



YATES COUNTY LEGISLATURE  
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Douglas Paddock  
Chairman

Connie C. Hayes  
Clerk

**YATES COUNTY LEGISLATIVE  
AGENDA**

**September 9, 2019 at 1:00 pm  
Legislative Chambers in the County Office Building**

- Yates Transit quarterly update
- Jessica Bacher, President and CEO, Yates County Chamber of Commerce
- Amy Storey, President Keuka College, annual update
- Approve Audit
- Committee reports
- Public Comment

**RESOLUTIONS**

- Bronson 332-19 Authorize Chairman to Sign an Agreement with Finger Lakes Comprehensive Psychiatric Emergency Program and Yates County
- 333-19 Recognize September as National Suicide Prevention Month
- 334-19 Authorize Chairman to Sign Contracts with Foster Care Agencies from July 1, 2019 to June 30, 2020
- 335-19 Reappointment to the Finger Lakes Workforce Investment Board
- 336-19 Appointment to the Finger Lakes Workforce Investment Board
- Church 337-19 Authorize Chairman and Coordinator to Sign Approved 2020 STOP-DWI Budget and Plan
- 338-19 Recognition of Sheriff's Week
- 339-19 Authorize Chairman to Enter Into Inter-Municipal Agreements with Municipalities Concerning Court Internet Access
- 340-19 Authorize District Attorney and the Chairman of the Legislature to Sign an MOU with the New York Prosecutors Training Institute (NYPTI)
- 341-19 Approve By-Laws of the Yates County Criminal Justice Coordinating Council (CJCC)
- Holgate 342-19 Opposition to the Proposed New York State Electric & Gas Corporation Energy Rate Increase – Public Service Commission Case Numbers 19-E-0378 and 19-G-0379
- 343-19 Appointment to the Finger Lakes Economic Development Center (Yates County IDA) Board, the Yates Capital Resource Corp. Board and the Finger Lakes Horizon Economic Development Corp.
- 344-19 2019 Budget Transfers
- Dennis 345-19 Authorize Agreement with Finger Lakes Community College
- 346-19 Reappoint Yates County Director of Real Property Tax Services (Kincaid)
- 347-19 Call for New York State to Adopt a Law to Ban Expanded Polystyrene Foam Packaging Products
- 348-19 Authorize Probation Director to Fill Position (Probation Assistant)
- 349-19 Authorize Sheriff to Fill Position (Correction Officer)
- 350-19 Authorize Sheriff to Create and Fill Full Time Emergency Services Dispatcher Position and Rescind Resolution 324-19
- 351-19 Authorize Highway Superintendent to Create and Fill Position (Motor Equipment Operator)
- 352-19 Grant Unpaid Leave of Absence (M. Stokoe)
- 353-19 Amend Yates County Employee Handbook
- 354-19 Authorize Chairman to Sign Internet & Telephone Services Contract (Empire Access)
- 355-19 Authorize Commissioner of DSS to Fill Position (Caseworker)
- 356-19 Authorize Highway Superintendent to Fill Position (Working Supervisor)
- 357-19 Authorize District Attorney to Create and Fill Position (Confidential Secretary to District Attorney and Law Enforcement Liaison)
- 358-19 Authorize District Attorney to Create and Fill Position (Assistant District Attorney)

**EXECUTIVE SESSION – IF NEEDED**

**Res. No. 332-19**  
**Motioned By: Bronson**

**Date: September 9, 2019**  
**Seconded By: \_\_\_\_\_**

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**AUTHORIZE CHAIRMAN TO SIGN AN AGREEMENT WITH FINGER LAKES  
COMPREHENSIVE PSYCHIATRIC EMERGENCY PROGRAM AND YATES COUNTY**

WHEREAS, Clifton Springs Hospital through the Finger Lakes Comprehensive Psychiatric Emergency Program (CPEP) and clinic provide emergency psychiatric services to individuals and families in Yates County; and

WHEREAS; Yates County and the CPEP have enjoyed a relationship of reciprocity supporting emergency psychiatric services in the area since the inception of the CPEP in December 1999; and

WHEREAS; the CPEP services of this agreement would be at no cost to Yates County; and

WHEREAS, CPEP and Yates County wish to establish a mutually advantageous and reciprocally beneficial, collegial relationship of agreement to enhance and buttress emergency mental health services throughout this region of New York State, recognizing the importance of enhancing the vital resources of these critical services.

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the Yates County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign an agreement with Clifton Springs Hospital for the Finger Lakes Comprehensive Psychiatric Emergency Program for the period of September 1, 2019 to August 31, 2022; and be it further

RESOLVED, a copy of this resolution is to be given to Finger Lakes Comprehensive Psychiatric Emergency Program, the Yates County Director of Community Services, and the Yates County Treasurer.

**Res. No. 333-19**  
**Motioned By: Bronson**

**Date: September 9, 2019**  
**Seconded By: \_\_\_\_\_**

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**RECOGNIZE SEPTEMBER AS NATIONAL SUICIDE PREVENTION MONTH**

WHEREAS, in New York, one person dies by suicide every five hours, with 1,696 deaths by suicide in New York during 2018; and

WHEREAS, in New York, suicide is the 12<sup>th</sup> leading cause of death for all ages, the 2<sup>nd</sup> leading cause of death for 15-34-year olds, the 4<sup>th</sup> leading cause of death for ages 35-54, the 9<sup>th</sup> leading cause of death for ages 55-64 and the 18<sup>th</sup> leading cause of death for ages 65 and older; and

WHEREAS, in New York it is estimated that there are as many as 40,000 suicide attempts each year; and

WHEREAS, each person's death by suicide intimately affects at least six other people, with over 10,000 newly bereaved each year; and

WHEREAS, in 2018, nearly 1,700 New Yorkers died by suicide, and several thousand friends and family members were changed forever by losing those people; and

WHEREAS, many of those people who died never received effective behavioral health services, for many reasons including the difficulty of accessing services by healthcare providers trained in best practices to reduce suicide risk, the stigma of using behavioral health treatment and the stigma associated with losing a loved one to suicide; and

WHEREAS, Suicide cost New York a total of \$1,806,769,000.00 combined lifetime medical and work loss in 2010 or an average of \$1,167,918.00 per suicide death; and

WHEREAS, the Suicide Prevention Center of New York State has joined with the Yates County Community Services Department, Yates County Public Health, Yates County Department of Social Services, local agency representatives, health care providers and members of the local public to develop a Yates County Suicide Prevention Coalition; and

WHEREAS, the Coalition has come together to find ways of reducing the frequency of suicide attempts and deaths, and the pain for those affected by suicide deaths, through special projects, educational programs, intervention services, community training and bereavement services; and

WHEREAS, the Coalition urges all Yates County residents recognize suicide as a significant public health problem, declare suicide prevention a local priority and recognize that access to Behavioral Health Services for everyone without delays is essential to the prevention of suicide; and

WHEREAS, far too many Yates County residents attempt or die by suicide each year, and most of these deaths are preventable.

NOW, THEREFORE, IT BE RESOLVED, that the Yates County Legislature does hereby designate the month of September 2019, as "Suicide Prevention Coalition Month" in Yates County.

**Res. No. 334-19**

**Date: September 9, 2019**

**Motioned By: Bronson**

**Seconded By: \_\_\_\_\_**

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**AUTHORIZE CHAIRMAN TO SIGN CONTRACTS WITH FOSTER CARE AGENCIES  
FROM JULY 1, 2019- JUNE 30, 2020**

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 be authorized to sign contracts for residential services for eligible youth at the amended 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, 2019- June 30, 2020

House of the Good Shepherd

Foster Boarding Home	\$46.96 per day
Therapeutic Foster Boarding Home	\$63.57 per day
Regular Institution	\$380.82 per day
Hard to Place Institution	\$454.57 per day
Emergency Institution	\$439.87 per day

And be it further

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

**Res. No. 335-19**

**Date: September 9, 2019**

**Motioned By: Bronson**

**Seconded By: \_\_\_\_\_**

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**REAPPOINTMENT TO THE FINGER LAKES  
WORKFORCE INVESTMENT BOARD**

WHEREAS, this Legislature, by Resolution #334-99, 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 2017; 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 By-Laws state voting members shall be appointed for terms of three (3) years, and that terms shall be staggered,

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby appoint the following representatives to the Finger Lakes Workforce Investment Board to fill a three-year term from July 1, 2019 through June 30, 2022.

Maria Fisher  
Field Representative  
Public Employees Federation  
339 East Avenue Suite 305  
Rochester, NY 14604

Robert Nye  
President  
FLCC  
3325 Marvin Sands Drive  
Canandaigua, NY 14424

And be it further

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

Res. No. 336-19  
Moted By: Bronson

Date: September 9, 2019  
Seconded By: \_\_\_\_\_

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**APPOINTMENT TO THE FINGER LAKES  
WORKFORCE INVESTMENT BOARD**

WHEREAS, this Legislature, by Resolution #334-99, 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 2017; 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 By-Laws state voting members shall be appointed for terms of three (3) years, and that terms shall be staggered,

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby appoint the following representative to the Finger Lakes Workforce Investment Board to replace the vacancy left by outgoing representative Scott Bischooping, effective immediately through 6/30/2021.

Dr. Vicky Ramos  
District Superintendent  
Wayne Finger Lakes BOCES  
131 Drumlin Court  
Newark, NY 14526

And be it further

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

**Res. No. 337-19**  
**Motioned By: Church**

**Date: September 9, 2019**  
**Seconded By: \_\_\_\_\_**

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**AUTHORIZE CHAIRMAN AND COORDINATOR TO SIGN  
APPROVED 2020 STOP-DWI BUDGET AND PLAN**

WHEREAS, the 2020 Stop-DWI budget and plan shows appropriations of \$81,950 and an anticipated revenue of \$81,950 with a reserve fund in place and;

WHEREAS, the Coordinator and the Public Safety Committee have discussed the budget and plan noting that the NYS Governors Traffic Safety Committee requires this plan be submitted before or by no later than October 1, 2019;

NOW, THEREFORE, BE IT RESOLVED, that this 2020 Stop-DWI budget and plan is approved and the Chairman of the Legislature and Coordinator are authorize to sign it; and be it further

RESOLVED, that a copy of this resolution be provided to the Treasurer-Budget Officer and Coordinator for attachment to the plan being submitted.

**Res. No. 338-19**  
**Motioned By: Church**

**Date: September 9, 2019**  
**Seconded By: \_\_\_\_\_**

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**RECOGNITION OF SHERIFF'S WEEK**

WHEREAS, the Office of Sheriff has been an integral part of the criminal justice system in New York State and in Yates County throughout our history, having been established in the State's first constitution in 1777 and having been continued in every succeeding constitution, and having been one of the original constitutional offices of our County; and

WHEREAS, despite changes in its function, status and powers during its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguishing heritage, and continued to be an essential component of our criminal justice community; and

WHEREAS, the Office of Sheriff has evolved into a modern, professional, full-service law enforcement agency, manned by fully trained police officers, using state-of-the-art technology and applying the latest and most advanced theories and practices in the criminal justice field; and

WHEREAS, the Office of Sheriff is unique in the community, and the duties of the Office go far beyond the traditional role of "Conservator of the Peace," and extend into many facets of public service, including county police services, maintaining the county jail, providing security in our courts, dispatching 911 emergency services, communication systems, animal control, and serving and executing civil process and victim protection orders for our courts; and

WHEREAS, as a constitutionally empowered entity directly responsible to the people, the ancient Office of Sheriff remains, even today, responsive to public safety and accountable to the public it serves; and

WHEREAS, it is fitting to celebrate the historical contributions of the Office of Sheriff and the significant role that the Sheriffs play in our modern criminal justice system;

NOW, THEREFORE BE IT RESOLVED that the Yates County Legislature does hereby recognize this September 22 to 28 that has had Governors proclamation to be Sheriffs' Week in Yates County; and be it further

RESOLVED, that copies of this resolution be provided Sheriff Spike and the Council 82 three units that represent Sheriff's employees.

**Res. No. 339-19**

**Date: September 9, 2019**

**Motioned By: Church**

**Seconded By: \_\_\_\_\_**

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**AUTHORIZE CHAIRMAN TO ENTER INTO INTERMUNICIPAL AGREEMENTS WITH MUNICIPALITIES CONCERNING COURT INTERNET ACCESS**

WHEREAS, the County's Offices of District Attorney, Public Defender and Conflict Defender (hereinafter collectively referred to as the "County Offices") routinely appear in courts of municipalities located within Yates County, wherein such court proceedings are held at premises owned by such municipalities (hereinafter collectively referred to as the "Court Sites"); and

WHEREAS, the County Offices are in need of the ability to connect to the internet while engaged in performing its official functions at the Court Sites; and

WHEREAS, the municipalities have the technological capability to provide the County Offices such internet access; and

WHEREAS, to this end, the County wishes to enter into individual Intermunicipal Agreements with such respective municipalities, pursuant to General Municipal Law § 119-o;

NOW, THEREFORE, BE IT RESOLVED, upon the approval of the County Attorney the Legislature authorizes the Chairman, or his designee, to periodically enter into and sign one (1) year intermunicipal agreements on behalf of the County with any applicable municipality for the provision of internet access to the County Offices at a particular Court Site; and be it further

RESOLVED, that a copy of this resolution be given to the Acting County Administrator, County District Attorney, County Public Defender, County Conflict Defender and County Attorney.

**Res. No. 340-19**

**Date: September 9, 2019**

**Motioned By: Church**

**Seconded By: \_\_\_\_\_**

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**AUTHORIZE DISTRICT ATTORNEY AND THE CHAIRMAN OF THE LEGISLATURE TO SIGN AN MOU WITH THE NEW YORK PROSECUTORS TRAINING INSTITUTE (NYPTI)**

WHEREAS, the District Attorney utilizes the Digital Evidence Management System (DEMS), which is integrated in the Prosecutors Case Managements System (PCMS), for storage of digital files and digital evidence and for electronic discovery; and

WHEREAS, the District Attorney wishes to continue using these services as they represent the most efficient and practical method of maintaining a paperless filing system and complying with discovery reform, and

WHEREAS, the District Attorney wishes to execute an MOU with NYPTI memorializing the cost of the DEMS system at:

\$110 for 0.00 to 0.99 Terabytes per month  
\$220 for 1.00 to 1.99 Terabytes per month  
\$330 for 2.00 to 2.99 Terabytes per month

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature and the District Attorney are authorized to sign said MOU; and be it further

RESOLVED, that copies of this Resolution be given to the District Attorney, Acting County Administrator, and County Treasurer.

**APPROVE BY-LAWS OF THE YATES COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL (CJCC)**

WHEREAS, by Resolution 199-19 the Yates County Legislature supported the Chairman of the Legislature and Sheriff to create a Criminal Justice Coordinating Council (CJCC); and

WHEREAS, the CJCC has been created and adopted By-Laws for its operation at its August 14, 2019 meeting;

NOW, THEREFORE, BE IT RESOLVED, that the By-Laws of the Yates County Criminal Justice Coordinating Council are hereby approved by the Yates County Legislature, and be it further

RESOLVED, that copies of this resolution be forwarded to all members of the CJCC.

**By-Laws of the Yates County Criminal Justice Coordinating Council**

**ARTICLE I**

**DESIGNATION OF THE COUNCIL**

This Council shall be known as the YATES COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL, hereinafter referred to as the "CJCC".

**ARTICLE II**

**STATEMENT OF PURPOSE OF THE COUNCIL**

Whereas, it is in the interest of Yates County to study its criminal justice system, identify deficiencies and formulate policy, plans and programs for change when opportunities present themselves. At a minimum, the CJCC shall:

1. Determine needs of the Yates County Jail ("Jail") and options for efficiency and effectiveness.
2. Examine facility needs and ongoing maintenance issues.
3. Address Criminal Justice ("CJ") and related system issues that may affect or impact Jail operations.
4. Ensure that CJ resources are optimized, including, but not limited to, CJ users' Information Technology ("IT") uses.
5. Identify community resources and needs.
6. Discuss comprehensive mental health and substance abuse programs at the Jail.
7. Develop a long-term capital plan for the Jail and its space needs.
8. Determine if the National Institute of Corrections ("NIC") can assist further with facility planning, programming, etc.

Therefore, it shall be the purpose of the CJCC to advise the Yates County Legislature ("Legislature") and other appropriate governing boards as to the best means to achieve said interests.

Final responsibility and determination as to capital or financial decisions, contracts, negotiations or any legal matter shall be that of the Legislature or appropriate governing board.

**ARTICLE III**

**MEMBERSHIP**

Membership of the CJCC shall be appointed by the Chair of the Yates County Legislature. There shall be a total of sixteen (16) voting members who shall consist of the following:

1. the Chair of the Legislature,
2. two (2) members of the Legislature's Public Safety Committee,
3. two (2) from the Office of Sheriff,
4. one (1) from the County Court,
5. one (1) local Magistrate,
6. the County Administrator,
7. one (1) from the District Attorney's Office,
8. one (1) from the Public Defender's Office,
9. one (1) from the Probation Department,
10. one (1) from the Community Services Department,
11. one (1) from Jail Ministry,
12. one (1) from Penn Yan Police Department,
13. two (2) Citizens At-Large; one (1) recommended by the Sheriff and one (1) recommended by the Chair of the Legislature.

It is recommended that Elected Officials and Department Heads be appointed members, however, they may designate a staff member to participate if they are personally unable to participate.

Voting members must be Yates County residents or Department Heads having operations in Yates County.

An alternate may be appointed by a member to participate in individual activities (e.g. – meeting, etc.) if the member of the CJCC is unable to do so.

In the event of a vacancy in the membership, the Chair of the Legislature shall make an appointment to fill the position.

#### ARTICLE IV

##### TERM OF OFFICE

Members from the Legislature may change at the will of the Chair of the Legislature. Other members whose offices have defined terms (e.g. – Sheriff, District Attorney, etc.) shall serve until their terms of office end. Members whose offices do not have defined terms shall serve terms that coincide with the Legislature (i.e. – all of those members' terms shall expire at the end of odd-numbered years).

Members of the CJCC whose offices do not have defined terms may serve as many as three (3) consecutive terms [i.e. – six (6) years], after which at least one (1) year must elapse before a member or members may be reappointed. CJCC members already serving at the time these by-laws are adopted may be reappointed, and may serve a maximum of three (3) additional terms [i.e. – six (6) years], after the expiration of their initial term. After serving the maximum number of terms, at least one (1) year must elapse before reappointment.

In the event of a vacancy, the term of the person appointed to fill such vacancy shall be for the duration of the unexpired portion of such vacated term.

#### ARTICLE V

##### MEETINGS

The CJCC shall hold meetings at times and places determined by it. Written notice of special meetings must be delivered at least forty-eight (48) hours in advance. The CJCC shall meet a minimum of six (6) times per year.

Order of business at a meeting of the CJCC shall be:



Call to order  
Minutes of the prior meeting  
Financial report  
Review of communications received  
Receipt of committee reports  
Old business  
New business  
Adjournment

Roberts Rules of Order shall govern the conduct of all meetings. The order of business may be changed at any meeting by a majority vote of the members present.

A voting member of the CJCC may cast a vote on any matter before it in person or by a written proxy to be delivered to the Secretary.

## ARTICLE VI

### QUORUM AND MAJORITY

A majority of the whole number of voting members of the CJCC shall constitute a quorum and any actions taken by the CJCC shall be by not less than a majority of the whole number of voting members of the CJCC.

## ARTICLE VII

### OFFICERS

Officers of the CJCC shall be appointed by the Chair of the Yates County Legislature and shall include a Chairperson, Vice-Chairperson, and a Secretary.

1. After adoption of these By-Laws, officers shall be appointed in January of each year.
2. The Chairperson shall preside at all meetings of the CJCC and shall be the official head of the organization. He or she shall be responsible for the operation of the CJCC and shall report directly to the Yates County Legislature.
3. The Vice-Chairperson shall assist in the performance of the duties of the Chairperson and shall preside over meetings in the absence of the Chairperson.
4. The Secretary shall record and keep the minutes and attendance of every meeting of the CJCC and shall see that copies of the minutes are filed with the Yates County Legislature. The Secretary shall keep all documents and records of the CJCC and shall conduct such correspondence as necessary on behalf of the CJCC.
5. No officer shall hold more than one position at the same time.

## ARTICLE VIII

### ADOPTION AND AMENDMENT OF THE BY-LAWS

These By-Laws are subject to the approval of the Yates County Legislature.

These By-Laws may be amended at a regular or special meeting of the CJCC by a majority vote of the voting members of the CJCC, provided notice of the proposed amendment has been sent to all members of the CJCC at least seven (7) days prior to the meeting at which time a vote is to be taken thereon. Any amendment of these By-Laws is subject to the approval of the Yates County Legislature.

**Adopted by the Yates County Criminal Justice Coordinating Council voting members on August 14, 2019.**

Approved by the Yates County Legislature on September 9, 2019.

Res. No. 342-19

Date: September 9, 2019

Motioned By: Holgate

Seconded By: \_\_\_\_\_

**OPPOSITION TO THE PROPOSED NEW YORK STATE ELECTRIC & GAS CORPORATION ENERGY RATE INCREASE – PUBLIC SERVICE COMMISSION CASE NUMBERS 19-E-0378 AND 19-G-0379**

WHEREAS, Avangrid Inc. subsidiaries New York State Electric & Gas Corporation and Rochester Gas & Electric Corporation have asked New York State regulators to approve electric and gas rate increases that would collectively increase the utilities’ annual base rate revenues by approximately \$163 million; and

WHEREAS, via case number 19-E-0378 and case number 19-G-0379, NYSEG has asked that the New York State Public Service Commission grant a \$156.7 million (20.4%) electric rate increase, and a \$6.3 million (3%) increase in gas rates; and

WHEREAS, if NYSEG’s rate requests were granted, the average monthly bill of its residential customers would jump \$10.17 (23.7%) and \$1.05 (1.9%) for electric and gas services, respectively;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature stands in opposition to the proposed rate increases; and be it further

RESOLVED, that the Clerk of the Legislature shall forward a copy of this resolution to the New York State Public Service Commission, Governor Andrew M. Cuomo, State Senator Thomas F. O’Mara, State Assemblyman Phillip A. Palmesano, and the New York State Association of Counties (NYSAC).

Res. No. 343-19

Date: September 9, 2019

Motioned By: Holgate

Seconded By: \_\_\_\_\_

**APPOINTMENT TO THE FINGER LAKES ECONOMIC DEVELOPMENT CENTER (YATES COUNTY IDA) BOARD, THE YATES CAPITAL RESOURCE CORP. BOARD AND THE FINGER LAKES HORIZON ECONOMIC DEVELOPMENT CORP.**

BE IT RESOLVED, that the following individual be appointed to Finger Lakes Economic Development Center (Yates County IDA) Board, the Yates Capital Resource Corp. Board and The Finger Lakes Horizon Economic Development Corp. Board for the term indicated:

Ryan Hallings            3562 Skyline Drive, Penn Yan, NY 14527    Term: 9/1/19 to 12/31/19;

And be it further

RESOLVED, that a copy of this resolution be forwarded to Steven Griffin, Executive Director of the FLEDC, the Department of State, and the County Clerk.

Res. No. 344-19

Date: September 9, 2019

Motioned By: Holgate

Seconded By: \_\_\_\_\_

**2019 BUDGET TRANSFERS**

BE IT RESOLVED, that the following transfers be made in the 2019 budget:

From:	To:	Amount:
D5112.54602 HWY-Bit Materials	D5010.52120 HWY-Copier	\$ 6,136.36
D5112.54602 HWY-Bit Materials	D5010.54156 HWY-Training	\$ 225.00
D5112.54602 HWY-Bit Materials	D5010.54635 HWY-Road MAPS	\$ 975.00

And be it further

RESOLVED, that copies of this resolution be given to the Highway Superintendent and the County Treasurer/Budget Officer.

**Res. No. 345-19**

**Date: September 9, 2019**

**Motioned By: Dennis**

**Seconded By: \_\_\_\_\_**

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**AUTHORIZE AGREEMENT WITH FINGER LAKES COMMUNITY COLLEGE**

RESOLVED, that the Chairman of the Yates County Legislature is hereby authorized to sign an agreement with the Ontario County Board of Supervisors and the Finger Lakes Community College for the offering of courses in Yates County for the 2019 – 2020 academic year; and be it further

RESOLVED, that copies of this resolution be sent to the Finger Lakes Community College, the Ontario County Board of Supervisors and the Yates County Treasurer.

**Res. No. 346-19**

**Date: September 9, 2019**

**Motioned By: Dennis**

**Seconded By: \_\_\_\_\_**

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**REAPPOINT YATES COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES  
(Kincaid)**

RESOLVED, that effective October 1, 2019 Meghan K. Kincaid is hereby reappointed as Director of Real Property Tax Services I for a six-year term of office from October 1, 2019 through September 30, 2025; and be it further

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

**Res. No. 347-19**

**Date: September 9, 2019**

**Motioned By: Dennis**

**Seconded By: \_\_\_\_\_**

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**CALL FOR NEW YORK STATE TO ADOPT A LAW TO BAN EXPANDED POLYSTYRENE  
FOAM PACKAGING PRODUCTS**

WHEREAS, the Yates County Legislature has expressed its dedication to the protection and preservation of the environment and water quality; and

WHEREAS, the Yates County Legislature is constantly looking for ways to reduce the amount of materials that constitute potential harm to the environment and are placed within landfills, namely single-use packaging products made from Expanded Polystyrene Foam (EPS) that do not degrade and remain in the environment for centuries; and

WHEREAS, a New York State Law, adopted and enforced at the State level would provide a more effective means to ban the use of such products rather than regulating and enforcing at the County level;

NOW, THEREFORE, BE IT RESOLVED, that Yates County Legislature urges the Governor, the State Senate and Assembly to propose and pass legislation to ban the use of single-use EPS foam packaging products state-wide; and be it further

RESOLVED, that the Clerk of the Legislature shall forward a copy of this resolution to Governor Andrew M. Cuomo, State Senator Thomas F. O'Mara, State Assemblyman Philip A. Palmesano, the New York State Department of Environmental Conservation, the New York State Department of Health, the New York State Association of Counties (NYSAC) and all other parties deemed necessary and proper.

**Res. No. 348-19**

**Date: September 9, 2019**

**Motioned By: Dennis**

**Seconded By: \_\_\_\_\_**

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**AUTHORIZE PROBATION DIRECTOR TO FILL POSITION  
(PROBATION ASSISTANT)**

WHEREAS, the Probation Assistant position became vacant effective August 22<sup>nd</sup>, 2019 as the result of a recent resignation; and

WHEREAS, the Probation Director through the vacancy review process has identified the continued need for the Probation Assistant position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position is \$46,175 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective September 9<sup>th</sup>, 2019 the Probation Director is hereby approved to fill a Probation Assistant position; and be it further

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

**Res. No. 349-19**

**Date: September 9, 2019**

**Motioned By: Dennis**

**Seconded By: \_\_\_\_\_**

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**AUTHORIZE SHERIFF TO FILL POSITION  
(CORRECTION OFFICER)**

WHEREAS, a Correction Officer vacancy was created on September 6<sup>th</sup>, 2019 as the result of a retirement; and

WHEREAS, the Sheriff through the vacancy review process has identified the continued need for the Correction Officer position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position is \$64,387 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective September 9<sup>th</sup>, 2019 the Sheriff is hereby approved to fill a Correction Officer position; and be it further

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

**Res. No. 350-19**

**Date: September 9, 2019**

**Motioned By: Dennis**

**Seconded By: \_\_\_\_\_**

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**AUTHORIZE SHERIFF TO CREATE AND FILL FULL TIME EMERGENCY SERVICES  
DISPATCHER POSITION AND RESCIND RESOLUTION 324-19**

WHEREAS, the Sheriff has requested to fill a full time Emergency Services Dispatcher position due to an anticipated vacancy that will occur in February 2020 as the result of a retirement; and

WHEREAS, the Sheriff indicated that it takes a minimum of 20-24 weeks to fully train a new Emergency Services Dispatcher; and

WHEREAS, the Sheriff currently has two (2) eligible candidates for Emergency Services Dispatcher and one (1) of those candidates will fill the existing vacancy that was created August 2017; and

WHEREAS, based on the recruitment difficulty the Sheriff indicated that by creating and filling a full time Emergency Services Dispatcher position it would cause efficiency and would be advantageous for the Division since they currently have a second candidate who is eligible and interested at this time and

additionally, this would allow the Sheriff to train both new hires simultaneously which will save resources; and

WHEREAS, the approximate annual cost to create the position is \$63,559 which includes fringe benefits; and

WHEREAS, a budget transfer will be made from a current budget line to cover the cost of the newly created position and the associated benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective September 9<sup>th</sup>, 2019 a full time Emergency Services Dispatcher position is hereby created; and be it further for a time period not to exceed February 29<sup>th</sup>, 2020, unless ended sooner by the Sheriff; and be it further

RESOLVED, that after the retirement and the Senior Emergency Services Dispatcher position is filled by way of promotion, the vacancy that is created by the promotion of an incumbent in the permanent Emergency Services Dispatcher position will be filled by this position leaving the division at the full authorized strength of one (1) Chief Dispatcher, four (4) Senior Emergency Service Dispatchers and eight (8) Emergency Service Dispatchers; and be it further

RESOLVED, that Resolution 324-19 be rescinded; and be it further

RESOLVED, that copies of this resolution shall be provided the Sheriff, Personnel Officer and Acting County Administrator.

**Res. No. 351-19**  
**Motioned By: Dennis**

**Date: September 9, 2019**  
**Seconded By: \_\_\_\_\_**

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**AUTHORIZE HIGHWAY SUPERINTENDENT TO CREATE AND FILL POSITION  
(MOTOR EQUIPMENT OPERATOR)**

WHEREAS, a Heavy Equipment Operator vacancy was created as the result of a resignation effective September 5<sup>th</sup>, 2019; and

WHEREAS, the Highway Superintendent through the vacancy review process has identified the continued need for a position and is requesting that the vacancy be filled with a Motor Equipment Operator instead of a Heavy Equipment Operator; and

WHEREAS, the estimated annual cost to fill the Motor Equipment Operator position is \$68,116 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective September 9<sup>th</sup>, 2019 the Highway Superintendent is hereby approved to create and fill a Motor Equipment Operator position; and be it further

RESOLVED, that the Heavy Equipment Operator position will remain open for the possibility of a future promotion but that the position will not be filled unless Legislative authorization is received; and be it further

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

**Res. No. 352-19**

**Motioned By: Dennis**

**Date: September 9, 2019**

**Seconded By: \_\_\_\_\_**

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**GRANT UNPAID LEAVE OF ABSENCE**

**(M. Stokoe)**

RESOLVED, that a Highway employee is hereby granted an unpaid leave of absence starting on September 10<sup>th</sup>, 2019 until further notice; and be it further

RESOLVED, that a copy of this resolution be given to Mr. Stokoe, Highway Superintendent and Deputy Highway Superintendent, Personnel Officer and Acting County Administrator.

**Res. No. 353-19**

**Motioned By: Dennis**

**Date: September 9, 2019**

**Seconded By: \_\_\_\_\_**

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**AMEND YATES COUNTY EMPLOYEE HANDBOOK**

WHEREAS, the Employee Handbook is in need of modification in order to accurately define how much personal leave time a new employee gets at the time of hire;

NOW, THEREFORE, BE IT RESOLVED, that effective September 9<sup>th</sup>, 2019 wording be inserted in Paragraph 705.3, stating, "Each new employee hired between January 1 and June 30 shall receive two (2) days of personal leave at the time of hire. Each new employee hired between July 1 and September 30 shall receive one (1) day of personal leave at the time of hire. Each new employee hired between October 1 and December 31 shall receive no personal leave at the time of hire." after the first sentence; and be it further

RESOLVED, that the revised Employee Handbook be made available to all County employees by means of the Intranet; and be it further

RESOLVED, that a copy of this resolution be forwarded to all Yates County Employees.

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**AUTHORIZE CHAIRMAN TO SIGN INTERNET & TELEPHONE SERVICES CONTRACT  
(Empire Access)**

WHEREAS, the Yates County Information Technology department has identified the need to increase the County Internet bandwidth from 100Mbps to 200Mbps and the services to Highway from 20Mbps to 50Mbps; and

WHEREAS, three quotes have been obtained from the following:

Empire Access (3-year Contract)

**Monthly Recurring Charges**

- 13 Static IP addresses . 50.00
  - (3) 100 Block DID's 60.00
  - Unlimited Local/Long Distance 0.00
  - Business Class SIP 24 call paths 599.00
  - 200Mbps Dedicated Internet Access 800.00
  - 50Mbps EPL circuit to Highway 500.00 (requires 120/day build)
- Total MRC - 2009.00

FirstLight (3-year Contract)

**Monthly Recurring Charges**

- 13 Static IP addresses . 24.00
  - (3) 100 Block DID's 39.00
  - 25k Long Distance Bundle 341.00
  - Business Class SIP 24 call paths 192.00
  - 200Mbps Dedicated Internet Access 1279.00 (incl 10k to build circuit)
  - 50Mbps EPL circuit to Highway (Spectrum) 950.00 (service N/A)
- Total MRC - 2825.00

Spectrum Business (3-year Contract)

**Monthly Recurring Charges**

- 13 Static IP addresses 100 DID's Incl. 50.00
  - (2) additional 100 Block DID's 30.00
  - 20k Long Distance Bundle 380.00
  - Business Class SIP 24 call paths w/5k LD 316.00
  - 200Mbps Dedicated Internet Access 1179.00
  - 50Mbps EPL circuit to Highway 950.00
- Total MRC - 2905.00

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Empire Access of Prattsburgh, NY for Internet & Telephone Services for a three (3) year term; and be it further

RESOLVED, that copies of this resolution be given to the I.T, Director and the County Treasurer.

**Res. No. 355-19**  
**Motioned By: Dennis**

**Date: September 9, 2019**  
**Seconded By: \_\_\_\_\_**

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**AUTHORIZE COMMISSIONER OF DSS TO FILL POSITION  
(CASEWORKER)**

WHEREAS, a Caseworker vacancy was created on September 6<sup>th</sup>, 2019 as the result of a resignation; and

WHEREAS, the DSS Commissioner through the vacancy review process has identified the continued need for the Caseworker position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position is approximately \$66,436 which includes fringe benefits, with the 80% reimbursement rate the total cost to the County will be \$13,287; and

WHEREAS, per Article 5, Section 3 of the CSEA CBA if an employee has prior experience in similar work he/she may be hired at the step one rate of pay as opposed to the start rate; and

WHEREAS, if applicable the DSS Commissioner is authorized to offer the position(s) at the step one rate of pay at an estimated annual cost of \$68,047 which includes fringe benefits, with the 80% reimbursement rate the total cost to the County will be \$13,609; and

NOW, THEREFORE, BE IT RESOLVED, that effective September 9<sup>th</sup>, 2019 the Commissioner of Social Service is hereby approved to fill a Caseworker position; and be it further

RESOLVED, that the DSS Commissioner is also authorized to fill any subsequent vacancies that occur through promotion of an employee into the vacant position, if applicable; and be it further

RESOLVED, that copies of this Resolution be given to the Commissioner of Social Service, Personnel Officer and County Administrator.

**Res. No. 356-19**  
**Motioned By: Dennis**

**Date: September 9, 2019**  
**Seconded By: \_\_\_\_\_**

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**AUTHORIZE HIGHWAY SUPERINTENDENT TO FILL POSITION  
(WORKING SUPERVISOR)**

WHEREAS, a Working Supervisor position in the County Highway Department will become vacant on September 20<sup>th</sup>, 2019 as a result of a retirement; and

WHEREAS, the Highway Superintendent through the vacancy review process has identified the continued need for the Working Supervisor position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to the County to fill the position will not exceed \$78,530 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective September 9<sup>th</sup>, 2019 the Highway Superintendent is hereby approved to fill a Working Supervisor position; and be it further

RESOLVED, that the Highway Superintendent is also authorized to fill any subsequent vacancy that occurs through promotion of an employee into the vacant position, if applicable; and be it further

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



**Res. No. 357-19**  
**Motioned By: Dennis**

**Date: September 9, 2019**  
**Seconded By: \_\_\_\_\_**

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**AUTHORIZE DISTRICT ATTORNEY TO CREATE AND FILL POSITION  
(CONFIDENTIAL SECRETARY TO DISTRICT ATTORNEY AND LAW ENFORCEMENT  
LIAISON)**

WHEREAS, the District Attorney through the position review process has identified the need for a full time Confidential Secretary to District Attorney and Law Enforcement Liaison in the District Attorney's Office and is requesting that the position be created and filled; and

WHEREAS, the salary for the position is set at \$42,000 and the total estimated annual cost to fill the position is \$63,899 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective September 9<sup>th</sup>, 2019 the District Attorney is hereby approved to create and fill a full time Confidential Secretary to District Attorney and Law Enforcement Liaison position; and be it further

RESOLVED, that the District Attorney is also authorized to fill any subsequent vacancies that occur through promotion of an employee into the newly created position, if applicable; and be it further

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

**Res. No. 358-19**  
**Motioned By: Dennis**

**Date: September 9, 2019**  
**Seconded By: \_\_\_\_\_**

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**AUTHORIZE DISTRICT ATTORNEY TO CREATE AND FILL POSITION  
(ASSISTANT DISTRICT ATTORNEY)**

WHEREAS, the District Attorney through the position review process has identified the need for a second full time Assistant District Attorney in the District Attorney's Office and is requesting that a position be created and filled; and

WHEREAS, the salary range would be \$55,000 - \$70,000 depending on the experience and qualifications of the candidate therefore, the total estimated annual cost to the County to fill the position would not exceed \$98,014 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective September 9<sup>th</sup>, 2019 the District Attorney is hereby approved to create and fill a full time District Attorney position; and be it further

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