



YATES COUNTY LEGISLATURE  
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Douglas Paddock  
Chairman

Connie C. Hayes  
Clerk

**YATES COUNTY LEGISLATIVE AGENDA**  
**September 13, 2021 at 9:30 am**

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

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- Annmarie Flanagan, COVID-19 update
- Open Public Hearing on proposed Local Law 2-21 entitled Banning the Possession of Firearms and Dangerous Weapons in Buildings Owned, Leased or Operated by the County of Yates
- Yates Transit Service to give quarterly report
- Approve Audit
- Approve the minutes of the August meeting
- Committee Reports
- Public Comment

**RESOLUTION**

Cutler	313-21	Authorize Chairman and Coordinator to Sign Approved 2022 STOP-DWI Budget and Plan
	314-21	Authorize 2021-2022 Tower Site Emergency Generator Agreement
	315-21	Recognition of Sheriff's Week
Bronson	316-21	Authorize Chairman to Sign Memorandum of Understanding (CSEA)
	317-21	Appoint Clerk, County Legislature
	318-21	Authorize Director of Public Health Fill Position
	319-21	Authorize Director of Public Health to Create and Fill Temporary Full Time Public Health Specialist Position
	320-21	Authorize Director of Public Health to Create and Fill a Temporary Full Time Position (Registered Professional Nurse or Public Health Specialist)
	321-21	Authorize Director of Public Health to Create and Fill Three (3) Temporary Part Time Nurse Positions
	322-21	Authorize Director of Public Health to Create and Fill Temporary Full Time Senior Account Clerk Typist Position
	323-21	Authorize Sheriff to Create and Fill Senior Typist Position

	324-21	Authorize Sheriff to Fill Correction Office Sergeant/Court Security Position
	325-21	Authorize Sheriff to Create and Fill Temporary Full Time Correction Officer Position
	326-21	Authorize Sheriff to Fill Two (2) Positions (Correction Officer)
	327-21	Authorize Building Maintenance Supervisor to Fill Cleaner Position
	328-21	Authorize County Administrator to Fill County Planner Position
	329-21	Amend Resolution 449-20 Adopt 2021 Non-Union Exempt Employee Salary Schedule
	330-21	Amend Resolution 10-21 Adopt 2021 Non-Union Non-Exempt Employee Wage Schedule
Church	331-21	Recognize September as National Suicide Prevention Month
	332-21	Appoint Member to the Yates County Mental Health Subcommittee
	333-21	Amend Resolution No. 234-21 (Authorize Contract with Safe Harbors for Non-Residential Domestic Violence Services)
	334-21	Authorize the Chairman to Sign Software Support Agreement Extension for Public Defense Case Management System Maintenance and Software Support Agreement Between the Yates County Assigned Counsel Program Office and New York State Defenders Association, Inc.
	335-21	Authorize Director of Public Health to Contract with Cathy Bond, an Emergency Planning Consultant to Establish and Oversee the Surveillance and Testing Plans as Identified Under the ELC Schools COVID Grant
	336-21	Authorize Director of Public Health to Contract with Quadrant Bioscience for Pool and Individual COVID Testing
	337-21	Sign Agreement with Health Research Inc. (HRI)
	338-21	Resolution Urging Governor Hochul and Commissioner Zucker to Modify the Proposed COVID-19 Mandate for All Healthcare Workers
Banach	339-21	Authorize Chairman to Sign an Agreement with Shuttleworth Enterprises for Parking Lot Maintenance
	340-21	Amend Resolution No. 239-21 (Authorize Chairman to Sign Contract for Repairs to Generator Set)
Holgate	341-21	Resolution Concerning Cancellation of Certain Delinquent Tax Liens
	342-21	Resolution Concerning Cancellation of Prospective Delinquent Tax Liens Arising Against Certain Tax Parcels
	343-21	2021 Budget Transfers
	344-21	Accept and Appropriate GTSC State Aid (Sheriff)
	345-21	Accept and Appropriate GTSC State Aid (Sheriff)
	346-21	Accept and Appropriate Cyber Security Grant (Information Technology)
	347-21	Accept and Appropriate Additional State Aid (Department of Social Services)
	348-21	Authorize Chairman to Sign Contract (Systems Development Group, Inc.)
	349-21	Authorize Chairman to Sign Memorandum of Understanding with the Town of Middlesex and the Village of Dundee for Placement of Equipment Shelters
	350-21	Enter Into a Pole Attachment Agreement with Frontier Communications
	351-21	Enter Into a Pole Attachment Agreement with the Village of Penn Yan
Cutler	352-21	Adopt Local Law 2-21 Entitled Banning the Possession of Firearms and Dangerous Weapons in Buildings Owned, Leased or Operated by the County of Yates

Executive Session

**Resolution No. 313-21**

**Motioned By: Cutler**

**Date: September 13, 2021**

**Seconded by:**

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**AUTHORIZE CHAIRMAN AND COORDINATOR TO SIGN  
APPROVED 2022 STOP-DWI BUDGET AND PLAN**

WHEREAS, the 2022 STOP-DWI budget and plan shows appropriations of \$79,000 and an anticipated revenue of \$79,000 with a reserve fund of \$44,984.01 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 no later than September 30, 2021;

NOW, THEREFORE, BE IT RESOLVED, that this 2022 STOP-DWI budget and plan is approved and the Legislative Chairman and Coordinator are hereby authorized to sign said plan; and be it further

RESOLVED, that a copy of this resolution be provided to the Treasurer/Budget Officer and STOP DWI Coordinator for attachment to the plan being submitted as required.

**Resolution No. 314-21**

**Motioned By: Cutler**

**Date: September 13, 2021**

**Seconded by:**

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**AUTHORIZE 2021-22 TOWER SITE  
EMERGENCY GENERATOR AGREEMENT**

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Chairman and Sheriff are hereby authorized to renew the generator maintenance contract with Penn Power of Syracuse, NY for an amount not to exceed \$677 at each of the five tower sites for one yearly inspection and one preventive maintenance totaling \$3,385 in 2021/2022; and be it further

RESOLVED, that a copy of the insurance certificate is required and that a copy of this resolution be provided to the Sheriff.

**Resolution No. 315-21**

**Motioned By: Cutler**

**Date: September 13, 2021**

**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 Yates County first established in 1823; 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, professionally accredited, full-service law enforcement and public safety agency, manned by fully trained police and peace officers, as well as civilians using state-of-the-art technology and applying the latest and most advanced theories and practices in criminal justice, civil process, corrections, 911 communications, and court security; and

WHEREAS, the Office of Sheriff is unique in the Yates County 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, Coroner administration, 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 Sheriff’s Office plays in our modern criminal justice system;

NOW, THEREFORE, BE IT RESOLVED that the Yates County Legislature does hereby recognize this September 19 to 25 that has had Governor’s proclamation to be Sheriffs’ Week in Yates County; and be it further

RESOLVED, that a copy of this resolution be provided Sheriff Spike and to the Council 82 three units that represent Sheriff’s employees.

**Resolution No. 316-21**

**Date: September 13, 2021**

**Motioned By: Bronson**

**Seconded by:**

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

WHEREAS, the Director of Public Health has presented to the Human Services Committee justification for the title of Public Health Specialist to be moved from Group XIII of the CSEA Non-Highway and Highway Clerical Employee Salary Schedule to Group XIV;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding moving the job title of Public Health Specialist to Group XIV of the current collective bargaining agreement; and be it further

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

**Resolution No. 317-21**

**Date: September 13, 2021**

**Motioned By: Bronson**

**Seconded by:**

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**APPOINT CLERK, COUNTY LEGISLATURE**

RESOLVED, that effective October 4, 2021, Emilee D. Miller be appointed as Clerk, County Legislature at an annual salary of \$48,000; and be it further

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

**Resolution No. 318-21**  
**Motioned By: Bronson**

**Date: September 13, 2021**  
**Seconded by:**

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**AUTHORIZE DIRECTOR OF PUBLIC HEALTH FILL POSITION**

WHEREAS, a Public Health Nurse position became vacant on August 20, 2021 as the result of a resignation; and

WHEREAS, the Director of Public Health through the vacancy review process has identified the continued need for the position and is requesting the vacancy be filled with the most appropriate title based on the candidates qualifications; and

WHEREAS, the estimated annual cost to fill a Registered Professional Nurse position, including fringe, is \$65,300 to \$85,613, depending on health insurance; the County receives 80% reimbursement from NYS for salary only, therefore the estimated annual cost to the County, including fringe, is \$13,060 to \$33,373, depending on health insurance; and

WHEREAS, the estimated annual cost to fill a Public Health Nurse position, including fringe, is \$68,185 to \$88,499, depending on health insurance; the County receives 80% reimbursement from NYS for salary only, therefore the estimated annual cost to the County, including fringe, is \$13,637 to \$33,950, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 the Director of Public Health is hereby authorized to fill the Public Health Nurse vacancy with a candidate who meets the minimal qualifications for either Registered Professional Nurse or Public Health Nurse; and be it further

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

**Resolution No. 319-21**  
**Motioned By: Bronson**

**Date: September 13, 2021**  
**Seconded by:**

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**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO CREATE AND FILL TEMPORARY FULL TIME PUBLIC HEALTH SPECIALIST POSITION**

WHEREAS, the Director of Public Health through the vacancy review process has identified the need to create and fill a temporary full time Public Health Specialist position and is requesting the position be filled; and

WHEREAS, the estimated annual cost to fill the Public Health Specialist position, including fringe, is \$68,185 to \$88,499, depending on health insurance; the County receives 100% reimbursement from NYS Fellow Grant Program for salary and partial reimbursement for fringe, therefore the estimated annual cost to the County, including fringe, is \$8,732 to \$20,313, depending on health insurance; and

WHEREAS, the Director of Public Health has requested authorization to start the candidate at either STEP one (1) or STEP two (2) of the current CSEA CBA Salary Schedule, should the candidate meet the eligibility for a higher starting rate of pay, and therefore, the estimated annual cost to fill the newly created position, including only fringe as the salary is reimbursed at 100%, is \$9,117 to \$20,313, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 a temporary full time Public Health Specialist position is hereby created for up to twelve (12) months, unless the appointment is ended sooner by the Director of Public Health; and be it further

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

**Resolution No. 320-21**

**Date: September 13, 2021**

**Motioned By: Bronson**

**Seconded by:**

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**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO CREATE AND FILL A TEMPORARY  
FULL TIME POSITION  
(Registered Professional Nurse or Public Health Specialist)**

WHEREAS, the Director of Public Health through the vacancy review process has identified the need to create and fill a temporary full time position and is requesting the position be filled with the most appropriate title based on the candidate's qualifications; and

WHEREAS, the estimated annual cost to fill a Registered Professional Nurse position, including fringe, is \$65,300 to \$85,613, depending on health insurance; the County receives 100% reimbursement from the NYS Fellow Grant Program for salary and partial reimbursement for fringe, therefore the estimated annual cost to the County, including fringe, is \$8,363 to \$20,313, depending on health insurance; and

WHEREAS, the estimated annual cost to fill a Public Health Specialist position, including fringe, is \$68,185 to \$88,499, depending on health insurance; the County receives 100% reimbursement from NYS Fellow Grant Program for salary and partial reimbursement for fringe, therefore the estimated annual cost to the County, including fringe, is \$8,732 to \$20,313, depending on health insurance; and

WHEREAS, the Director of Public Health has requested authorization to start the candidate at either STEP one (1) or STEP two (2) of the current CSEA CBA Salary Schedule, should the candidate meet the eligibility for a higher starting rate of pay, and therefore, the estimated annual cost to fill the newly created position, including only fringe as the salary is reimbursed at 100%, is \$9,117 to \$20,313, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 a temporary full time position is hereby created for up to twelve (12) months, unless the appointment is ended sooner by the Director of Public Health, and shall be filled with a candidate who meets the minimal qualifications for either Registered Professional Nurse or Public Health Specialist; and be it further

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

**Resolution No. 321-21**  
**Motioned By: Bronson**

**Date: September 13, 2021**  
**Seconded by:**

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**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO CREATE AND FILL THREE (3)  
TEMPORARY PART TIME NURSE POSITIONS**

WHEREAS, the Director of Public Health through the vacancy review process has identified the need to create and fill three (3) temporary part time nurse positions and is requesting the positions be filled with the most appropriate title based on the candidates qualifications; and

WHEREAS, the estimated annual cost to fill the Bachelors Prepared Nurse position, including fringe, is \$27,764 to \$31,842; and

WHEREAS, the estimated annual cost to fill the Registered Professional Nurse position, including fringe, is \$34,104 to \$39,113; and

WHEREAS, the estimated annual cost to fill the three (3) positions, including fringe, is \$83,292 to \$117,339; the three (3) positions, including salary and fringe, are funded at 100% by the Epidemiology and Laboratory Capacity (ELC) COVID-19 Grant, therefore, the estimated annual cost to the County for the three (3) positions is \$0;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 the Director of Public is hereby authorized to create and fill three (3) temporary part time positions with candidates who meet the minimal qualifications for either Registered Professional Nurse or a Bachelors Prepared, for up to twelve (12) months, unless the appointment is ended sooner by the Director of Public Health; and be it further

RESOLVED, the nurses will provide a copy of their personally paid medical malpractice insurance; and be it further

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

**Resolution No. 322-21**  
**Motioned By: Bronson**

**Date: September 13, 2021**  
**Seconded by:**

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**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO CREATE AND FILL TEMPORARY  
FULL TIME SENIOR ACCOUNT CLERK TYPIST POSITION**

WHEREAS, the Director of Public Health through the position review process has identified the need to create and fill a temporary full time Senior Account Clerk Typist position and is therefore requesting the current part time position be temporarily increased to full time; and

WHEREAS, the estimated annual cost to fill the Senior Account Clerk Typist position, including fringe, is \$45,057 to \$65,370; the County receives 100% reimbursement from the Epidemiology and Laboratory Capacity (ELC) Grant for salary and partial reimbursement for fringe, therefore the estimated annual cost to the County, including fringe, is \$0 to \$29,707;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 a temporary full time Senior Account Clerk Typist position is hereby created for up to twenty-four (24) months, unless the appointment is ended sooner by the Director of Public Health; and be it further

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

**Resolution No. 323-21**

**Date: September 13, 2021**

**Motioned By: Bronson**

**Seconded by:**

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**AUTHORIZE SHERIFF TO CREATE AND FILL SENIOR TYPIST POSITION**

WHEREAS, the Sheriff has requested to create and fill a full-time Senior Typist position due to an anticipated vacancy that will occur in January 2022 as the result of a retirement.

WHEREAS, the Sheriff through the vacancy review process has identified the need to create and fill a full-time Senior Typist position to allow for a seamless transition for personnel and to ensure the needs of the Yates County Sheriff's Office and public are met; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$45,057 to \$65,370, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 the Sheriff is hereby authorized to create and fill a full-time Senior Typist position; and be it further

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

**Resolution No. 324-21**

**Date: September 13, 2021**

**Motioned By: Bronson**

**Seconded by:**

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**AUTHORIZE SHERIFF TO FILL CORRECTION OFFICER SERGEANT/COURT SECURITY POSITION**

WHEREAS, the Correction Officer Sergeant/Court Security position will become vacant September 30, 2021 as the result of a retirement; and

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

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$75,920 to \$98,316, depending on health insurance; the County receives 100% reimbursement from NYS Unified Court System for salary and fringe for hours actually worked, therefore the estimated annual cost to the County including fringe shall not exceed \$20,000;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 the Sheriff is hereby authorized to fill a full-time Correction Officer Sergeant/Court Security position; and be it further

RESOLVED, that the Sheriff is also authorized to fill any subsequent vacancy that will occur as the result of a promotion of an employee into the vacant Correction Officer Sergeant/Court Security position; and be it further



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

**Resolution No. 325-21**

**Date: September 13, 2021**

**Motioned By: Bronson**

**Seconded by:**

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**AUTHORIZE SHERIFF TO CREATE AND FILL TEMPORARY FULL TIME  
CORRECTION OFFICER POSITION**

WHEREAS, the Sheriff is requesting to fill a full time temporary Correction Officer position due to the residual effect of the multiple vacant positions and the downtime it takes for recruitment, the background check process and basic training; and

WHEREAS, the approximate cost to create the position is \$45,780, which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 a temporary full time Correction Officer position is hereby created for up to twelve (12) months, unless the appointment is ended sooner by the Sheriff; and be it further

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

**Resolution No. 326-21**

**Date: September 13, 2021**

**Motioned By: Bronson**

**Seconded by:**

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

WHEREAS, the Sheriff currently has four (4) vacant Correction Officer positions, two (2) of the vacancies have received prior Legislative approval to fill, the remaining two (2) have not; and

WHEREAS, the Sheriff through the vacancy review process has identified the need to fill the remaining two (2) Correction Officer vacant positions and is requesting the positions be filled; and

WHEREAS, the estimated annual cost to fill one (1) position, including fringe, is \$59,671 to \$79,984, depending on health insurance; and

WHEREAS, the estimated annual cost to fill two (2) positions, including fringe, is \$119,342 to \$159,968, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 the Sheriff is hereby approved to fill two (2) Correction Officer positions; and be it further

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

**Resolution No. 327-21**

**Date: September 13, 2021**

**Motioned By: Bronson**

**Seconded by:**

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**AUTHORIZE BUILDING MAINTENANCE SUPERVISOR TO FILL CLEANER POSITION**

WHEREAS, a Cleaner vacancy was created effective September 9, 2021 as a result of a resignation; and

WHEREAS, the Building Maintenance Supervisor through the vacancy review process has identified the continued need for the Cleaner position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$44,318 to \$64,631, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 the Building Maintenance Supervisor is hereby authorized to fill the Cleaner position; and be it further

RESOLVED, that copies of this resolution shall be provided to the Building Maintenance Supervisor, Personnel Officer, County Administrator and County Treasurer.

**Resolution No. 328-21**

**Date: September 13, 2021**

**Motioned By: Bronson**

**Seconded by:**

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**AUTHORIZE COUNTY ADMINISTRATOR TO FILL COUNTY PLANNER POSITION**

WHEREAS, the County Planner position will become vacant on September 17, 2021 as a result of a resignation; and

WHEREAS, the County Administrator through the vacancy review process has identified the continued need for the County Planner position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$76,388 to \$123,662, depending on experience and health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 the County Administrator is hereby authorized to fill the County Planner position; and be it further

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

**Resolution No. 329-21**

**Date: September 13, 2021**

**Motioned By: Bronson**

**Seconded by:**

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**AMEND RESOLUTION 449-20 ADOPT 2021 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE**

WHEREAS, Resolution 449-20 was duly adopted on December 14, 2020 which adopted the 2021 Non-Union Exempt Employee Salary Schedule; and

WHEREAS, the resolution is in need of additional amendments due to recent action taken by the County Legislature; and

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 the salary schedule shall be amended as follows;

- |  |           |
|--|-----------|
| - Assistant District Attorney (First)                              | \$100,000 |
| - Assistant Public Defender (First)                                | \$36,614  |
| - Assistant Public Defender (First) – Hurrell-Harring Grant Add-On | \$53,386  |
| - Clerk, County Legislature (Second Position)                      | \$48,000  |
| - Deputy Treasurer   | \$90,000  |

And be it further

RESOLVED, that the salary for the Assistant District Attorney (First) be made retroactive to August 9, 2021; and be it further

RESOLVED, the following shall be removed from the resolution;

- Assistant Public Defender (First) \$36,614
- Assistant Public Defender (First) – Hurrell-Harring Grant Add-On \$48,699

And be it further

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

**Resolution No. 330-21**  
**Motioned By: Bronson**

**Date: September 13, 2021**  
**Seconded by:**

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**AMEND RESOLUTION 10-21**  
**ADOPT 2021 NON-UNION NON-EXEMPT EMPLOYEE WAGE SCHEDULE**

WHEREAS, Resolution 10-21 was duly adopted on January 11, 2021 which amended the 2021 Non-Union Non-Exempt Employee Wage Schedule; and

WHEREAS, the resolution is in need of additional amendments due to recent action taken by the County Legislature; and

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021, “Bachelors Prepared Nurse (ASN, AND. AASN)...\$25.05” be added after “Animal Control Officer (*Part Time*)”; and be it further

RESOLVED, that the following be removed:

- SPOA Coordinator...\$57.00
- Law Enforcement Liaison (*Temporary*)...\$23.36

And be it further

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

**Resolution No. 331-21**  
**Motioned By: Church**

**Date: September 13, 2021**  
**Seconded by:**

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**RECOGNIZE SEPTEMBER AS NATIONAL SUICIDE PREVENTION MONTH**

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 ages 10-34, 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 2020, over 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 to 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 2021, as "Suicide Prevention Coalition Month" in Yates County.

**Resolution No. 332-21**

**Motioned By: Church**

**Date: September 13, 2021**

**Seconded by:**

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**APPOINT MEMBER TO THE YATES COUNTY MENTAL HEALTH SUBCOMMITTEE**

BE IT RESOLVED, that the Yates County Legislature appoint Melissa Law, 7636 State Route 53, Apt 101, Bath, New York 14810 to the Mental Health Subcommittee, to a term ending 12/31/2025; and be it further

RESOLVED, that a copy of this resolution be provided to Melissa Law and to the Yates County Department of Community Services.

**Resolution No. 333-21**

**Motioned By: Church**

**Date: September 13, 2021**

**Seconded by:**

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**AMEND RESOLUTION NO. 234-21**

**(Authorize Contract with Safe Harbors for Non-Residential Domestic Violence Services)**

WHEREAS, Resolution 234-21 authorized the Chairman of the Legislature to sign a contract with Safe Harbors of the Finger Lakes for non-residential domestic violence services for \$25,000; and

WHEREAS, The New York State Office of Children and Family Services has issued an administrative directive with a different allocation amount;

NOW, THEREFORE, BE IT RESOLVED, that the cost of the contract will be \$32,450; and be it further

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

**Resolution No. 334-21**

**Motioned By: Church**

**Date: September 13, 2021**

**Seconded by:**

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**AUTHORIZE THE CHAIRMAN TO SIGN SOFTWARE SUPPORT AGREEMENT  
EXTENSION FOR PUBLIC DEFENSE CASE MANAGEMENT SYSTEM MAINTENANCE  
AND SOFTWARE SUPPORT AGREEMENT BETWEEN THE YATES COUNTY ASSIGNED  
COUNSEL PROGRAM OFFICE AND NEW YORK STATE DEFENDERS ASSOCIATION,  
INC.**

WHEREAS, the Assigned Counsel Program office uses a software package called Public Defense Case Management System; and

WHEREAS, the maintenance agreement is due to expire and the Public Defender seeks to renew said agreement to October 18, 2022;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature upon approval of the County Attorney is hereby authorized to sign an extension agreement for one year at the cost of \$500.00; and be it further

RESOLVED, that copies of this agreement be given to the Public Defender, the Assigned Counsel Administrator and the County Treasurer.

**Resolution No. 335-21**

**Date: September 13, 2021**

**Motioned By: Church**

**Seconded by:**

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**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO CONTRACT WITH CATHY BOND,  
AN EMERGENCY PLANNING CONSULTANT TO ESTABLISH AND OVERSEE THE  
SURVEILLANCE AND TESTING PLANS AS IDENTIFIED UNDER THE ELC SCHOOLS  
COVID GRANT**

WHEREAS, the Director of Public Health has identified a need to contract for the planning, execution and oversight of the COVID 19 surveillance and testing piece of the ELC COVID 19 schools grant; and

WHEREAS, Cathy Bond will be paid at a rate of \$100 an hour, not to exceed \$50,000 in a given year;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 upon the approval of the County Attorney, the Chairman of the Legislature is hereby authorized to sign a contract with Cathy Bond for up to twelve (12) months, unless the contract is ended sooner by the Director of Public Health; and be it further

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

**Resolution No. 336-21**

**Date: September 13, 2021**

**Motioned By: Church**

**Seconded by:**

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**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO CONTRACT WITH  
QUADRANT BIOSCIENCE FOR POOL AND INDIVIDUAL COVID TESTING**

WHEREAS, the Director of Public Health has identified a need to contract with Quadrant Bioscience, a laboratory for pool and individual testing to be completed on a regular basis per the protocols established by New York State; and

WHEREAS, Quadrant Bioscience will be paid \$20 per test for each test in the pooled testing. If the pool has a positive result each individual swab is then placed into reflex testing to determine who is positive. It will no longer be considered screening for those individuals in the positive test pool, therefore after any additional tests needed will be billed directly to the individual's insurance. The CARES Act has offered funding to insurance companies to pay for said tests and the individual is not responsible. If for some reason the insurance company does not pay, the bill will be sent to Yates County Public Health, who will pay the bill, which would then be vouchered through the ELC Schools COVID grant;

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2021 upon the approval of the County Attorney the Chairman of the Legislature is hereby authorized to sign said contract with Quadrant Bioscience for up to a twelve (12) month renewable contract, unless the contract is ended sooner by the Director of Public Health; and be it further

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

**Resolution No. 337-21**

**Motioned By: Church**

**Date: September 13, 2021**

**Seconded by:**

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**SIGN AGREEMENT WITH HEALTH RESEARCH INC. (HRI)**

WHEREAS, Yates County Public Health has received the New York State Department of Health Emergency Preparedness Program grant award of \$1,050,099; with \$50,099 available to the County and \$1,000,000 restricted for use by NYSDOH; and

WHEREAS, said grant period will be for the period of July 1, 2021 – June 30, 2022.

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Chairman is hereby authorized to sign an agreement with Health Research Inc. (HRI) for the period July 1, 2021 through June 30, 2022 for the Public Health Emergency Preparedness and Response Grant; and be it further

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

**Resolution No. 338-21**

**Motioned By: Church**

**Date: September 13, 2021**

**Seconded by:**

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**RESOLUTION URGING GOVERNOR HOCHUL AND COMMISSIONER ZUCKER TO MODIFY THE PROPOSED COVID-19 MANDATE FOR ALL HEALTHCARE WORKERS**

WHEREAS, Governor Hochul announced, in her first day in office, that she would be implementing a mandate that all healthcare workers in New York State be vaccinated against COVID-19 by September 27, 2021; and

WHEREAS, many nursing homes and hospitals across the Finger Lakes region have indicated that significant numbers of their staff have threatened to resign effective September 26, 2021 rather than receive the COVID-19 vaccine; and

WHEREAS, our nursing homes and hospitals are already experiencing staff shortages caused by complex and diverse factors; and

WHEREAS, while well-intentioned, the vaccine mandate proposed by Governor Hochul and Commissioner Zucker runs the risk of effecting the mass resignation of unvaccinated healthcare workers throughout the state; and

WHEREAS, both hospitals and nursing homes have indicated they would be forced to shutter beds and reduce capacity if the threatened resignations come to fruition; and

WHEREAS, as the Delta variant of COVID-19 increases its spread through our communities and college and K through 12 schools resume classes, our community cannot risk losing critical healthcare workers and acute and long-term care capacity; and

WHEREAS, allowing for a twice a week, or more frequent, testing alternative to the proposed vaccine mandate would protect patient safety, respect the personal rights of healthcare workers, and ensure that our medical system is as prepared as possible for the anticipated increase in COVID-19 cases heading into the fall and winter;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature encourages all eligible New Yorkers to get vaccinated against COVID-19; and be it further

RESOLVED, the Yates County Legislature hereby calls on Governor Hochul and Department of Health Commissioner Zucker to modify their proposed healthcare worker COVID-19 vaccine

mandate to allow for a testing option for those workers who do not wish to receive the vaccine at this time; and be it further

RESOLVED, certified copies of this resolution be sent to Governor Kathy Hochul, Department of Health Commissioner Howard Zucker, State Assembly Speaker Carl Heastie, Senate Majority Leader Andrea Stewart-Cousins, Assembly Minority Leader Will Barclay, Senate Minority Leader Rob Ortt, Senator Tom O'Mara and Assemblyman Phil Palmesano.

**Resolution No. 339-21**

**Date: September 13, 2021**

**Motioned By: Banach**

**Seconded by:**

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**AUTHORIZE CHAIRMAN TO SIGN AN AGREEMENT WITH SHUTTLEWORTH ENTERPRISES FOR PARKING LOT MAINTENANCE**

WHEREAS, the parking lots at the Courthouse and County Office Building are in need of crack filling, sealing and striping; and

WHEREAS, the Building Maintenance Supervisor has received a proposal for these services from Shuttleworth Enterprises LLC for a sum of \$5,900.00;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is hereby authorized to enter into a contract with Shuttleworth Enterprises, LLC to fill cracks, seal, and stripe all above mentioned parking lots; and be it further

RESOLVED, that said contract will run from 9-13-21 to 7-1-22 for a total sum of up to \$5,900; and be it further

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

**Resolution No. 340-21**

**Date: September 13, 2021**

**Motioned By: Banach**

**Seconded by:**

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**AMEND RESOLUTION NO. 239-21  
(Authorize Chairman to Sign Contract for Repairs to Generator Set)**

WHEREAS, Resolution 239-21 authorized the Chairman of the Legislature to sign a contract with Cummins Sales and Service for generator set repairs at a cost of \$22,772; and

WHEREAS, Cummins Sales and Service has notified the Building Maintenance Supervisor that a cost adjustment is necessary;

NOW, THEREFORE, BE IT RESOLVED, that the cost for said services will be \$24,088; and be it further

RESOLVED, that copies of this resolution be provided to the Building Maintenance Supervisor and the County Treasurer



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**RESOLUTION CONCERNING CANCELLATION OF CERTAIN DELINQUENT TAX  
LIENS**

WHEREAS, the following tax parcels are subject to the following delinquent tax liens:

Lien Date(s): January 1, 2020  
Owner: Lane Floyd D  
Town: Benton  
Tax Map Number: 37.57-1-10

Lien Date(s): January 1, 2020  
Owner: Lane Floyd D  
Town: Milo  
Tax Map Number: 61.65-1-2

Lien Date(s): January 1, 2019 and January 1, 2020  
Owner: McCredy Scott, McCredy Virginia B  
Town: Milo  
Tax Map Number: 61.35-1-6; and

WHEREAS, the Yates County Treasurer, being the enforcing officer of the tax district, has previously withdrawn the aforementioned tax parcels from the foreclosure proceedings concerning the above recited delinquent tax liens, pursuant to Section 1138(1) of the Real Property Tax Law; and

WHEREAS, pursuant to Section 1138(6) of the Real Property Tax Law, after a foreclosure proceeding has been withdrawn, the Yates County Legislature, being the governing body of the tax district, may cancel a delinquent tax lien based on certain determinations; and

WHEREAS, the Yates County Legislature hereby determines that with respect to the above referenced tax delinquent tax liens that there is no practical method to enforce the collection of such delinquent tax liens and that a supplementary proceeding to enforce collection of the tax would not be effective;

NOW, THEREFORE, BE IT RESOLVED, that in light of the foregoing, the Yates County Legislature hereby directs that the following delinquent tax liens be cancelled:

Lien Date(s): January 1, 2020  
Owner: Lane Floyd D  
Town: Benton  
Tax Map Number: 37.57-1-10

Lien Date(s): January 1, 2020  
Owner: Lane Floyd D  
Town: Milo  
Tax Map Number: 61.65-1-2

Lien Date(s): January 1, 2019 and January 1, 2020  
Owner: McCredy Scott, McCredy Virginia B

Town: Milo  
Tax Map Number: 61.35-1-6

And be it further

RESOLVED, that a copy of this resolution directing such cancellation be filed with the Yates County Treasurer; and be it further

RESOLVED, that the Yates County Treasurer, in accordance with Section 1138(6) of the Real Property Tax Law, shall thereafter issue applicable Certificates of Cancellation and thereafter file such Certificates of Cancellation with the Yates County Clerk.

**Resolution No. 342-21**  
**Motioned By: Holgate**

**Date: September 13, 2021**  
**Seconded by:**

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**RESOLUTION CONCERNING CANCELLATION OF PROSPECTIVE DELINQUENT TAX  
LIENS ARISING AGAINST CERTAIN TAX PARCELS**

WHEREAS, pursuant to Section 1138(6) of the Real Property Tax Law, the Yates County Legislature, being the governing body of the tax district, may cancel prospective delinquent tax liens arising against a tax parcel, based on certain determinations; and

WHEREAS, the Yates County Legislature hereby determines that there is no practical method to enforce the collection of delinquent tax liens arising thereafter against the following tax parcels:

Owner: McCredy Scott, McCredy Virginia B  
Town: Milo  
Tax Map Number: 61.35-1-6;

NOW, THEREFORE, BE IT RESOLVED, that in light of the foregoing, the Yates County Legislature hereby directs the cancellation of prospective delinquent tax liens arising against the following tax parcels:

Owner: McCredy Scott, McCredy Virginia B  
Town: Milo  
Tax Map Number: 61.35-1-6; and be it further

RESOLVED that a copy of this resolution directing such prospective cancellations be filed with the Yates County Treasurer; and be it further

RESOLVED, that the Yates County Treasurer, in accordance with Section 1138(6) of the Real Property Tax Law, shall thereafter issue applicable Certificates of Prospective Cancellation and then file such Certificates of Prospective Cancellation with the assessor of the assessing units in which the parcels are located and the Yates County Director of Real Property Tax Services.

**Resolution No. 343-21**  
**Motioned By: Holgate**

**Date: September 13, 2021**  
**Seconded by:**

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**2021 BUDGET TRANSFERS**

BE IT RESOLVED, that the following transfers be made in the 2021 budget:

From:	To:	Amount:
A1430.54011 Consultants	A1430.51615 Exam Monitor	\$ 40.13
A1430.54011 Consultants	A1430.51961 35-40 Hours	\$ 46.40

And be it further

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

**Resolution No. 344-21**  
**Motioned By: Holgate**

**Date: September 13, 2021**  
**Seconded by:**

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**ACCEPT AND APPROPRIATE GTSC STATE AID  
(SHERIFF)**

WHEREAS, the Office of Sheriff is to receive a Child Passenger Safety Incentive Grant from the New York State Governor's Traffic Safety Committee (GTSC) for the NYS fiscal year 2021/2022; and

WHEREAS, these funds are not part of the 2021 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased;

Revenue: A3110.43334	CPS 2022	\$ 1,200.00
Appropriation: A3110.54953	CPS 2022	\$ 1,200.00

And be it further

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

**Resolution No. 345-21**  
**Motioned By: Holgate**

**Date: September 13, 2021**  
**Seconded by:**

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**ACCEPT AND APPROPRIATE GTSC STATE AID  
(SHERIFF)**

WHEREAS, the Office of Sheriff is to receive a Police Traffic Services grant from New York State Governor's Traffic Safety Committee (GTSC) for the NYS fiscal year 2021/2022; and

WHEREAS, these funds are not part of the 2021 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased;

Revenue: A3110.43333	PTS 2022	\$ 4,600.00
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Appropriation A3110.51938 PTS OT 2022

\$ 4,600.00

And be it further

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

**Resolution No. 346-21**

**Date: September 13, 2021**

**Motioned By: Holgate**

**Seconded by:**

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**ACCEPT AND APPROPRIATE CYBER SECURITY GRANT  
(INFORMATION TECHNOLOGY)**

WHEREAS, the Information Technology Department is to receive a \$50,000 grant under the Cyber Security Grant Program; and

WHEREAS, these funds are not part of the 2021 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased;

Revenue: A1680.43089 Other \$ 50,000.00

Appropriation A1680.54571 Computer Software \$ 50,000.00

And be it further

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

**Resolution No. 347-21**

**Date: September 13, 2021**

**Motioned By: Holgate**

**Seconded by:**

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**ACCEPT AND APPROPRIATE ADDITIONAL STATE AID  
(DEPARTMENT OF SOCIAL SERVICES)**

WHEREAS, the Department of Social Services has been awarded additional revenue from Grants Gateway in the amount of \$20,000 for the emergency rental assistance program;

WHEREAS, these funds are not part of the 2021 budget;

NOW THEREFORE, BE IT RESOLVED, that the following accounts be increased;

Revenue:  
A6010.44610 Social Services Admin \$ 20,000.00

Appropriation  
A6010.54027 Miscellaneous \$ 20,000.00

And be it further

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

**Resolution No. 348-21**  
**Motioned By: Holgate**

**Date: September 13, 2021**  
**Seconded by:**

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**AUTHORIZE CHAIRMAN TO SIGN CONTRACT  
(Systems Development Group, Inc.)**

WHEREAS, Yates County Real Property Tax Services Department uses the Image Mate Online system;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the Annual Software Support Plan with Systems Development Group, Inc. (SDG) in the amount of \$7,500.00, for a plan effective Nov. 1, 2021 through Oct. 31, 2022, for support, modifications, and upgrades of the installed Image Mate Online software system; and be it further

RESOLVED, that copies of this resolution be given to the County Administrator, the Treasurer, and the Real Property Tax Services Director.

**Resolution No. 349-21**  
**Motioned By: Holgate**

**Date: September 13, 2021**  
**Seconded by:**

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**AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING WITH THE  
TOWN OF MIDDLESEX AND THE VILLAGE OF DUNDEE FOR PLACEMENT OF  
EQUIPMENT SHELTERS**

WHEREAS, Yates County is currently undertaking the design and construction of a fiber optic broadband network (hereinafter referred to as the “project”); and

WHEREAS, the project requires equipment shelters to be placed in various locations as determined by the project engineers and agreed to by the municipalities in which they are to be located; and

WHEREAS, it has been determined that two equipment shelters are to be located at 5565 Water Street, Middlesex, NY and 25 Spring Street, Dundee, NY respectively;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of County Attorney the Chairman is authorized to sign an MOU with the Town of Middlesex and the Village of Dundee with the understanding that the insurance requirements are waived; and be it further

RESOLVED, that copies of this resolution be given to the Town of Middlesex, the Village of Dundee and the County Planner.

**Resolution No. 350-21**  
**Motioned By: Holgate**

**Date: September 13, 2021**  
**Seconded by:**

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**ENTER INTO A POLE ATTACHMENT AGREEMENT WITH FRONTIER  
COMMUNICATIONS**

WHEREAS, the County of Yates (hereinafter referred to as the “County”) wishes to license for its own use, the right to attach and maintain its telecommunications cables, equipment, facilities and attachments with necessary guys and appurtenances on poles owned by Frontier Communications (hereinafter referred to as “Frontier”); and

WHEREAS, Frontier is willing to permit, to the extent it may lawfully do so, the placement of said cables, equipment, facilities and attachments on Frontier poles; and

WHEREAS, to this end, Frontier requires the County to enter into a Pole Attachment Agreement with it, concerning the licensing of the use of Frontier poles by the County for the purposes set forth above;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to execute on behalf of Yates County a Pole Attachment Agreement with Frontier concerning the County's right, by way of license, to attach and maintain its telecommunications cables, equipment, facilities and attachments with necessary guys and appurtenances on poles owned by Frontier; and be it further

RESOLVED, that copies of this resolution be provided to the Yates County Administrator, Yates County Planner and Frontier Communications.

**Resolution No. 351-21**

**Date: September 13, 2021**

**Motioned By: Holgate**

**Seconded by:**

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**ENTER INTO A POLE ATTACHMENT AGREEMENT WITH THE VILLAGE OF PENN  
YAN**

WHEREAS, the County of Yates (hereinafter referred to as the "County") wishes to license for its own use, the right to attach and maintain its telecommunications cables, equipment, facilities and attachments with necessary guys and appurtenances on poles owned by the Village of Penn Yan (hereinafter referred to as "Village"); and

WHEREAS, the Village is willing to permit, to the extent it may lawfully do so, the placement of said cables, equipment, facilities and attachments on Village poles; and

WHEREAS, to this end, the Village requires the County to enter into a Pole Attachment Agreement with it, concerning the licensing of the use of Village poles by the County for the purposes set forth above;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to execute on behalf of Yates County a Pole Attachment Agreement with the Village concerning the County's right, by way of license, to attach and maintain its telecommunications cables, equipment, facilities and attachments with necessary guys and appurtenances on poles owned by the Village; and be it further

RESOLVED, that copies of this resolution be provided to the Yates County Administrator, Yates County Planner, the Grant Specialist and the Village of Penn Yan.

**Resolution No. 352-21**

**Date: September 13, 2021**

**Motioned By: Banach**

**Seconded by:**

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**ADOPT LOCAL LAW 2-21 ENTITLED BANNING THE POSSESSION OF FIREARMS AND  
DANGEROUS WEAPONS IN BUILDINGS OWNED, LEASED OR OPERATED BY THE  
COUNTY OF YATES**

WHEREAS, proposed Local Law 2-2021 entitled Banning The Possession Of Firearms And Dangerous Weapons In Buildings Owned, Leased Or Operated By The County Of Yates was introduced at the August 9, 2021 Legislative meeting; and

WHEREAS, a public hearing was duly held on September 13, 2021;

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law 2-21 entitled Banning The Possession Of Firearms And Dangerous Weapons In Buildings Owned, Leased Or Operated By The County Of Yates is hereby adopted; and be it further

RESOLVED, that a copy of this resolution be given to the County Attorney, the New York State Department of Environmental Conservation and the New York State Department of State.

**Be it enacted by the Legislature of the**

**County**

~~City~~ of Yates as follows:

~~Town~~

~~Village~~

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

### **Section 1. LEGISLATIVE INTENT**

In order to insure essential government functions without fear, threat, intimidation, or harm to any person or function therein, the County of Yates, through its Legislature in its proprietary capacity, declares that it is necessary for the security, safety, protection and well-being of its employees, its property, and any individuals present thereupon, to place restrictions on the bearing and possession of firearms and other dangerous weapons and instruments by individuals entering into and being present in buildings owned, leased or operated by the County of Yates.

### **Section 2. PROHIBITION**

This local law prohibits any individual from bearing or having in his or her possession, either openly or concealed, any firearm, gun, explosive device or substance, electronic stun device (Taser), lethal or debilitating chemical or gas, or any dangerous or deadly weapon or instrument of any description; including but not limited to, a handgun, pistol, target pistol, revolver, rifle, shotgun, dangerous knife, dagger, dirk, razor, stiletto, taser, or imitation firearm or weapon, while entering into or while being present in any building owned, leased, or operated by the County of Yates.

### **Section 3. EXEMPTION**

This local law shall not apply to any authorized peace officer or police officer, as defined in the New York State Criminal Procedure Law, or any other official employed by local, county, state or federal government who is duly exempted by the Yates County Sheriff.

### **Section 4. PENALTY**

A violation of any of the provisions of this local law shall constitute an offense, punishable by a fine not exceeding five hundred dollars (\$500) and/or a term of imprisonment in the Yates County Jail not to exceed three (3) months.

### **Section 5. SEVERABILITY**

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

### **Section 6. EFFECTIVE DATE**

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