence easterly along the northerly line of said Tax Map Parcel to the westerly shore of Seneca Lake, thence southerly along the westerly shore of Seneca Lake to a point in the common boundary of the Town of Milo and the Town of Starkey, thence westerly along said Milo-Starkey town line to a point marking the northeast corner of the Town of Barrington, thence westerly along said Milo-Barrington town line to the point and place of beginning.

District No. 4: Town of Barrington, Town of Starkey and All that portion of the Town of Milo located within the following area: Beginning at a point in the centerline of Sutherland Road, said point being in the common boundary line of the Town of Milo and the Town of Barrington, thence northerly along the centerline of Sutherland Road to a point in the centerline of Baker Road, thence easterly along the centerline of Baker Road to a point in the centerline of Chubb Hollow Road, thence southerly along the centerline of Chubb Hollow Road to a point in the centerline of Rice Road, thence easterly along the centerline of Rice Road to a point in the centerline of Rice Road (a/k/a Cherry Street), thence easterly along the centerline of Rice Road (a/k/a Cherry Street) to a point in the centerline of Norris Road, thence northerly along the centerline of Norris Road to a point in the centerline of Plum Point Road, thence easterly along the centerline of Plum Point Road to a point in the westerly line of New York State Route 14, thence easterly on a perpendicular course across said New York State Route 14 to a point in the easterly line of New York State Route 14, thence northerly along the easterly line of New York State Route 14 to a point in the centerline of Plum Point Road, thence easterly along the centerline of Plum Point Road to a point in the westerly line of current Tax Map Parcel No. 088.67-1-6, thence northerly along the westerly line of said Tax Map Parcel to a point marking the northwest corner of said Tax Map Parcel, thence easterly along the northerly line of said Tax Map Parcel to the westerly shore of Seneca Lake, thence southerly along the westerly shore of Seneca Lake to a point in the common boundary of the Town of Milo and the Town of Starkey, thence westerly along said Milo-Starkey town line to a point marking the northeast corner of the Town of Barrington, thence westerly along said Milo-Barrington town line to the point and place of beginning.

B. The paragraph numbered “7” of County of Yates Local Law No. 3 of the Year 1971, as Amended by Local Law No. 2 of the Year 1982, as Further Amended by Local Law No. 2 of the Year 2012, is hereby amended as follows: DELETED in its entirety; due to the fact that the

subject matter of said paragraph (Yates County Legislator terms) is now governed by a separate Local Law.

Section 3: Commencement of Reapportionment Plan

This amendment of County of Yates Local Law No. 3 of the Year 1971, as Amended by Local Law No. 2 of the Year 1982, as Further Amended by Local Law No. 2 of the Year 2012, shall be effective for the election of members of the Yates County Legislature for terms commencing January 1, 2024 and thereafter and for all processes incidental thereto.

Section 4: Effective Date

This Local Law shall take effect upon filing with the Secretary of State in accordance with applicable provisions of the Municipal Home Rule Law of the State of New York.

ADOPT THE EXPANSION OF VIDEOCONFERENCING FOR PUBLIC MEETINGS

WHEREAS, April 9, 2022 Governor Hochul signed an amendment to the Open Meetings Law, to expire on July 1, 2024, allowing for the expanded use of videoconferencing by public bodies in the conduct of open meetings, such amendment having been made to Section 103(c) of the New York State Public Officers Law and a new Section 103-a of the New York State Public Officers Law having been added thereto; and

WHEREAS, Yates County (hereinafter referred to as the “County”) wishes to avail itself of such expanded use of videoconferencing in the conducting of open meetings; and

WHEREAS, the proposed Resolution entitled “Adopt the Expansion of Videoconferencing for Public Meetings” was introduced at the May 9, 2022 Legislative meeting; and

WHEREAS, a Public Hearing was duly held on June 13, 2022;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the statutory framework recited above, and effective until July 1, 2024, the County hereby authorizes the County Legislature and its committees to use videoconferencing in conducting its open meetings, under the following circumstances, terms and conditions:

1. Such use of videoconferencing at a meeting is permissible only if such meeting contains the minimum number of the members of the particular meeting body needed to fulfill that body’s quorum requirement who are physically present at the same physical location where the public can attend.

2. The members of the particular body meeting shall be physically present at any such meeting unless such member is unable to be physically present at such meeting due to

extraordinary circumstances. The term “extraordinary circumstances” shall be defined as disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.

3. The public shall be provided the opportunity to attend, listen and observe the meeting in at least one physical location wherein a member of the meeting body is participating in the meeting.

4. Meetings shall be conducted so that the members of the meeting body can be heard, seen and identified while the meeting is being conducted.

5. The minutes of the meetings shall include which, if any, members of the meeting body participated remotely.

6. The public notice for a meeting shall inform the public that videoconferencing will be used, and give pertinent information thereto, including but not limited to, where the public can view and/or participate in such meeting, and identify the physical location for the meeting where the public can attend.

7. The meeting body shall provide the opportunity for the public to view such meeting via video, and to participate in proceedings by videoconference in real-time where public comment or participation is authorized, and it will be ensured that videoconferencing allows the same public participation as in-person public participation.

8. The audio of the meeting shall be recorded and such recordings posted or linked on the public website of the County within five business days following the meeting and shall remain so available for a minimum of five years thereafter.

9. Notwithstanding the forgoing, fully remote meetings can be held and the in-person requirements shall not apply, during a state disaster emergency declared by the governor pursuant to Section 28 of the New York State Executive Law, or a local state of emergency proclaimed by the chief executive of a county, city, village, or town pursuant to Section 24 of the New York State Executive Law, if the meeting body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the meeting body to hold an in person meeting; and be it further

RESOLVED, that a copy of this resolution be given to the Clerk of the County Legislature, County Administrator and each County Legislator.

LOCAL LAW NO. 3 OF THE YEAR 2022

ENTITLED:

A LOCAL LAW CREATING THE DEPARTMENT OF EMERGENCY SERVICES IN THE COUNTY OF YATES

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

Section 1. Establishment of Department of Emergency Services and Position of Director Thereof.

There is hereby created, as a separate department of Yates County government, the Yates County Department of Emergency Services, the head of which shall be the Director of Emergency Services who shall be appointed by the Yates County Legislature and hold such position at the pleasure of the Yates County Legislature. The Director shall receive an annual salary to be fixed by the Yates County Legislature.

Section 2. Powers and Duties of the Director of Emergency Services.

The Director of Emergency Services shall have the power and duty to:

- (a) Direct and coordinate the provision of emergency management services and fire control services within the County;
- (b) Appoint and remove a deputy director, other subordinates, and employees of the Department of Emergency Services, within the amounts appropriated therefore by the Yates County Legislature, and to prescribe and supervise their duties;
- (c) Insure the County's compliance with federal and state laws pertaining to natural disasters, emergency preparedness, hazard mitigation, hazardous materials response, and other related emergency response activities;
- (d) Administer training programs for the fire service and emergency medical personnel;
- (e) Promote emergency preparedness and other preventive activities to enhance public awareness of emergency management;
- (f) Coordinate inter- and intra-county mutual aid programs for both the fire and emergency medical services within the County;
- (g) Oversee the maintenance and operation of the County's Emergency Operations Center;
- (h) Oversee the management of NYS EMS Course Sponsorship and associated Certified Instructors;
- (i) Work cooperatively with local agencies on recruitment and retention;
- (j) Recommend and/or formulate administrative policies and procedures for the operation and accountability of the Department of Emergency Services; and
- (k) Perform such additional and related duties as may be prescribed from time to time by the Yates County Legislature and/or the Yates County Administrator.

Section 3. Local Law Repealed.

The following Local Law is hereby repealed and shall be superseded by this Local Law, with said repeal to take effect upon the effective date of this Local Law:

(a) Local Law No. 1 of the year 2011 entitled “A Local Law Creating the Department of Emergency Management in the County of Yates”.

Section 4. Effective Date.

This local law shall take effect immediately upon its filing with the New York Secretary of State.