YATES COUNTY LEGISLATIVE AGENDA
October 11, 2022 at 1:00 pm

Zoom information:

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+16469313860,,84188826123# US
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Or join by phone:
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US: +1 646 931 3860 or +1 646 558 8656

- Call to Order & the Pledge of Allegiance
- Approve Minutes from the September 6th, September 12th, & October 4th Meeting
- Approve Audit
- Committee Reports
- Public Comment

RESOLUTION

Willson 385-22 Recognize Domestic Violence Awareness Month-October
386-22 Authorize Sheriff to Purchase Firearms Signage

Bronson 387-22 Authorize Employee Retention Bonus Payment
388-22 Approving Memoranda of Understanding with: Yates County Unit, County Local 862 of the Civil Service Employees Association, Inc., Local 1000, American Federation of State, County and Municipal Employees-AFL-CIO; Council 82 Corrections and other Employees Unit, Local 086; Council 82 Emergency Communications Unit, Local 9010; and Council 82 Deputy Sheriffs Unit Authorizing Discretionary Retention Bonus Payment
389-22 Amend Yates County Administrative Guide (Yates County Administrative Guide)
390-22 Adopt Abuse and Molestation Policy
391-22 Adopt FY 2023 Workers’ Compensation Budget
392-22 Reappoint Democratic Election Commissioner (Brechko)
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<td>Authorize County Clerk to Create and Fill Motor Vehicle Supervisor Position</td>
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<td>Amend Resolution No. 244-22 Authorize 2022 Yates County Youth Bureau Contracts</td>
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<td>417-22</td>
<td>Enter into a Master Services Agreement for Make Ready Construction for the ReConnect Project with One Source Power, LLC</td>
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418-22  Reappoint Members to the Yates County Planning Board
        (Steven Fulkerson, Town of Starkey) (Caryl Sutterby, Village of Dundee) (Jamie Landcastle, At-Large)

419-22  Authorize the Chairwoman to Sign an Agreement with Genesee/Finger Lakes Regional Planning Council for the Development of a Local Solid Waste Management Plan

420-22  Authorize Chair to Enter into a Contract Amendment with Longs’ Cards and Books, Inc. Concerning the Provision of General Office Supplies

Executive Session if needed
WHEREAS, Domestic Violence remains one of society’s challenges as a crime often not reported that has significant impact on victims, their children, and families – including physical, emotional, financial, social, and spiritual implications so in nationally recognizing October as Domestic Violence Awareness Month, it promotes a time for the community to build awareness toward safe and healthy relationships for all individuals. First recognized in October 1987 makes 34th year anniversary where we know that domestic violence is not merely a "private issue" that only affects a single person or family. Domestic violence affects our entire community. Everyone has the responsibility to prevent domestic violence and build a healthy, safe community; and

WHEREAS, Domestic violence poisons relationships, destroys lives, and shatters families. Homes should be places of comfort and stability where love and mutual respect thrive. Domestic violence erodes this environment, leaving many Americans in potentially life-threatening situations. We must resolve to have zero tolerance for acts of domestic violence. During National Domestic Violence Awareness Month, we reaffirm our steadfast commitment to empowering survivors and ending this destructive abuse; and

WHEREAS, Domestic violence affects Americans regardless of income, race, gender, or socioeconomic status. Still, women make up a disproportionately higher number of victims of domestic violence, with nearly half of female homicide victims killed by a current or former male partner. Each of us has a duty to speak out against these crimes and to make every effort to prevent such tragedies from occurring. We must ensure those who have suffered at the hands of abusers receive needed care and support, and we can protect potential victims from future abuse; and

WHEREAS, Domestic violence violates a person’s dignity, safety, and basic human rights, and knowing the Offices of District Attorney and Sheriff support services that assist victims of domestic violence, including District Attorney’s and Sheriffs’ Victims Assistance program advocating for victims and assisting victims in their court appearances, legal rights, psychological, personal safety and family needs while additionally the Sheriff has VineLink.Com and Victims Hotline providing automated information (1-800-VINE-4-NY) about an offenders incarceration (jail) status to registered victims to help then find a greater sense of safety, and SAVIN the NYS Sheriffs ‘order of protection notification program, as well as advocating the National Domestic Violence Hotline at 1-800-799-SAFE and locally having a victims advocate available;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature proclaims October 2022 as Domestic Violence Awareness Month in Yates County together with the wearing of purple ribbons and recognizing the theme “Every 1 Knows Some 1,” which brings awareness to the issue, and supports, recognizes, and trust in the efforts of law enforcement,
public health and social services providers to hold offenders accountable, protect victims of crime and their communities, and prevent future violence; and be it further

RESOLVED, that by showing an ongoing commitment to and support for victims of domestic violence we recognize the efforts of the office of District Attorney, the Sheriff, and especially Safe Harbors of the Finger Lakes (SHFL), the Child Advocacy Center of the Finger Lakes (CACFL), as well as other entities in our regional community in ensuring advocates and supportive services are available to victims; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff, District Attorney, SHFL, and CACFL.

Resolution No. 386-22

Date: 10/11/22

Motioned By: Willson

Seconded By: 

AUTHORIZE SHERIFF TO PURCHASE FIREARMS SIGNAGE

BE IT RESOLVED, that the Yates County Sheriff is authorized to provide legal concealed carry signs available to businesses, etc. pursuant to new NYS firearms legislation; and be it further

RESOLVED, that the cost shall not expend more than $200 and receive any monetary donations as revenue; and be it further

RESOLVED, a copy of this resolution to be provided to the Sheriff and Fiscal Manager.

Resolution No. 387-22

Date: 10/11/22

Motioned By: Bronson

Seconded By: 

AUTHORIZING EMPLOYEE RETENTION BONUS PAYMENTS

WHEREAS, due to the COVID-19 pandemic and other recent developments, Yates County (“County”) is facing unprecedented challenges regarding recruitment and retention of employees; and

WHEREAS, the County has considered means and methods of encouraging and promoting the retention of current County employees including discretionary bonuses to employees; and

WHEREAS, the Yates County Unit, Yates County Local 862 of the Civil Service Employees Association, Inc., Local 1000, American Federation of State, County and Municipal Employees – AFL-CIO, Council 82 Corrections and Other Employees Unit, Local 086, Council 82 Emergency Communications Unit, Local 9010, and Council 82 Deputy Sheriffs Unit (“Union”) have entered into agreements with the County to permit this Legislature to provide discretionary bonus payments to their unit members; and

WHEREAS, the County has determined that it is necessary and in the best interests of the County and its citizens to authorize certain bonus payments to employees for the purpose of improving employee retention to ensure the proper and timely delivery of essential government services;
NOW, THEREFORE, BE IT RESOLVED, that this County Legislature hereby authorizes the payment of employee retention bonuses to employees; and be it further

RESOLVED, that a retention bonus of twelve hundred dollars ($1,200.00) shall be paid on or about October 14, 2022 to each full-time, permanent employee who is on the active payroll as of that date, excluding elected officials; and be it further

RESOLVED, that a retention bonus of six hundred dollars ($600.00) shall be paid on or about October 14, 2022 to each part-time, permanent employee who is on the active payroll as of that date, excluding elected officials; and be it further

RESOLVED, that copies of this resolution shall be given to the Union presidents, Personnel Officer, County Administrator, Director of Finance, and Treasurer.

Resolution No. 388-22  Date: 10/11/22
Motioned By: Bronson  Seconded By: 

APPROVING MEMORANDA OF UNDERSTANDING WITH:

YATES COUNTY UNIT, COUNTY LOCAL 862
OF THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., LOCAL 1000, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES – AFL-CIO;

COUNCIL 82 CORRECTIONS AND OTHER EMPLOYEES UNIT, LOCAL 086;

COUNCIL 82 EMERGENCY COMMUNICATIONS UNIT, LOCAL 9010; AND

COUNCIL 82 DEPUTY SHERIFFS UNIT

AUTHORIZING DISCRETIONARY RETENTION BONUS PAYMENTS

WHEREAS, due to the COVID-19 pandemic and other recent developments, Yates County (“County”) is facing unprecedented challenges regarding recruitment and retention of employees; and

WHEREAS, the County is considering means and methods of encouraging and promoting the retention of current County employees which may include discretionary bonuses to employees; and

WHEREAS, the County has approached the Yates County Unit, Yates County Local 862 of the Civil Service Employees Association, Inc., Local 1000, American Federation of State, County and Municipal Employees – AFL-CIO, Council 82 Corrections and Other Employees Unit, Local 086, Council 82 Emergency Communications Unit, Local 9010, and Council 82 Deputy Sheriffs Unit (“Unions”) to seek authorization to provide such discretionary bonuses to employees, should the County’s Legislature choose to do so; and

WHEREAS, the Unions are amenable to such bonuses;
NOW, THEREFORE, BE IT RESOLVED, that this County Legislature hereby approves the proposed memoranda of agreement with the Unions to allow the Legislature to provide discretionary bonus payments to employees, in its sole discretion, should the Legislature choose to do so; and be it further

RESOLVED, that the Chairwoman of the County Legislature and the County Administrator are hereby authorized to execute said Memoranda of Understanding on behalf of the County; and be it further

RESOLVED, that copies of this resolution be given to the Union presidents, Personnel Officer, County Administrator, Director of Finance, and Treasurer.

Resolution No. 389-22
Motioned By: Bronson
Date: 10/11/22
Seconded By:

AMEND YATES COUNTY ADMINISTRATIVE GUIDE
(Yates County Administrative Guide)

WHEREAS, the Administrative Guide is in need of modification;

NOW, THEREFORE, BE IT RESOLVED, that effective October 11, 2022 that sub-section 301 titled “Vacancy Review Policy” be retitled as “Vacancy/Position Review Policy” and the remainder of the policy be updated as follows:

301 Vacancy/Position Review Policy

1. Statement of Purpose – In an effort to create cost reduction efficiencies and sustain current levels of services within available resources, the County has adopted the Vacancy/Position Review Policy and Procedure.

2. Applicability – This policy applies to all budgeted full-time and part-time positions as the result of one (1) of the following reasons:

   A. A position is vacant at the time of the request and/or a vacancy is pending as a result of a resignation, retirement, termination, etc.

   B. A Department Head/Supervising Authority is requesting to establish a new or additional position

   C. The exception being part-time positions where there are two (2) or more employees classified under the same title and who are listed in the budget under the same personnel services account number (refer to Section 3).

3. Vacancy Review Procedure –

   A. The Department Head/Supervising Authority requesting to fill a position will notify the Personnel Officer and request that he/she prepare the associated resolution to accompany the Vacancy/Position Review Form. The Personnel Officer, in collaboration with the Department Head/Supervising Authority, will then create and submit the applicable resolution to the Clerk to the Legislature as an agenda item for the Committee of Jurisdiction to review.

   B. The Department Head/Supervising Authority will complete the Vacancy/Position Review Form and submit it to the Clerk to the Legislature as an agenda item for his/her Committee of Jurisdiction to review.
The Committee of Jurisdiction will review the Vacancy/Position Review Form and the resolution. If the Department Head/Supervising Authority receives approval, the resolution will go before the entire Legislature for consideration:

a. If the Legislature disapproves the resolution, no further action is taken; OR
b. If the Legislature approves the resolution, the supervising authority can act accordingly based on the effective date stated within the resolution.

3. Reoccurring Vacancy –
   
   A. In the event a position were to become vacant within six (6) months of the initial Legislative approval to fill the vacancy, the Department Head/Supervising Authority may fill the vacancy without obtaining further approval from the Legislature. For example, if a position becomes vacant and the Legislature has given approval to refill it, but for some reason within six (6) months, that same position becomes vacant again, the Department Head/Supervising Authority may refill the position without doing another vacancy review.
   
   B. The same authorization given by the Legislature for the initial vacancy also applies to additional vacancies with the same job title within the specified time frame not to exceed six (6) months.
   
   C. In the event part-time position(s) where there are two (2) or more employees classified under the same title and who are listed in the budget under the same personnel services account number becomes vacant, the Department Head/Supervising Authority has Legislative approval to refill ongoing vacancies without obtaining further approval from the Legislature.

4. Benchmarking – Benchmarking has been removed from the vacancy/position review policy and procedure. The intent is for a Department Head/Supervising Authority to benchmark with other counties at other times rather than only during the vacancy/position review process.

5. Related Document – [Vacancy/Position Review Form]
   
   And be it further

   RESOLVED, that the revised Administrative Guide be made available to Department Heads and designees by means of the Intranet; and be it further

   RESOLVED, that a copy of this resolution be forwarded to all Yates County Department Heads.
**Vacancy/Position Authorization Form**

**DEPARTMENT NAME**

**Enter Job Title (Required)**

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**Budget**

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<td>Requested Base Salary:</td>
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<td>Federal or Local Funds: 0 %</td>
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<td>Maximum Fringe Benefits:</td>
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<td>Position Currently Budgeted For:</td>
<td>&gt;&gt;&gt;Select One&lt;&lt;</td>
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**Total County Cost: $ 0.00**

**Detailed Justification**

*What is the impact on your department if this position is not filled? Please provide, in detail, the need to fill the position. Please include the service provided, if it is mandated, number of people (clients) affected, and what you will do if the position is not filled.*

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ADOPT ABUSE AND MOLESTATION POLICY

WHEREAS, the Personnel Officer has recommended for adoption and implementation the included Abuse and Molestation Policy; and

NOW, THEREFORE BE IT RESOLVED, that effective October 11, 2022 the Abuse and Molestation Policy is hereby adopted and shall be added to the Yates County Employee Handbook, and be it further

RESOLVED, that a copy of this resolution be forwarded to the County Administrator and all Department Heads.
Yates County
Abuse and Molestation Policy

Revision Record

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<th>Date</th>
<th>Paragraph(s)</th>
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<td>October 11, 2022</td>
<td>All</td>
<td>Original issue.</td>
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# Yates County

## Abuse and Molestation Policy

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100 INTRODUCTION

101 Definitions

For purposes of this policy, the following terms shall be defined as indicated. The definition provided for each of these terms applies only within the context of this policy.

1. **Abuse** — Any action that intentionally harms or injures another person.

2. **Bullying** — A persistent pattern of mistreatment and/or manipulation that causes physical and/or emotional harm, and may involve an imbalance of power or strength. Bullying can take on various forms, including physical, verbal, nonverbal or relational bullying or cyberbullying.

3. **Client** — An individual, family, group of persons, incorporated body, association or community on whose behalf the County provides or agrees to provide a service or to whom the County is legally obligated to provide a service.

4. **Cyberbullying** — The intentional and overt act of mistreatment of another person by way of any technological tool, such as email, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve but is not limited to, sending mean, vulgar, or threatening messages or images, posting sensitive, private information or images about another person, pretending to be someone else in order to make that person look bad.

5. **Emotional Abuse** — Non-physical behavior that belittles another person and can include insults, put downs, verbal threats, or other tactics that make the victim feel threatened, inferior, ashamed, or degraded.

6. **Employee** — A person employed by the County, including, but not limited to, elected officials, appointed officials, appointed members of a board or commission, municipal officers, Department Heads, managerial employees, confidential employees, Supervising Authority employees, provisional employees, probationary employees, temporary employees, seasonal employees, trainees, volunteers and student interns, excluding employees of the Sheriff’s Office.

7. **Foster Parent** — An adult, that is not an employee, who is licensed by the state or county to provide a temporary home for children whose birth parents are unable to care for them. The services provided may be with or without compensation, and can often continue for several months or even years, depending on the circumstances of the child and the foster parents.

8. **Hazing** — An activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers that person regardless of that person’s willingness to participate.

9. **Mandated Reporter** — An individual who holds a professional position (such as a social worker, physician, teacher, or counselor) that requires him/her to report to the appropriate state agency cases of child abuse that he/she has reasonable cause to suspect.

10. **Neglect** — The failure to provide for a client’s basic needs where the employee has a duty to provide for such needs, or the failure to protect a client from harm in a situation where the employee has a duty to the client and is aware of the withholding
of basic care from the client by another who has the duty to provide such care (e.g., someone is withholding food, water, shelter).

11. **Nonverbal or Relational Bullying** – The act of manipulating a relationship or desired relationship to harm another person. This includes friendship manipulation, or gossip. This type of bullying also includes intimidating another person by using gestures.

12. **Physical Abuse** – An injury that is intentionally inflicted upon another person (e.g., hitting, spanking, shaking, slapping, unnecessary restraints).

13. **Physical Bullying** – The act of engaging in physical force against another person, such as by hitting, punching, pushing, kicking, pinching, or restraining another.

14. **Sexual Abuse** – Any non-consensual and/or coerced contact of a sexual nature. This includes any activity which is meant to arouse or gratify the sexual desires of the adult or the other client (i.e. inappropriate touching, exposing oneself, having sexually oriented conversations).

15. **Sexualized Bullying** – When bullying involves behaviors that are sexual in nature and non-consensual and/or coerced. Examples of sexualized bullying behaviors include non-consensual and/or coerced sexting, bullying that involves exposures of private body parts, and verbal bullying involving sexualized language or innuendos.

16. **Verbal Abuse** – A type of psychological/mental abuse that involves the use of oral, and written language directed to a client (e.g., degrading, threatening, and cursing).

17. **Verbal Bullying** – The act of using words to hurt another individual, by, for example, belittling or calling another derogatory names.

18. **Yates County** – May be referred to as the “County”. For the purposes of this policy “County” may also be referring to an individual department or multiple departments within the County infrastructure.

### 102 The Purpose of the Abuse and Molestation Policy

1. **Statement of Purpose** – The purpose of this policy is to assist Employees and foster parents in understanding the types of conduct with clients that are inappropriate so they may be avoided, and to recognize situations of inappropriate conduct by others toward clients that may necessitate intervention.

2. **Policy Statement** –
   
   A. Yates County provides clients with the highest quality services available. We are committed to creating an environment that is safe, nurturing, empowering, and that promotes growth and success for clients.
   
   B. No form of abuse will be tolerated. All reports of suspicious or inappropriate behavior with clients or allegations of abuse will be taken seriously. The County will fully cooperate with law enforcement and other governmental authorities that respond to and/or investigate abuse/neglect allegations.

3. **Individual Departmental Procedures (Public Health, Social Services, Veteran Services, etc.)** – For the purposes of some of the policies stated herein, individual County Departments shall have the authority to promulgate their own procedures to maintain compliance with various New York State and federal requirements that are
department specific so long as such procedures provide at least the level of client protection provided by this policy in which case that department’s procedures will supersede this policy to the extent the policies and procedures are inconsistent.

4. **Sheriff’s Office** – The Sheriff’s Office has existing policies which, taken together, contain standards that are comparable to or exceed those set forth in this policy. Consequently, the Sheriff’s Office and its employees are not subject to this policy.

5. **Questions** – For clarification of any guideline, or to inquire about behaviors not addressed here, contact your Department Head/Supervising Authority.

### 103 Changes or Modifications

1. **Rights of the County Legislature** – The County Legislature reserves the right to interpret, change, modify, or eliminate any provision contained in this policy at any time.

2. **Statutes, Laws and Ordinances** – In the event a federal or state statute or a County Law or ordinance should conflict with any provision contained in this policy, then such statute, law or ordinance will prevail.

### 200 CODE OF CONDUCT WITH CLIENTS

#### 201 Code of Conduct with Clients

1. **Policy Statement (Code)** – Every employee of Yates County, and/or Foster Parent under Yates County’s jurisdiction shall be subject to, and abide by, the following standards of conduct:

   A. Clients will be treated with respect at all times
   B. Clients will be treated fairly regardless of race, color, national origin, citizenship status, sex (including pregnancy, childbirth, and related medical conditions), disability, sexual orientation, gender identification, age, religion, genetic information, genetic characteristics, marital status, familial status, sexual orientation, gender identity, gender expression, military status or service, domestic violence victim status, and any other protected classifications
   C. Employees and foster parents will adhere to uniform standards of displaying affection as outlined by departmental policies
   D. Employees and foster parents will avoid physical displays of affection with clients that are prohibited by this policy
   E. Employees and foster parents will adhere to uniform standards of appropriate and inappropriate verbal interactions as outlined by the County
   F. Employees and foster parents will not stare at or comment on clients’ bodies
   G. Employees and foster parents will not date or become romantically involved with clients working directly with the department/office he/she works in
   H. Employees and foster parents will not use or be under the influence of alcohol or illegal drugs in the presence of clients while performing their job duties
   I. Employees will not have sexually oriented materials, including printed or online pornography, on County property unless possessed in connection with the proper performance of their County job duties
   J. Employees and foster parents may not assure or promise a client that information regarding the client or the client’s case will not be disclosed to the County
K. Employees and foster parents will comply with County policies regarding interactions with clients outside of County services/programs.

L. Employees and foster parents will not engage in electronic communication with clients that are personal in nature (i.e., not related to the employee’s County work) and/or in violation of this policy.

M. Employees are prohibited from working one-on-one with clients in a private setting. Employees will use common areas when working with individual clients.

N. Employees and foster parents will not abuse clients in anyway, including but not limited to the following:
   a. Emotional / Mental Abuse
   b. Neglect
   c. Physical Abuse
   d. Sexual Abuse
   e. Verbal Abuse

O. The County will not knowingly tolerate the mistreatment or abuse of one client by another client. In addition, the County will not knowingly tolerate any behavior between clients that is classified under the definition of bullying and, to the extent that such actions are disruptive, the policy will be enforced to address such behavior.

P. Employees and foster parents shall follow applicable state mandatory reporting requirements.

Q. Employees shall report suspected violations of this policy to their Department Head/Supervising Authority or, if that is not practical, to the County Administrator or Chair of the Legislature.

R. In accordance with the Garrity Rule, employees shall cooperate to the fullest extent possible in any investigation.

300 ABUSE AND MOLESTATION PREVENTION POLICIES

301 Physical Contact

1. Policy Statement – It is the policy of the County to promote a positive, nurturing environment while protecting clients, employees and foster parents. The County prohibits inappropriate physical contact with clients. Any inappropriate physical contact by an employee or foster parent towards a client in one of the County programs will result in disciplinary action, up to and including termination of employment.

2. Appropriate vs Inappropriate Physical Interactions – The following table depicts the County’s policy for appropriate and inappropriate physical interactions.

<table>
<thead>
<tr>
<th>Appropriate Physical Interactions</th>
<th>Inappropriate Physical Interactions</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Pats on the shoulder or back</td>
<td>A. Full-frontal hugs</td>
</tr>
<tr>
<td>B. Handshakes</td>
<td>B. Kisses</td>
</tr>
<tr>
<td>C. High-fives and hand slapping</td>
<td>C. Showing affection in isolated area</td>
</tr>
<tr>
<td>D. Pats on the head when culturally appropriate</td>
<td>D. Lap sitting</td>
</tr>
<tr>
<td>E. Holding hands (with young children in escorting situations).</td>
<td>E. Wrestling</td>
</tr>
<tr>
<td></td>
<td>F. Piggyback rides</td>
</tr>
<tr>
<td></td>
<td>G. Tickling</td>
</tr>
<tr>
<td></td>
<td>H. Allowing a client to cling to an employee’s leg</td>
</tr>
<tr>
<td></td>
<td>I. Any type of massage given by or to a client</td>
</tr>
<tr>
<td></td>
<td>J. Any form of physical contact that the client says is unwelcome</td>
</tr>
</tbody>
</table>
302 Verbal Interaction

1. **Policy Statement** – It is the policy of the County that employees and foster parents are prohibited from speaking to clients in a way that is, or could reasonably be construed by any observer, as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Employees and foster parents must not initiate sexually oriented conversations with clients or discuss their own sexual activities with clients.

2. **Appropriate vs Inappropriate Verbal Interactions** – The following table depicts the County’s policy for appropriate and inappropriate verbal interactions.

<table>
<thead>
<tr>
<th>Appropriate Verbal Interactions</th>
<th>Inappropriate Verbal Interactions</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Positive reinforcement</td>
<td>A. Name-calling</td>
</tr>
<tr>
<td>B. Appropriate jokes</td>
<td>B. Discussing sexual encounters or in any way involving clients in the personal problems or issues of employees and foster parents</td>
</tr>
<tr>
<td>C. Encouragement</td>
<td>C. Secrets</td>
</tr>
<tr>
<td>D. Praise</td>
<td>D. Cursing</td>
</tr>
<tr>
<td></td>
<td>E. Off-color or sexual jokes</td>
</tr>
<tr>
<td></td>
<td>F. Shaming</td>
</tr>
<tr>
<td></td>
<td>G. Belittling</td>
</tr>
<tr>
<td></td>
<td>H. Derogatory remarks</td>
</tr>
<tr>
<td></td>
<td>I. Harsh language that may frighten, threaten or humiliate clients</td>
</tr>
<tr>
<td></td>
<td>J. Derogatory remarks about the client or his/her family</td>
</tr>
</tbody>
</table>

303 One-on-One Interaction

1. **Policy Statement** – It is the policy of the County to eliminate or reduce situations when an adult is alone with a client and prohibit private one-on-one interactions unless approved in advance by the Department Head/Supervising Authority.

2. **Approved One-on-One Interactions** – In those situations where one-on-one interactions are approved, employees should, when possible, observe the following additional guidelines to manage the risk of abuse or false allegations of abuse:

   A. One-on-one meetings with a client shall be conducted in a location where the employee is in full view of others as long as confidentiality can be maintained
   B. Avoid physical affection that can be reasonably misinterpreted
   C. If meeting in a room or office, leave the door open or move to an area that can be easily observed by others passing by
   D. Inform other employees that you are alone with a client and ask them to randomly drop in
   E. Document and immediately report any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they were handled, injuries, or any interactions that might be misinterpreted.
6. **Transports/Medical Exams/Visitation/At Home Visits** – The County provides services that involve one-on-one interactions where the aforementioned approved guidelines are not practical. Applicable services include but are not limited to, transports of Veterans to and from medical appointments, medical exams conducted by nursing staff, Social Services visitation appointments and Foster Care. Employees shall follow the following guidelines:

   A. Employees must have prior approval from his/her Department Head/Supervising Authority
   B. Department Heads/Supervising Authorities and/or his/her designee shall keep a log/documentation of such interactions which shall include date, times, location, names of client and employees present.

### 304 Off-Site Contact

1. **Policy Statement** – It is the policy of the County to prohibit employee interactions off-site and outside of regularly scheduled program services with clients, unless approved by the Department Head/Supervising Authority.

2. **Unavoidable Interactions** – Although the County strives to prohibit employee interactions off-site and outside standard operating dates, times and locations, there are instances where such interaction may be unavoidable and/or allowable due to certain circumstances.

   A. For instances when off-site contacts are unavoidable and/or allowed, the County has determined that the following forms of outside contact are appropriate and inappropriate:

<table>
<thead>
<tr>
<th>Appropriate Outside Contact</th>
<th>Inappropriate Outside Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Taking groups of clients on a pre-approved outing</td>
<td>A. Taking one (1) client on an outing without the parents'/guardians' written permission</td>
</tr>
<tr>
<td>B. Attending sporting activities with groups of clients</td>
<td>B. Visiting one (1) client in the client's home, without a parent/guardian present</td>
</tr>
<tr>
<td>C. Attending functions at a client's home, with parents/guardians present.</td>
<td>C. Entertaining one (1) client in the home of an employee</td>
</tr>
<tr>
<td>D. A lone client spending the night with an employee.</td>
<td></td>
</tr>
</tbody>
</table>

   B. Department Heads/Supervising Authorities shall identify for employees what types of outside contact are appropriate and inappropriate.

   C. Prior to having planned off-site outside contact with a client who is a minor, employees shall get the parents'/guardians' permission to engage in outside contact with the client by having the appropriate individual complete a release-of-liability statement.

### 305 Electronic Communication

1. **Policy Statement** – It is the policy of the County that any private electronic communication between employees, foster parents and clients, including the use of social media networking websites like, Facebook, Instagram, Snapchat, instant messaging, texting, etc., is only permissible when an employee and/or foster parent receive prior approval from his/her Department Head/Supervising Authority and/or the client’s parent/guardian. The County reserves the right to request any record of correspondence, including but not limited to phone records, call logs, screenshots of conversations, etc.
2. **Appropriate vs Inappropriate Electronic Communication** – The following table depicts the County’s policy for appropriate and inappropriate electronic communication.

<table>
<thead>
<tr>
<th>Appropriate Electronic Communication</th>
<th>Inappropriate Electronic Communication</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Sending and replying to emails and text messages from clients ONLY when the employee has received approval to do so from his/her Department Head/Supervising Authority and the client's parent/guardian has provided written consent to such correspondence.</td>
<td>a. Harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning or humiliating comments.</td>
</tr>
<tr>
<td>b. Communicating through Facebook or other approved public forums ONLY when the employee has received approval to do so from his/her Department Head/Supervising Authority and the client's parent/guardian has provided written consent to such correspondence.</td>
<td>b. Sexually oriented conversations.</td>
</tr>
<tr>
<td>c. &quot;Private&quot; profiles for employees and foster parents which clients cannot access.</td>
<td>c. Private messages between employees, foster parents and clients.</td>
</tr>
<tr>
<td>d. Posting pictures of County participants on social media sites.</td>
<td>d. Posting inappropriate comments on pictures.</td>
</tr>
<tr>
<td>e. Posting inappropriate comments on pictures.</td>
<td>f. &quot;Friending&quot; clients on social networking sites without proper approval.</td>
</tr>
</tbody>
</table>

2. **Cell Phone Use** – It is Yates County’s policy to have employees use cell phones as an effective communication tool to enhance communication and accessibility.

   **A. Usage of County Phones** – Cell phones acquired by the County are for official use. Personal use (both incoming and outgoing) of County telephones, including cell phones, should be limited to infrequent, incidental, and emergency use, unless otherwise authorized by the employees Department Head/Supervising Authority. County cell phones and all information regarding their use and/or information stored on such phones is the property of the County and may be viewed by appropriate County representatives at any time. Employees have no expectation of privacy regarding County cell phone usage including, but not limited to, calls, text messages, e-mails, etc., and data regarding use.

   **B. Personal Cell Phone / Electronic Device Usage** – Employees are permitted to carry personal cell phones during working hours. An employee may make personal telephone calls; however, such calls should be limited in duration and frequency and must not interfere with the performance of the employee’s job duties.

   a. While assigned to work with clients, employees are not permitted to use electronic communication devices except during approved breaks and emergency situations. Internet use, text messaging and/or emailing pictures while assigned to work with clients is strictly prohibited.

3. **Related Document** – [Employee Handbook §413 Cell Phone Policy](#)

306 **Gift Giving**

**Policy Statement** – It is the policy of the County that an employee is required to receive prior authorization from his/her Department Head/Supervising Authority and, in the case
of gifts to clients who are minors, the parent/guardian must be notified prior to an employee giving a gift to such a client.

400 TRAINING REQUIREMENTS

401 General Training Requirements

1. Policy Statement – Employees of Yates County may be required to take training courses at the time of hire and at periodic intervals to satisfy Yates County, NYS Office of Mental Health (OMH), NYS Department of Social Services, etc., requirements.

2. Training Requirements –
   A. Direct Contact with Clients – All Employees and foster parents who have access to clients shall participate in an Abuse Risk Management Training within the first thirty (30) days of hire/placement and on an annual ongoing basis.
   B. Appointing Authorities – Employees who are responsible for hiring new employees shall participate in a Screening and Selection Training prior to making his/her first hiring decision.
   C. Internal Investigators – Employees who are responsible for conducting internal investigations shall complete Incident Investigation Training prior to conducting his/her first investigation.

3. Related Documents –
   A. NYS Mandated Reporter Training
   B. Armatus Training Database

500 SCREENING AND MONITORING

501 Monitoring

1. Policy Statement – It is the policy of the County that each department that provides services to clients shall have the following monitoring security measures in place when appropriate and applicable:
   A. When anyone (clients, members, guests, residents, construction workers, etc.) enter the department during operational hours, they must check-in with the front desk employee
   B. A single point of entry and exit
   C. For departments with more than one (1) entrance or exit, ensure they are consistently monitored and/or have safety locking measures in place.

2. Related Document – Yates County Emergency Plans

502 Background Checks and Screening

1. Policy Statement –
   A. It is the policy of the County to perform pre-employment medical and related examinations, background checks and other investigations (also referred to as—pre-employment screening) for the purpose of authenticating the information provided by an applicant, verifying qualifications, and determining suitability for appointment.
It is also the policy of the County to perform ongoing background checks throughout the tenure of an employee, as appropriate. The County will determine which employees, based upon their employment positions and/or other legitimate business needs, will be subject to such background checks.

2. Related Documents –
   A. Background Check Policy Child Support Collection Unit
   B. Pre-Employment Background Checks and Screening
   C. Volunteer-Intern Background Check Policy and Procedure

600 RESPONDING

601 Response

1. **Policy Statement** – It is the policy of the County that there is zero tolerance for any type of abuse and it is imperative that every employee actively participate in protecting clients. In the event an employee observes any suspicious or inappropriate behaviors and/or policy violations, he/she is responsible to immediately report his/her observations to his/her Department Head/Supervising Authority or, if this is not practical, to the County Administrator or Chair of the Legislature.

2. **Responding to Suspicious/Inappropriate Behaviors/Policy Violations** –
   A. **Employee Response** – If an employee witnesses suspicious or inappropriate behaviors or policy violations by another employee, the employee is instructed to do the following:
      a. Interrupt the behavior, if it is safe to do so
      b. Make an immediate report to a law enforcement agency if the conduct appears to be criminal in nature and/or if any person is in imminent danger
      c. Report the behavior to his/her Department Head/Supervising Authority or, if this is not practical, to the County Administrator or Chair of the Legislature
      d. If you are not comfortable making the report directly, make it anonymously
      e. If the report is about a Department Head/Supervising Authority, contact the County Administrator, if the report is about the County Administrator, contact the Chairperson of the Legislature
      f. Document the report but do not conduct an investigation
      g. Keep reporting until the appropriate action is taken.

   B. **Department Head/Supervising Authority Response** – When a Department Head/Supervising Authority or County Administrator or Chair of the Legislature receives a report of suspicious or inappropriate behaviors or policy violations by an employee, he/she is instructed to do the following:
      a. Report to the next level of administration, if any, and determine the appropriate administrator to respond to the concern
      b. Determine the appropriate response based on the report
      c. Speak with the employee who has been reported, if appropriate, and as long as it does not jeopardize the integrity of an ongoing investigation
      d. When possible and appropriate, the County official who receives the report will consult with the report investigator before speaking with the accused employee
      e. Review the file of the employee to determine if similar complaints were reported
      f. Document the report on the appropriate form
      g. If at any point in gathering information about a report of suspicious or inappropriate behavior, a concern arises about possible abuse in a situation
that requires reporting to a state agency or other entity, make a report to the appropriate state or other entity

h. If appropriate and the report concerns the possible abuse or neglect of a minor client, notify parents and/or guardians

i. Advise the person who reported the behavior that the report is being taken seriously.

C. **Corrective Action**

   a. Increase monitoring or supervision of the employee
   
b. If policy violations with clients are confirmed, the employee shall be subject to disciplinary action up to and including termination and/or prosecution. Disciplinary action will take place in accordance with the Yates County Employee Handbook and/or the applicable Collective Bargaining Agreement.

3. **Responding to Suspected Abuse by an Adult**

   A. **Mandated Reporter**

      As required by mandated reporting laws, employees and foster parents must report any suspected abuse or neglect of a client whether on or off County property or whether perpetrated by an employee or someone else to state authorities and to law enforcement.

   B. Reports may be made confidentially or anonymously. An individual who mistakenly reports suspected abuse is immune from civil or criminal liability as long as the report was made in good faith and without malice.

   C. In addition to reporting to state authorities and law enforcement, employees are required to report any suspected or known abuse of clients perpetrated by another employee directly to his/her Department Head/Supervising Authority so that immediate and proper steps may be taken to ensure the safety of alleged victims and others who may be at risk.

   D. **Employee Response**

      a. Interrupt the behavior immediately, if it is safe to do so
      
b. If suspected and/or alleged abuse is disclosed to an employee, the individual disclosing the information shall be reassured that he/she was correct to disclose the information
      
c. Protect the alleged victim from intimidation, retribution, or further abuse
   
d. Immediately report the allegation or incident to the proper law enforcement authorities (based on mandatory reporting requirements)
   
e. Document the incident, disclosure, or any circumstances that lead to the suspicion of abuse. State only the facts
   
f. Report the incident to the Department Head/Supervising Authority in a timely manner
   
g. Check back to make sure appropriate steps were taken. If not, a second report shall be filed to the Department Head/Supervising Authority.

   E. **Department Head/Supervising Authority Response**

      When a Department Head/Supervising Authority or County Administrator or Chair of the Legislature receive notification of suspected abuse, he/she is instructed to do the following:

      a. First, determine if the client is still in danger and if so, take immediate steps to prevent any further harm.
      
b. Gather as much information about the allegation. For example, who made the report, who was allegedly abused, who was the alleged abuser, what was the nature of the alleged abuse, where and when did the alleged abuse occur, etc.
      
c. Accurately record everything in as much detail as possible. Stick to the facts.
      
d. Contact the appropriate law enforcement authorities as indicated by the mandatory reporting procedures. Document the case number that is
assigned and the name and contact information of the person with whom you speak at the reporting agency.

e. If the alleged abuse involves an employee, notify the crisis management team and follow the crisis management plan.

f. Suspend the accused employee until the investigation is completed.

4. Related Documents –

A. Yates County Collective Bargaining Agreements
B. Employee Handbook §304 Corrective Action and Discipline

700 EMPLOYEE ACKNOWLEDGEMENT FORM

Detach and place in employee’s personnel file.

YATES COUNTY

ABUSE AND MOLESTATION POLICY ACKNOWLEDGEMENT FORM

I hereby acknowledge that I have access to the Yates County Abuse and Molestation Policy via the Intranet. I further acknowledge that I have received, read, or will read the contents of the Policy and will contact my Department Head/Supervising Authority or the County Administrator if I have any questions.

I understand that, if I am covered by a collective bargaining agreement between Yates County and an employee organization as defined by the Public Employees and foster parents’ Fair Employment Act, in the event an expressed and explicit provision set forth in a collective bargaining agreement should conflict with this policy the expressed and explicit provision of the collective bargaining agreement will control.

Employee Name (please print) ________________________________
Department Head/Supervising Authority Name (please print) ________________________________

Employee Signature __________________________________________
Department Head/Supervising Authority Signature ________________________________

Date of Signature ____________________________________________
Date of Signature ____________________________________________
ADOPT FY 2023 WORKERS’ COMPENSATION BUDGET

WHEREAS, the Workers’ Compensation Committee, pursuant to Article 5 of the Workers’ Compensation Law, has submitted its proposed budget for the fiscal year beginning January 1, 2023, dated October 11, 2022; the budget shows the amount chargeable to the several municipalities participating in the Yates County Workers’ Compensation Self-Insurance Fund;

NOW, THEREFORE, BE IT RESOLVED, that said budget be and hereby is filed and approved; and be it further

RESOLVED, that the Yates County Director of Finance collect from each participating village and town the amount chargeable to each, as provided by law; and be it further

RESOLVED, that the sum of $336,748.04 be apportioned to the County of Yates as its share of said budget and be included in the County’s 2023 budget; and be it further

RESOLVED, that a copy of this resolution and the budget be given to each of the Town Clerks, Village Clerks, the Personnel Officer, County Administrator and the Director of Finance.
WORKERS’ COMPENSATION BUDGET
Fiscal Year - January 1, 2023 through December 31, 2023

TO THE HONORABLE, THE YATES COUNTY LEGISLATURE, NEW YORK

We, the undersigned members of the Workers’ Compensation Committee on Mutual Self Insurance, do hereby submit the following budget for the fiscal period of January 1, 2023 through December 31, 2023.

Appropriations:

Administration Charges

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultants</td>
<td>$0.00</td>
</tr>
<tr>
<td>Conferences</td>
<td>$0.00</td>
</tr>
<tr>
<td>Training</td>
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<td>General Administration</td>
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<td>TPA Contract</td>
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<td>NYS Workers’ Comp Board</td>
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<td>Insurance - Excess Workers’ Comp</td>
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<td>Physicals</td>
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<td>Public Goods Pool</td>
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<td>Copier Charges</td>
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<td>Postage</td>
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<tr>
<td>Mileage</td>
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<td>Travel Expenses</td>
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<tr>
<td>Utilities: Telephone/Fax</td>
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</tr>
<tr>
<td>Dues</td>
<td>$55.00</td>
</tr>
</tbody>
</table>

187,891.00

Benefits & Awards               ________________  502,706.00

Total                           ________________  690,597.00

WORKERS’ COMPENSATION APPORTIONMENT SCHEDULE

<table>
<thead>
<tr>
<th>MUNICIPITY</th>
<th>EXP SHARE</th>
<th>EQ SHARE</th>
<th>ADM SHARE</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>Barrington</td>
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<tr>
<td>Penn Yan</td>
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<td>9,663.97</td>
<td>7,228.18</td>
<td>94,681.98</td>
</tr>
</tbody>
</table>

$ 251,353.00 $ 251,353.00 $ 138,000.00 $ 690,706.00

Dated: ____________________________

Edward Bronson, Chair

Bonnie Percy, Vice Chair

Carrie Childs, Committee

Mark Morris, Committee

Richard Harper, Committee

Rick Williams, Committee
REAPPOINT DEMOCRATIC ELECTION COMMISSIONER
(Brechko)

WHEREAS, the Chair of the Yates County Democratic Committee filed with this Legislature a certificate in accordance with Election Law, Section 31, certifying that the recommendation by majority of said committee that Robert F. Brechko residing at 6 White Tail Lane, Penn Yan, NY 14527 (Town of Milo) is suitable and qualified for appointment to the office of Commissioner of Elections and recommends such reappointment be made; and

WHEREAS, the salary is as included in the salary schedule for non-represented employees;

NOW, THEREFORE, BE IT RESOLVED, that Robert F. Brechko is hereby reappointed as Commissioner of Elections for Yates County for a term commencing January 1, 2023 through December 31, 2024, or such term length as determined by the County or State Legislative bodies (EL 3-202); and be it further

RESOLVED, that a copy of this resolution be provided to the County Administrator, Personnel Officer, County Clerk, Mr. Brechko, County Administrator, Director of Finance, Yates County Democratic Committee Chair and the Yates County Democratic Committee Secretary.

AUTHORIZE BOARD OF ELECTION COMMISSIONERS TO CREATE AND FILL TWO (2) FULL TIME TEMPORARY DEPUTY ELECTION COMMISSIONER POSITIONS

WHEREAS, the Board of Elections Commissioners requested to create and fill two (2) full-time temporary Deputy Election Commissioner positions due to the increasing demands being placed on the Board of Elections Office; and

WHEREAS, the estimated cost to create and fill one (1) position, including fringe is $7,438; therefore, the cost to create and fill two (2) positions, including fringe is $14,877;

NOW, THEREFORE, BE IT RESOLVED, that effective October 11, 2022 the Board of Election Commissioners are hereby authorized to create and fill two (2) full-time temporary Deputy Election Commission positions for a period not to exceed December 31, 2022; and be it further

RESOLVED, that the two (2) incumbent Deputy Election Commissioners, shall be appointed to the temporary full-time positions; and be it further

RESOLVED, that copies of this Resolution be given to the Board of Elections Commissioners, Personnel Officer, County Administrator, Director of Finance, and the Treasurer.
Resolution No. 394-22

AUTHORIZE COUNTY CLERK TO CREATE AND FILL MOTOR VEHICLE SUPERVISOR POSITION

WHEREAS, the existing Motor Vehicle Supervisor position will become vacant December 30, 2022 because of a retirement; and

WHEREAS, the County Clerk through the position review process has identified the need to create and fill a full-time Motor Vehicle Supervisor position to allow for succession planning that shall result in a seamless transition for personnel and to ensure the needs of the County and public are met; and

WHEREAS, to limit the amount of time the Department of Motor Vehicle will be operating short staffed, the County Clerk is requesting to create and fill a second Motor Vehicle Supervisor position and any subsequent vacancy in order to hire and train employees prior to the current incumbents actual last day of work, which will be November 30, 2022; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is $58,623 to $76,560, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective October 11, 2022 the County Clerk is hereby authorized to create and fill a full-time Motor Vehicle Supervisor position; and be it further

RESOLVED, that the County Clerk is also authorized to fill any subsequent vacancy that will occur as the result of a promotion of an employee into the newly created Motor Vehicle Supervisor position; and be it further

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

Resolution No. 395-22

RATIFYING TENTATIVE AGREEMENT WITH CSEA AND AUTHORIZING EXECUTION OF THE SUCCESSOR COLLECTIVE BARGAINING AGREEMENT

WHEREAS, the collective bargaining teams for the County of Yates and CSEA have concluded negotiations and reached a tentative agreement for a successor collective bargaining agreement covering the period of January 1, 2022 – December 31, 2024 for the CSEA unit;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby ratifies said tentative agreement for a January 1, 2022 – December 31, 2024 successor collective bargaining agreement and authorizes the expenditure of the necessary funds therefor; and be it further

RESOLVED, that the Chairwoman of the Yates County Legislature is hereby authorized to execute the successor collective bargaining agreement on behalf of the County; and be it further
RESOLVED, that copies of this resolution be given to the CSEA Unit President, the County Administrator, the County’s Labor Attorney, and the County Personnel Officer.

Resolution No. 396-22
Motioned By: Bronson
Date: 10/11/22
Seconded By:

RESOLUTION OPPOSING THE NEW YORK STATE LEGISLATION RESTRICTING 2ND AMENDMENT RIGHTS, REGULATING LEGALLY AUTHORIZED CONCEALED CARRY GUN PERMITS, AND BANNING CONCEALED CARRY IN PUBLIC PLACES AS BEING AN UNCONSTITUTIONAL ATTACK UPON THE RIGHTS OF LAW-ABIDING CITIZENS

WHEREAS, the Second Amendment to the United States Constitution sets forth that a well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed; and

WHEREAS, in the wake of the evil, heinous actions against defenseless persons at Tops Market in Buffalo, the New York State Legislature seized on that terrible tragedy to rush through 10 new laws that are meant to erode the right of legal gun owners and punish the legal & legitimate businesses in the firearms industry; and

WHEREAS, shortly thereafter, the Bruen Opinion was handed down from the United States Supreme Court striking down the restrictive nature of laws limiting and pertaining to Pistol Permits in New York; and

WHEREAS, with the ink barely dry on New York's newest gun laws, the New York State Senate and Assembly, in response to the Bruen Opinion, rushed to pass 5.51001 & A.41001 during an Extraordinary Session that essentially gutted the Second Amendment rights of citizens across New York State to carry their concealed firearm in public; and

WHEREAS, this makes the process for obtaining a concealed carry gun permit overly involved, lengthy, and burdensome, requiring citizens to divulge their social media accounts, and makes it a felony for any individual who has a valid concealed carry permit to bring a handgun into ANY New York State Park, house of worship or restaurant, where residents, businesses and municipalities live, operate, work, socialize, worship and pay taxes; and

WHEREAS, the New York State Sheriffs' Association recognized, these new laws as "punitive licensing requirements that aim only to restrain and punish law-abiding citizens who wish to exercise their Second Amendment Rights"; and

WHEREAS, as the County Legislators, take an oath of office to uphold the Constitution and this a clearly a flagrant violation of the constitutional rights of our citizens, taking away their ability to protect themselves and their loved ones ultimately seeks to disarm our residents;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature reaffirms the Second Amendment and vehemently, adamantly, and with full resolve strongly opposes the new concealed carry law’s (S.51001/A.41001) remaining provisions which are restricting the locations where a law abiding citizen, with a proper concealed carry permit, may lawfully carry a concealed weapon; and be it further

RESOLVED, that these restrictions are unconstitutional and violate the holding of New York State Rifle and Pistol Association, Inc., v. Bruen, and this poorly veiled attempt to skirt
Bruen, falls woefully short of any rational constitutional basis and therefore, the Yates County Legislature calls for its repeal; and be it further

RESOLVED, that the Yates County Legislature is committed to pursuing all legislative and legal remedies, either alone or in concert with other like-minded counties and organizations, to overturn this assault on our Constitutional rights; and be it further

RESOLVED, that copies of this resolution be sent to all New York State Counties, Governor Hochul, Senator Tom O’Mara, Assemblyman Phil Palmesano, and all others deemed necessary and proper.

Resolution No. 397-22  Date: 10/11/22
Motioned By: Bronson  Seconded By:

**ESTABLISH RATE OF PAY**

(Andrew Bradley)

WHEREAS, Article 4-A Section 3 of the CSEA Collective Bargaining Agreement states that a person may be hired above the beginning pay rate with Legislative approval; and

WHEREAS, the CSEA Collective Bargaining Agreement in part states, “Such employee, with substantial prior experience (equivalent to a minimum of three (3) years full-time work) in similar work may be hired at the Start Rate, Step One (1) or Step (2)”; and

WHEREAS, it has been established that Andrew Bradley, Social Services Program Examiner has prior work experience that qualifies his rate of pay to be set at the Step 2 rate;

NOW, THEREFORE, BE IT RESOLVED, upon the recommendation of the Social Services Commissioner, that Andrew Bradley be hired at the Step 2 rate, Group VII of the CSEA contract ($21.04) effective September 26, 2022; and be it further

RESOLVED, that a copy of this resolution be given to the Social Services Commissioner, Personnel Officer, County Administrator, Director of Finance, Treasurer, CSEA Local President, and Andrew Bradley.

Resolution No. 398-22  Date: 10/11/22
Motioned By: Bronson  Seconded By:

**AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL SENIOR ACCOUNT CLERK TYPIST POSITION**

WHEREAS, an Senior Account Clerk Typist position will become vacant effective October 21, 2022 as the result of a resignation; and

WHEREAS, the Commissioner of Social Services through the position review process has identified the need to refill the Senior Account Clerk Typist position and is requesting that the position be filled; and

WHEREAS, the estimated cost to fill the position, including fringe, is $44,870 to $72,563, depending on health insurance; with the 80% reimbursement the estimated cost to the County is $8,974 to $14,513;
NOW, THEREFORE, BE IT RESOLVED, effective October 11, 2022 the Commissioner of Social Services is hereby authorized to fill a full-time Senior Account Clerk Typist position; and be it further

RESOLVED, that the Commissioner of Social Services is also authorized to fill any subsequent vacancy that will occur as the result of a promotion of an employee into the Senior Account Clerk Typist position; and be it further

RESOLVED, that copies of this Resolution be given to the Commissioner of Social Services, Personnel Officer, County Administrator, Treasurer, and Director of Finance.

Resolution No. 399-22 Date: 10/11/22
Motioned By: Chilson Seconded By: 

AMEND RESOLUTION NO. 245-22 AUTHORIZE CHAIR TO SIGN RESOURCE ALLOCATION PLAN

WHEREAS, Resolution 254-22 authorized the Chair of the Legislature to sign the Youth Bureau Resource Allocation plan; and

WHEREAS, additional funding has been allocated by the Office of Children and Family Services;

NOW, THEREFORE, BE IT RESOLVED, that the amount of the Resource Allocation plan be $34,473; and be it further

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

Resolution No. 400-22 Date: 10/11/22
Motioned By: Chilson Seconded By: 

AMEND RESOLUTION NO. 244-22 AUTHORIZE 2022 YATES COUNTY YOUTH BUREAU CONTRACTS

WHEREAS, Resolution 244-22 authorized the Chair of the Legislature to sign contracts with various agencies for Youth Bureau funding from the Office of Children and Family Services; and

WHEREAS, additional funding has been allocated by the Office of Children and Family Services;

NOW, THEREFORE, BE IT RESOLVED, that the amount of the following contracts will be as follows;

<table>
<thead>
<tr>
<th>Agency</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Our Town Rocks</td>
<td>$5,433</td>
</tr>
<tr>
<td>Branchport Library</td>
<td>$1,400</td>
</tr>
<tr>
<td>Penn Yan Baseball and Softball</td>
<td>$6,023</td>
</tr>
</tbody>
</table>

and be it further
RESOLVED, that copies of this resolution be provided to the Commissioner of Social Services, Director of Finance, and the County Treasurer

Resolution No. 401-22  
Motioned By: Chilson  
Seconded By:  
Date: 10/11/22

SIGN WAVE 2 ADDENDUM WITH THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK

WHEREAS, Yates County Community Services has received notice of the grant award for Year 4 with Columbia University in the amount of $527,468.00; and

WHEREAS, said grant award will be for the period of April 1, 2022 – March 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Chairwoman is hereby authorized to sign an agreement with The Trustees of Columbia University in the City of New York for the period April 1, 2022 through March 31, 2023 for the wave 2 addendum; and be it further

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

Resolution No. 402-22  
Motioned By: Chilson  
Seconded By:  
Date: 10/11/22

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH FINGER LAKES ADDICTIONS COUNSELING AND REFERRAL AGENCY

WHEREAS, the County is desirous of engaging the services of Finger Lakes Addictions Counseling and Referral Agency to assist in county-wide project activities for the HEALing Communities grant through Columbia University as outlined in the Statement of Work; and

WHEREAS, the costs of such services are 100% funded through the awarded grant;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to enter into a contract with Finger Lakes Addictions Counseling and Referral Agency; and be it further

RESOLVED, that said contract will run from 04/01/2022 to 03/31/2023 for an amount not to exceed the allowable 95% of total grant funds which can be used to subcontract for the services of Project Manager and Data Surveillance Coordinator positions and associated costs and for Community Impact Dollars; and be it further

RESOLVED, that copies of this resolution be provided to Community Services Office, the Public Health office, the Treasurer, FLACRA, and the Director of Finance.

Resolution No. 403-22  
Motioned By: Chilson  
Seconded By:  
Date: 10/11/22

SIGN AGREEMENT WITH HEALTH RESEARCH INC. (HRI) - HEPP

WHEREAS, Yates County Public Health has received the New York State Department of Health Emergency Preparedness Program grant award of $1,052,099; with $52,099 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, 2022 – June 30, 2023;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman is hereby authorized to sign an agreement with Health Research Inc. (HRI) for the period July 1, 2022 through June 30,2023 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, Finance Director and County Treasurer.

Resolution No. 404-22
Motioned By: Chilson
Date: 10/11/22
Seconded By:

SUPPORTING OPERATION GREEN LIGHT FOR ACTIVE MILITARY SERVICE MEMBERS IN TRANSITION TO CIVILIAN LIFE (VETERAN STATUS)

WHEREAS, approximately 200,000 service members transition to civilian communities annually and there is expected to be an estimated 20% increase in service members that will be transitioning to civilian life in the near future; and

WHEREAS, studies indicate that a significant portion of service members experience high levels of stress during transition from military to civilian life. Sadly, active military service members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the Yates County Legislators appreciate the sacrifices our United States military personnel made while defending freedom and believes specific recognition should be accorded them in appreciation of their service; now, therefore, be it

NOW, THEREFORE, BE IT RESOLVED, Yates County Legislators hereby declares Yates County a Green Light for Military Service County from October 11, 2022, through Veterans Day, November 11, 2022. This is a time to salute and honor our men and women in uniform making the transition from active service to civilian life by switching one lightbulb to green to show visible support for veterans; and be it further

RESOLVED, that as a Green Light for Military Service County, the Yates County Legislators hereby pledges to work toward removing employment barriers by participating in quarterly job fairs at Fort Drum and by removing civil service residency requirements for active-duty military personnel interested in relocating to Yates County. The Legislators will also support the Expiration Term of Service Sponsorship Program (ETS-SP) that connects mentors to new veteran residents; and be it further

RESOLVED, that in observance of Operation Green Light for Military Service, the Yates County Legislators encourage their citizens to recognize the importance of honoring all those who made immeasurable sacrifices to help to preserve freedom by displaying a green light in a window of their place of business or residence. Green is the color of hope, renewal and well-being. The simple action of changing one light to green can spark meaningful conversation regarding the recognition of veterans and help “green light” them forward as valued members of our communities; and be it further

RESOLVED, that copies of this resolution be provided to all Yates County Veteran organizations and the Director of Veterans’ Services.
PROCLAIMING NOVEMBER 10TH AS US MARINE CORPS BIRTHDAY IN YATES COUNTY

WHEREAS, a resolution of the Continental Congress on November 10, 1775, created a Corps of Marines to be formed of men so acquainted with maritime affairs as to be able to serve on sea vessels for the Continental Navy; and

WHEREAS, Marines hold to an array of significant, highly respected traditions including the celebration of the birth of their Corps by gathering every year on November 10th with a formal, widely known ceremony that includes the singing of the Marine Corps Hymn (unless circumstance prohibit); and

WHEREAS, Marine missions have changed over the last 247 years, the Marine Corps unyielding commitment to protecting the lives of our citizens and the interests of our nation has remained constant with its purpose, by congressional mandate, to be this nation’s rapid response force. From humanitarian relief efforts to combat operations, the Marine Corps is always ready to answer our nation’s call; and

WHEREAS, a special breed of American multitudes have borne the name “Marine” protecting this great nation on land, on sea and in the air faithfully signifying all that is highest in military efficiency;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature extends its gratitude to all Marines, past and present, their families and loved ones, who continue to sacrifice for our liberty and freedoms, by proclaiming November 10, 2022 as “US Marine Corps Birthday” in Yates County, and be it further

RESOLVED, that copies of this resolution be given to the Veterans’ Services Director and all Yates County Veteran organizations.

PROCLAIMING NOVEMBER 11TH AS VETERANS DAY IN YATES COUNTY

WHEREAS, since the birth of our Nation, American Patriots have stepped forward to serve our country and defend our way of life; and

WHEREAS, with honor and distinction, generations of servicemen and women have taken up arms to win our independence, preserve our Union and secure our freedom; and

WHEREAS, our Veterans are brave and selfless individuals who, when duty called, willingly put themselves in harm’s way to defend the lives and liberties of others; and

WHEREAS, their abiding patriotism and enduring devotion to the ideals on which the United States was founded can never fail to inspire us; and

WHEREAS, on Veterans Day, our Nation comes together to honor our Veterans and commemorate the legacy of profound service and sacrifice they have upheld in pursuit of a more perfect Union; and
WHEREAS, serving as teachers, engineers, government employees, parents and in other important capacities, these patriots have made contributions to civilian life that serve as a testament to their dedication to the welfare of our country; and

WHEREAS, on November 11th we are reminded of our solemn obligation: to serve our Veterans as well as they have served us; and

WHEREAS, as it was proclaimed in the first Veterans Day Proclamation, issued by President Dwight D. Eisenhower, in order to insure proper and widespread observance of this anniversary, all Veterans, Veterans’ organizations, and the entire citizenry will wish to join hands in the common purpose;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature and all citizens join together to observe Veterans Day on November 11th and to honor the special men and women who have served our country; and be it further

RESOLVED, that copies of this resolution be provided to all Yates County Veteran organizations and the Director of Veterans’ Services.

Resolution No. 407-22  Date: 10/11/22
Motioned By: Chilson  Seconded By:

AUTHORIZE CHAIRWOMAN TO SIGN AGREEMENT WITH BRIGHT START PEDIATRIC SLP & OT SERVICES

WHEREAS, Yates County Public Health seeks to sign an agreement with Bright Start Pediatric SLP & OT Services to provide speech therapy, physical therapy, and occupational therapy related services and SEIT services to children with developmental delays and disabilities in the Preschool Program.

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the County Attorney, the Chairwoman of the Legislature be herby authorized to sign an agreement with Bright Start Pediatric SLP & OT Services at the following all-inclusive rates:

Speech therapy, physical therapy, and occupational therapy - $65.00 in 2022, $66.00 in 2023, $67.00 in 2024, $68.00 in 2025, and $69.00 in 2026

SEIT services - SED Promulgated Rates; And be it further

RESOLVED, that said contract will run from 9/1/2022 to 12/31/2026; and be it further

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

Resolution No. 408-22  Date: 10/11/22
Motioned By: Chilson  Seconded By:

AUTHORIZE CHAIRPERSON TO EXECUTE DISTRIBUTION # 13 NON-COMPETITIVE GRANT AND ANY CONTRACT EXTENSIONS RELATING TO DISTRIBUTION # 13 NON-COMPETITIVE GRANT

WHEREAS, there are funds available to the Yates County Public Defender’s Office through non-competitive grants; and
WHEREAS, a grant was written titled “Distribution 13” in the amount of $48,684.00 of available funds; and

WHEREAS, to access these funds a “New York State Master Contract for Grants” grant disbursement agreement must be executed by the County by signature of the Chairperson of the Legislature for the receipt of the same (hereinafter referred to as “Distribution 13 Master Contract”); and

WHEREAS, if the monies are not all used prior to the grant term of January 1, 2023 – December 31, 2025 for expenditures that are reimbursable under the Distribution 13 Master Contract, applicable contract extension(s) must be submitted to the Office of Indigent Legal Services (ILS) in order to obtain reimbursement for these claims; and

WHEREAS, the time period for claim submittal can only be extended at intervals of one year at a time; and

WHEREAS, multiple extensions may be necessary to submit for claims for monies paid out after December 31, 2025 pursuant to the above recited grant disbursement agreement; and

WHEREAS, in order to shorten the contract extension process to allow the County to be reimbursed for submitted claims more quickly, the Public Defender’s Office is requesting authorization to have the Chairperson of the Legislature sign any future contract extensions pursuant to the above recited grant disbursement agreement, thus forgoing the necessity of subsequent resolutions in this regard;

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson of the Legislature is authorized to execute Distribution 13 Master Contract as well as any future contract extension time periods, and any other necessary documentation related thereto, with notification being given to the Legislature; and be it further

RESOLVED, that a copy of this resolution be given to the Public Defender, County Administrator, County Treasurer and the Office of Indigent Legal Services (ILS)

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney the Chairperson of the Legislature is authorized to sign said contract; and be it further

RESOLVED, that the Public Defender, Director of Finance, and the Treasurer be provided with a copy of this resolution.

Resolution No. 409-22
Motioned By: Banach
Date: 10/11/22
Seconded By:

RESOLUTION, UNDER SEQRA, CLASSIFYING ACTION AND DETERMINING THAT ACTION WILL NOT HAVE A SIGNIFICANT ADVERSE ENVIROMENTAL IMPACT

WHEREAS, Yates County (“County”) commissioned a highway department conditions and needs assessment study in 2019 and received a Highway Department Assessment and Recommendations Report (“Report”) in September 2019; and
WHEREAS, as a result of the study and Report, the County desires to install a Highway, Office of Emergency Services & Public Health facility located in the Town of Benton (the “Project”); and

WHEREAS, the purpose of the Project is to improve efficiencies of the Highway Department and facilitate the provision and readiness of services by Public Health and Office of Emergency Services Personnel for the benefit of all County residents; and

WHEREAS, the Project will include, in relevant part, the acquisition of real property interests, the design and construction of a new Highway, Offices of Emergency Services and Public Health facility; and

WHEREAS, pursuant to the provisions of the New York State Environmental Quality Review Act (“SEQRA”) as set forth in Article 8 of the Environmental Conservation Law and the requirements of the SEQRA Regulations at 6 NYCRR Part 617 (the “Regulations”), the County desires to comply with the provisions of SEQRA and the Regulations with respect to the Project; and

WHEREAS, on April 11, 2022, via Resolution 156-22, the County declared its interest in acting as “Lead Agency” for the Project’s environmental review, preliminarily classified the Project as a “Type I” Action under SEQRA, and authorized its staff and consultants to complete Part I of the Full Environmental Assessment Form (“FEAF”) for each location (five locations and five FEAF forms total); and WHEREAS, the County has considered the Project in light of the actions included on the Type I list specified in Section 617.4 of the Regulations; and

WHEREAS, on July 29, 2022, C&S Engineers on behalf of the County, exercising its due diligence, circulated a letter describing the Project and indicating the County’s intent to serve as “Lead Agency” for the environmental review of the Project with copies of Part 1 of the FEAFs to potentially involved agencies, as that term is defined in the Regulations, including the towns of Benton, the New York State Department of Environmental Conservation (“DEC”), the New York State Office of Parks, Recreation, and Historic Preservation (“SHPO”); and

WHEREAS, by a letter dated August 23, 2022, DEC indicated it has no objection to the County assuming the lead agency role and further stated that there are no occurrences of federally-listed or proposed endangered or threatened species, state-listed endangered, threatened or rare animal and plant species, significant natural communities, or other significant habitats were found in the vicinity of the Project Site. DEC further indicated there are no NYS-regulated streams/ponds within the Project Site and there are no NYS-regulated freshwater wetlands at the Project Site; and

WHEREAS, by a letter dated August 3, 2022, NYS Office of Parks, Recreation and Historic Preservation (OPRHP) indicated it is in their opinion that no properties including archeological and/or historic resources, listed in or eligible for New York State and National Registers of Historic Places will be impacted by this project; and

WHEREAS, by a copy of the July 29, 2022 letter sent to the Town of Benton was received from the Town of Benton with acknowledgement of receipt of the Lead Agency notice inclusive of the Town of Benton Supervisor’s signature dated August 10, 2022; and

WHEREAS, pursuant to SEQRA and the Regulations, the County has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the FEAFs for the Project
inclusive of Parts II and III, together with other available supporting information, including comments from potentially involved agencies, to identify the relevant areas of environmental concern; and (c) thoroughly analyzing the identified areas of relevant environmental concern;

NOW, THEREFORE, BE IT RESOLVED, the County classifies the Project as a “Type I” Action under SEQRA; and be it further

RESOLVED, based upon an examination of the EAF, and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the County’s knowledge of the areas surrounding the Project sites and such further investigation of the Project and its potential environmental impacts as the County has deemed appropriate, the County makes the following findings and determinations:

a. No significant adverse environmental impacts are noted in the EAF for the Project and none are known to the County. Therefore, the County hereby determines that the Project will not have a significant adverse environmental impact, and the County will not require the preparation of an environmental impact statement with respect to the Project; and

b. As a consequence of the foregoing, a Negative Declaration shall be prepared for the Project by County staff and consultants; and

c. The County hereby directs that all SEQRA documents and notices, including but not limited to the EAF and Negative Declaration, are to be maintained in files that are readily accessible to the public and made available on request, subject only to the limitations established by the Freedom of Information Law.

And be it further

RESOLVED, that this Resolution shall take effect immediately; and be it further

RESOLVED, that a copy of this Resolution shall be filed with the County Clerk and copies sent to the Director of the Office of Services, the Highway Superintendent, the Director of Public Health, the Building & Grounds Supervisor, the County Administrator, the County Planner, the Town of Benton, Mike LaMontagne of C & S Engineers, Bryan Bayer of C&S Engineers and Robert Tyson of Bond, Schoeneck & King, PLLC.

Resolution No. 410-22  Date: 10/11/22
Motioned By: Banach  Seconded By:

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH VERTIV CORPORATION

WHEREAS, the County wishes to provide a safe work environment for its maintenance employees and an arc flash analyst of the electric systems of the County Office Building, Courthouse and Buildings and Grounds shop would improve safety; and

WHEREAS, the Building Maintenance Supervisor sought proposals, for the completion of an Arc Flash Study and has received an acceptable proposal from Vertiv for a sum of $32,110.00 for this service;
NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into a contract with Vertiv Corporation to complete an Arc Flash study on the County Office Building, Courthouse and Buildings and Grounds Shop; and be it further

RESOLVED, that said contract will run from 10-10-22 to 3-31-23 for a total sum of up to $32,110.00; and be it further

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

Resolution No. 411-22  
Motioned By: Holgate  
Date: 10/11/22  
Seconded By:  

DESIGNATION BY COUNTY OF OFFICIAL TOURISM PROMOTION AGENCY

RESOLVED, that the Yates County Legislature designates the Yates County Chamber of Commerce as the county's Tourism Promotion Agency (TPA) in order to apply for, receive and distribute tourism promotion funds on behalf of Yates County pursuant to the New York State Tourism Promotion Act; and be it further

RESOLVED, that this designation is effective January 1, 2023 through December 31, 2023 and be it further

RESOLVED, that the Clerk of the Legislature file a certified copy of this resolution with the appropriate agencies, including the Yates County Chamber of Commerce; and be it further

RESOLVED, that a copy of this resolution be given to the Director of Finance, Budget Officer, County Treasurer, and the Yates County Chamber of Commerce.

Resolution No. 412-22  
Motioned By: Holgate  
Date: 10/11/22  
Seconded By:  

2022 BUDGET TRANSFERS

BE IT RESOLVED, that the following transfers be made in the 2022 budget:

<table>
<thead>
<tr>
<th>From:</th>
<th>To:</th>
<th>Amount:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1621.54684 BG-Water Sewer</td>
<td>A1623.54684 BG-Water Sewer</td>
<td>$3,200.00</td>
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<tr>
<td>A1621.54684 BG-Water Sewer</td>
<td>A1625.54677 BG-Electric (EV)</td>
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<tr>
<td>A1990.54905 CF-Contingent</td>
<td>A1230.54470 CA-Office Supplies</td>
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<td>A3110.54661 SH-Vehicle P/M/R</td>
<td>A3510.54661 SH-Vehicle P/M/R</td>
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</tr>
</tbody>
</table>

And be it further

RESOLVED, that copies of this resolution be provided to the Sheriff, the Building Maintenance Supervisor, the County Administrator, the County Treasurer, the Finance Director and the Budget Officer.
WHEREAS, the Highway Department has received additional revenue over the 2022 budget for training reimbursement with corresponding expenditures; and

WHEREAS, these funds are not part of the 2022 budget;

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

Revenue:
A3645.43407 OEM-EMS Revenue $ 11,857.00

Appropriation:
A3645.54156 OEM-Training $ 11,857.00

And be it further

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

WHEREAS, the Dept. of Finance collected additional PILOT revenue over the 2022 budget and wishes to use a portion of those additional funds to pay the annual software contract with Granicus; the new occupancy tax software; to help generate additional tax revenue; and

WHEREAS, these funds are not part of the 2022 budget;

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

Revenue:
A9999.41081 PILOT $ 11,678.00

Appropriation:
A1325.54571 FIN-Software $ 11,678.00

And be it further

RESOLVED, that copies of this resolution be provided to the County Treasurer, Director of Finance and the Budget Officer.
Resolution No. 415-22  
Motioned By: Holgate  
Date: 10/11/22  

AUTHORIZE CHAIRWOMAN 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 Chairwoman 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, 2022 through Oct. 31, 2023, 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 Director of Finance, the County Treasurer, and the Real Property Tax Services Director.

Resolution No. 416-22  
Motioned By: Holgate  
Date: 10/11/22  

AUTHORIZE CHAIRWOMAN TO SIGN A CONSULTANT AGREEMENT WITH PASSERO ASSOCIATES FOR EQUIPMENT PROCUREMENT (FUEL TRUCKS)  
PROJECT: PURCHASE OF TWO FUEL TRUCKS

WHEREAS, Passero Associates, Engineering, Architecture and Surveying, D.P.C. (hereinafter referred to as “Passero”) has submitted a proposed consultant agreement for professional services to the County pertaining to the acquisition of two fuel trucks for the Penn Yan – Yates County Airport for a total maximum cost of $35,000;

NOW, THEREFORE, BE IT RESOLVED, that the County resolves to enter into the Fuel Truck Consultant agreement, and to this end, the Chairwoman of the Legislature, upon approval of the County Attorney and the NYS DOT, is authorized to execute the Fuel Truck Consultant Agreement on behalf of the County; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Director of Finance, Treasurer, Administrator, Airport Council and Passero Associates.

Resolution No. 417-22  
Motioned By: Holgate  
Date: 10/11/22  

ENTER INTO A MASTER SERVICES AGREEMENT FOR MAKE READY CONSTRUCTION FOR THE RECONNECT PROJECT WITH ONE SOURCE POWER, LLC

WHEREAS, Yates County (hereinafter referred to as "County") has been awarded a USDA ReConnect grant to enable design and construction of a fiber-to-the-premises broadband network to reach the unserved and underserved with regard to internet access; and

WHEREAS, the product of the One Touch Make Services performed by LaBella are Frontier and Avangrid (parent company of New York State Electric and Gas hereinafter known as “NYSEG”) Make Ready packages; and
WHEREAS, these packages, of roughly 100 poles each, specify all the work (electrical, tree trimming and telecommunications) that need to be performed on each pole in order to obtain an attachment license from the pole owner and ultimately make it ready to accept our fiber; and

WHEREAS, the Pole Attachment Agreement the County previously executed with NYSEG requires that the County hire a contractor from an approved list of NYSEG contractors; and

WHEREAS, upon guidance from the County Attorney the process for hiring Yates County’s make ready contractor is being managed as a professional service with quotes being obtained from multiple approved contractors and awarding the construction contract to the lowest qualified quote; and

WHEREAS, One Source Power, LLC is an NYSEG approved contractor and has provided the County with the lowest qualified quote on the Make Ready apps #2 and #3;

WHEREAS, the County anticipates 50+ Make Ready packages and thus 50+ Make Ready quoting and contracting cycles where each Make Ready package has a 120-day expiration date; and

WHEREAS, a Master Services Agreement, specific to each awarded contractor, with specific Make Ready packages, awarded via agreement amendment or purchase order would expedite and streamline the process;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into a Master Services Agreement with One Source Power where the specific Make Ready packages will be awarded via contract amendment or purchase order; and be it further

RESOLVED, that copies of this resolution be provided to One Source Power, the County Administrator, the County Planner, and the broadband Project Manager.

Resolution No. 418-22 Date: 10/11/22
Motioned By: Holgate Seconded By:

REAPPOINT MEMBERS TO THE YATES COUNTY PLANNING BOARD
(Steven Fulkerson, Town of Starkey)
(Caryl Sutterby, Village of Dundee)
(Jamie Landcastle, At-Large)

WHEREAS, Steven Fulkerson (89 N Glenora Rd, Dundee, NY 14837), Caryl Sutterby (52 Seneca St, Dundee, NY 14837, and Jamie Landcastle (24 Gilbert St, Rushville, NY 14544), have been recommended by their respective municipality to be their representation on the Yates County Planning Board and their terms have expired;

NOW, THEREFORE, BE IT RESOLVED, that Steven Fulkerson is hereby reappointed as a member of the Yates County Planning Board, representing the Town of Starkey, to a term to expire on October 11th, 2024; and Caryl Sutterby is hereby reappointed as a member of the Yates County Planning Board, representing the Village of Dundee, to a term to expire on October 11th, 2024; and Jamie Landcastle is hereby appointed as a member of the Yates County Planning Board, as an At-Large Member, to a term to expire on October 11, 2024; and be it further

RESOLVED, that copies of this resolution be given Steven Fulkerson, Caryl Sutterby, Jamie Landcastle, the County Planner, the Town of Starkey, the Village of Dundee, and a copy
filed with the County Clerk.

**Resolution No. 419-22**
**Date: 10/11/22**
**Motioned By: Holgate**
**Seconded By:**

**AUTHORIZE THE CHAIRWOMAN TO SIGN AN AGREEMENT WITH GENESEE / FINGER LAKES REGIONAL PLANNING COUNCIL FOR THE DEVELOPMENT OF A LOCAL SOLID WASTE MANAGEMENT PLAN**

WHEREAS, Yates County is required by the NYS DEC to develop and maintain a Local Solid Waste Management Plan; and

WHEREAS, Yates County, in the role of “Planning Unit,” seeks to create a Local Solid Waste Management Plan (LSWMP) that is as detailed, realistic, and economically practicable as possible; and

WHEREAS, this plan will be an instrument intended to evaluate the current solid waste management practices, evaluate the options and alternatives available for future solid waste management, and to set forth the implementation steps for a 10-year planning period along with establishing projections of reduction in waste disposal over that 10-year period; and

WHEREAS, cost saving ideas were explored, like joint plans with other counties, and none were found to be feasible; and

WHEREAS, the not to exceed cost of the development of this plan is $81,433;

NOW, THEREFORE, BE IT RESOLVED, that upon approval the County Attorney, the Chairwoman of the Legislator is authorized to enter into a contract with the Genesee / Finger Lakes Regional Planning Council for the creation of a NYSDEC approved Local Solid Waste Management Plan; and be it further

RESOLVED, that copies of this resolution be given to the Genesee / Finger Lakes Regional Planning Council, County Planner, and the Finance Director.

**Resolution No. 420-22**
**Date: 10/11/22**
**Motioned By: Holgate**
**Seconded By:**

**AUTHORIZE CHAIR TO ENTER INTO A CONTRACT AMENDMENT WITH LONGS’ CARDS AND BOOKS, INC. CONCERNING THE PROVISION OF GENERAL OFFICE SUPPLIES**

WHEREAS, the County of Yates (hereinafter referred to as the “County”) and Longs’ Cards and Books, Inc. (hereinafter referred to as “Longs”) entered into a contract, by way of bid process, having an effective date of January 1, 2019, for Longs’ provision of general office supplies to the County (said contract hereinafter referred to as the “Contract”); and

WHEREAS, the term of the Contract was initially for the one-year term commencing January 1, 2019 through December 31, 2019, the Contract also allows for extensions for up to four (4) additional one-year periods; and
WHEREAS, the Contract has been previously extended, namely: the one-year period of January 1, 2020 through December 31, 2020, the one-year period of January 1, 2021 through December 31, 2021 and currently the one-year period of January 1, 2022 through December 31, 2022; and

WHEREAS, per the terms of the Contract, price changes for the subject office supplies may be changed upon mutual written agreement of the parties, and to this end, the Contractor has indicated that price changes beginning October 1, 2022 are in order due to cost increases for the following types of office supplies: ________________________________ (said listed office supplies hereinafter referred to as the “Subject Office Products”); and has provided updated product pricing sheets to the County, and the County is willing to agree to the proposed price changes and the terms of such updated product pricing sheets pertaining to the Subject Office Products;

NOW, THEREFORE, BE IT RESOLVED, that the County is authorized to enter into a written amendment to the Contract for the duration of the current contract term, amending the pricing beginning October 1, 2022 for the Subject Office Products as set forth in the aforementioned updated product pricing sheets; and with all other terms and conditions of the Contract remaining the same and in full force and effect. And to this end, the Chair of the Legislature, upon approval of the County Attorney, is hereby authorized to sign such written amendment with Longs on behalf of the County; and be it further

RESOLVED, that copies of this resolution be given to the Director of Finance, Treasurer, all departments, and Longs’ Cards and Books, Inc.