



YATES COUNTY LEGISLATURE
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Douglas Paddock
Chairman

Connie C. Hayes
Clerk

November 18, 2019

TO: Legislators
Department Heads
Press

FROM: Connie Hayes, Clerk of Legislature

RE: Special Legislative meeting

Please be advised that the Yates County Legislature will meet in special session Thursday, November 21, 2019 at 6:00 p.m. in the Legislative Chambers.

The purpose of this meeting is to hold a public hearing on the Tentative 2020 Yates County Budget. The following resolutions will also be considered at that time.

Res. No. 447-19
Motioned By: Holgate

Date: November 21, 2019
Seconded By: _____

ADOPT 2020 COUNTY BUDGET

WHEREAS, the Tentative Budget for 2020 has been duly presented to the County Legislature by the Budget Officer and the duly advertised Public Hearing has been held thereon;

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 360 of the County Law, that said Tentative Budget as presented is hereby adopted as the budget for Yates County for the Year 2020; and be it further

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

Res. No. 448-19
Motioned By: Dennis

Date: November 21, 2019
Seconded By: _____

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

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

WHEREAS, the salary would be dependent on the experience and qualifications of the candidate therefor; the total estimated annual cost to the County to fill the position would not exceed \$84,149 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective January 2, 2020 the District Attorney is hereby authorized to create and fill a full time Assistant District Attorney position; and be it further

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

Res. No. 449-19
Motioned By: Dennis

Date: November 21, 2019
Seconded By: _____

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

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

WHEREAS, the salary for the position is set at \$42,000 and the total estimated annual cost to fill the position is \$64,772 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective January 2, 2020 the District Attorney is hereby authorized to create and fill a full time Confidential Secretary to District Attorney and Law Enforcement Liaison position; and be it further

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

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

**AUTHORIZE SHERIFF TO CREATE AND FILL POSITION
(DEPUTY SHERIFF CRIMINAL INVESTIGATOR)**

WHEREAS, on April 1, 2019, New York State passed criminal justice reform legislation, including a new statute on discovery reform to go into effect on January 1, 2020, requiring prosecutors to automatically disclose evidence to defense attorneys earlier in case proceedings; and

WHEREAS, prosecution must automatically allow a defendant to “discover, inspect, copy, photograph and test” all materials relating to the subject matter of the case, whenever the prosecutor or someone under the prosecutor’s direction is in possession, custody, or control of such items; and

WHEREAS, any materials that are in the possession of law enforcement are deemed to be in the possession of the prosecutor, thus any delays in transmitting evidence from law enforcement to local prosecutors’ offices are not valid excuses for failing to automatically turn over information to the defense; and

WHEREAS, should law enforcement fail to comply with the new discovery obligations, the court can use remedies and sanctions to include, but not be limited to, exclusion of evidence, striking testimony of a witness, declaring a mistrial, dismissing charges, etc.; and

WHEREAS, the Sheriff through the position review process has identified that in order for the Sheriff’s Office to comply with the newly unfunded mandate on law enforcement, there is a need to create and fill a Deputy Sheriff Criminal Investigator position; and

WHEREAS, the purpose for creating the position is to focus on the coordination of evidence collection and processing all while complying with the demanding time constraints set forth in the new statute; and

WHEREAS, the estimated annual cost to fill the position is \$78,280 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective January 2, 2020 the Sheriff is hereby authorized to create and fill a full time Deputy Sheriff Criminal Investigator position; and be it further

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

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

AMEND RESOLUTION NO. 215-19

WHEREAS, Resolution 215-19 was duly adopted on May 13, 2019 and created a temporary full time Correction Officer position in the Sheriff's Office for six (6) months; and

WHEREAS, there is still a need for the temporary position in the Sheriff's Office;

NOW, THEREFORE, BE IT RESOLVED, that “. . . six (6) months . . .” in the fifth paragraph of Resolution 215-19 be changed to “. . . nine (9) months . . .”; and be it further

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

EXECUTIVE SESSION – If needed

Connie Hayes
Clerk of the Yates County
Legislature