



YATES COUNTY LEGISLATURE
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Douglas Paddock
Chairman

Connie C. Hayes
Clerk

**YATES COUNTY LEGISLATIVE
AGENDA
January 13, 2020 at 1:00 pm
Legislative Chambers in the County Office
Building**

- Open Public Hearing on proposed Local Law 1-2020 Entitled A Local Law Establishing the Office of County Administrator for the County of Yates
- Employee Recognition
- Approve Audit
- Chairman's appointments
- Committee reports
- Public Comment
- STN update at the end of the meeting

RESOLUTIONS

- Bronson
- 5-20 Commend Legislators for Their Service
 - 6-20 Authorize Chairman to Sign Contract (Entre Computer Service)
 - 7-20 Authorize Exceptions to the Procurement Policy
 - 8-20 Authorize Chairman to sign Contract (Solix Inc.)
 - 9-20 Authorize Chairman to Sign Contract (KNOWBE4)
 - 10-20 Authorize Chairman to Sign Contract (Launch Team Inc.)
 - 11-20 Appoint Members to the Yates County Soil & Water Conservation District Board of Directors
 - 12-20 Authorize Building Maintenance Supervisor to Fill Building Maintenance Mechanic Position
 - 13-20 Authorize Chairman to Sign Contract Agreement with ESI Employee Assistance Group for CSEA and Non-Union EAP Services
 - 14-20 Authorize Chairman to Sign Agreement with Healthworks for Pre-Employment Drug Screening
 - 15-20 Authorize Chairman to Sign Contract with Yates Community Center for the Work & Life Skills Training Program
 - 16-20 Authorize Chairman to Sign Plan Management Agreement and Business Associate Agreement with Benetech
 - 17-20 Amend Yates County Controlled Substances and Alcohol Testing Policy
 - 18-20 Amend Yates County Employee Handbook
 - 19-20 Authorize Reimbursement to the Town of Milo
 - 20-20 Amend Resolution No. 532-19 (Jail Cook)
 - 21-20 Authorize Chairman of Legislature to Sign Lease Agreement (Keuka Abstract Corporation)
 - 22-20 Authorize Commissioner of Social Services to Create and Fill Temporary Full-Time Fiscal Administrative Officer Position
 - 23-20 A Resolution to Increase State Support for Cornell Cooperative Extension County Associations in the State of New York
 - 24-20 Authorize Chairman to Sign Memorandum of Understanding with Cornell Cooperative Extension
 - 25-20 Reappoint Members to the Region 8 Fish and Wildlife Management Board
 - 26-20 Rescind Resolution No. 533-19 (Exempt Non-Union Compensatory Time Policy)

Church	27-20	Authorize Contracts with Agencies/Persons (Scott Steele, Chris Clinton, FLACRA)
	28-20	Renew Contract with Dundee Children's Center
	29-20	Authorize Contract with Safe Harbors
	30-20	Appoint Medical Director (Dewitt)
	31-20	Authorize Chairman to Sign an Agreement with Evalumetrics Research
	32-20	Authorize Contract Renewals with the Following Agencies/Persons
Banach	33-20	Authorize Chairman to Sign Contract with HMT Inc.
	34-20	Authorize Chairman to Sign Contract with Schuler-Haas Electric Corporation
Holgate	35-20	Appointments to the Finger Lakes Economic Development Center (Yates County IDA) Board, the Yates Capital Resource Corp. Board and the Finger Lakes Horizon Economic Development Corp.
	36-20	Appropriate Additional Revenue (Central Garage)
	37-20	Appropriate State Aid (Records Management)
	38-20	Appropriate Additional Revenue (Sheriff)
	39-20	Appropriate State Aid (Public Health)
	40-20	Appropriate Carryover of 2019 State Aid (Records Management)
	41-20	Appoint Tourism Advisory Committee Members (TAC)
	42-20	Enter Into Agreement Concerning Broadband Feasibility Study
Bronson	43-20	Adopt Local Law 1-20 Entitled A Local Law Establishing the Office of County Administrator for the County of Yates

EXECUTIVE SESSION – IF NEEDED

Res. No. 5-2020
Motioned By: Bronson

Date: January 13, 2020
Seconded By: _____

COMMEND LEGISLATORS FOR THEIR SERVICE

WHEREAS, two (2) legislators chose not to seek re-election last year, resulting in a turnover in the legislative body for the 2020-2021 term; and

WHEREAS, this body would like to commend the following legislators who left this board as of December 31, 2019:

Timothy J. Dennis – Tim served on the Legislature for a term commencing January 1, 2008 and concluding December 31, 2019, a total of twelve (12) years. He was Chairman of the Legislature for Four (4) years, from 2014 – 2017. He served on various committees including Finance, Audit (both of which he chaired from 2010 – 2013), Government Operations (which he chaired from 2018 – 2019), Human Services and Public Safety. Tim was also the legislative representative to the Flint Creek Board of Directors, the FLEDC Board of Directors and the Airport Council. He further served on the Ad Hoc Classification and Compensation Committee during 2019.

Elden Morrison – Elden served on the Legislature for a term commencing January 1, 2014 and concluding December 31, 2019, a total of six (6) years. He served on the Public Safety Committee for his entire term and on other committees including Government Operations, Public Works, Farmland Protection and Law Library.

NOW, THEREFORE, BE IT RESOLVED, that this Legislature commends these legislators for their service and dedication to their community and wishes them well in the future; and be it further

RESOLVED, that copies of this resolution be furnished to Timothy J. Dennis and Elden Morrison.

Res. No. 6-2020
Motioned By: Bronson

Date: January 13, 2020
Seconded By: _____

AUTHORIZE CHAIRMAN TO SIGN CONTRACT
(Entre Computer Services, Rochester, NY)

WHEREAS, Yates County has budgeted for computer technical services and support to include network and system engineering, Datto backup system support, network upgrades & Exchange email support;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Entre Computer Services of Rochester, NY for computer technical assistance, effective January 1, 2020 through December 31, 2020 at a cost not to exceed \$35,750; and be it further

RESOLVED, that a copy of this resolution be given to Entre Computer Services and to the IT Director.

Res. No. 7-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

AUTHORIZE EXCEPTIONS TO THE PROCUREMENT POLICY

WHEREAS, the Yates County Procurement Policy section three, sub-section (E) ALL Other Instances, states; The procurement procedures set forth herein encompass all other situations where procurement by the competitive bidding process is not required, either because the monetary thresholds have not been met or the monetary thresholds have been met but an exception not previously enumerated in this Section applies. Such purchases of goods and services must be procured in a manner so as to assure the prudent and economical use of public moneys in the best interests of the taxpayers of the County, with such acquisitions being of maximum quality at the lowest possible cost under the circumstances;

NOW, THEREFORE, BE IT RESOLVED, that all County departments will be permitted to purchase from the following contracts per the Yates County Procurement Policy, effective January 1, 2020 through December 31, 2020:

- General Services Administration (GSA)
- National Intergovernmental Purchasing Alliance (NIPA)
- National Cooperative Purchasing Alliance (NCPA)
- National Joint Powers Alliance (NJPA)
- The Cooperative Purchasing Network
- Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP)
- 340B Drug Pricing Program
- Municipal Electric and Gas Alliance (MEGA)
- OMNIA Partners (formerly U.S. Communities)

And be it further

RESOLVED, that a copy of this resolution be given to the County Attorney and Treasurer.

Res. No. 8-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
(Solix Inc., Parsippany, NJ)**

WHEREAS, as rural health care providers seek creative ways to deliver top quality patient care with decreased budgets; and

WHEREAS, the Federal Communications Commission's Rural Health Care Program (FCCRHC) enables access to and discounts for telecommunications and broadband service including up to a 65% discount for eligible broadband expenses; and

WHEREAS, Solix, Inc. has a unique understanding of program regulations and application guidelines and will assist the Public Health Department to navigate the complex application processes, with their understanding of the program requirements, and thus maximize potential funding; and

WHEREAS, the nature of the services rendered by Solix are professional services; and

WHEREAS, Solix Inc. will receive 23% of the realized savings, thus not increasing expenses for the Public Health Department;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is hereby authorized to execute a contract with Solix, Inc. for the Public Health Department to apply to the FCCRHC Program for discount of our broadband expenses for the term January 1, 2020 through December 31, 2022; and be it further

RESOLVED, that a copy of this resolution be given to Solix Inc., the County Treasurer and the Director of Public Health.

Res. No. 9-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
(KNOWBE4 - Clearwater, FL)**

WHEREAS, Yates County has budgeted for Security Awareness Training to remain compliant with the adopted I.T. Security Policy and comply with our ongoing efforts to enhance the county's security posture;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is hereby authorized to sign a contract with KNOWBE4, of Clearwater, FL for a three (3) year Diamond subscription for Security Awareness Training , effective February 1, 2020 through January 31, 2023 at a cost not to exceed \$8,200; and be it further

RESOLVED, that a copy of this resolution be given to KNOWBE4, the County Treasurer, and to the IT Director.

Res. No. 10-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
(Launch Team Inc. - Brighton, NY)**

WHEREAS, Yates County has received a Local Government Records Management Improvement Fund Grant (LGRMIFG) from New York State; and

WHEREAS, a portion of that grant provides for the purchase/upgrade of the county firewall appliance including configuration/installation services and training; and

WHEREAS, the I.T. Director has obtained the following quotes:

- Sophos \$100,138.40 /4 year Support and Services
- PC Results Inc. \$74,764.00 /4 year Support and Services
- Launch Team Inc. \$57,178.40 /4 year Support and Services; and

WHEREAS, Yates County has approved said purchase and services from Launch Team Inc. in the amount of \$38,644.80 to be covered by said grant; and

WHEREAS, Yates County has budgeted for the balance of \$18,533.60 for said purchase and services from Launch Team Inc.;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is hereby authorized to sign an agreement with Launch Team Inc.; and be it further

RESOLVED, that a copy of this resolution be provided to the Treasurer and the I.T Director.

Res. No. 11-2020
Motioned By: Bronson

Date: January 13, 2020
Seconded By: _____

**APPOINT MEMBERS TO THE YATES COUNTY SOIL AND WATER
CONSERVATION DISTRICT BOARD OF DIRECTORS**

RESOLVED, that the following individuals are hereby appointed to the Yates County Soil and Water Conservation District Board of Directors commencing January 1, 2020 for a term ending December 31, 2022:

- Jeff Eckert, 2844 Ferguson Corners Rd., Geneva, NY 14456
- Klaas Martens, 1443 Ridge Road, Penn Yan, NY 14527

And be it further

RESOLVED, that copies of this resolution be forwarded to Jeff Eckert, Klass Martens and to the Yates County Soil and Water Conservation District.

Res. No. 12-2020
Motioned By: Bronson

Date: January 13, 2020
Seconded By: _____

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

WHEREAS, a Building Maintenance Mechanic vacancy will be created effective January 31, 2020 as a result of a retirement; and

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

WHEREAS, the estimated annual cost to fill the position is \$59,583 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective January 13, 2020 the Building Maintenance Supervisor is hereby authorized to fill the Building Maintenance Mechanic position; and be it further

RESOLVED, that the Building Maintenance Supervisor is also authorized to fill any subsequent vacancies that occur through promotion of an employee into the vacant position; and be it further

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

Res. No. 13-2020
Motioned By: Bronson

Date: January 13, 2020
Seconded By: _____

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT AGREEMENT WITH ESI
EMPLOYEE ASSISTANCE GROUP FOR CSEA AND NON-UNION EAP SERVICES**

WHEREAS, Yates County provides an Employee Assistance Program for its CSEA and Non-Union employees through the ESI Employee Assistance Group; and

WHEREAS, the current agreement expired on 12/31/19;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is hereby authorized to sign a renewal agreement with ESI Employee Assistance Group in the amount of \$3,591 for the period of January 1, 2020 through December 31, 2020; and be it further

RESOLVED, that a copy of this resolution be provided to ESI, County Department Heads and the County Administrator.

Res. No. 14-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH HEALTHWORKS FOR
PRE-EMPLOYMENT DRUG SCREENING**

WHEREAS, Yates County desires to contract with Healthworks to conduct pre-employment drug testing; and

WHEREAS, the cost for such services will be \$35 per drug screen, per person for all drug screening, however, if additional testing is required as a result of the drug screening testing positive the cost for the entire screening will be \$55;

NOW, THEREFORE, BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign the agreement with Healthworks for the period of January 1, 2020 to December 31, 2020; and be it further

RESOLVED, that a copy of this resolution be provided to Healthworks, the County Administrator, Treasurer and the Personnel Officer.

Res. No. 15-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH YATES COMMUNITY
CENTER FOR THE WORK & LIFE SKILLS TRAINING PROGRAM**

WHEREAS, the Yates County Personnel Officer requested to enter into an agreement with the Yates Community Center for the Work & Life Skills Training Program also referred to as "Yates Skill-Up"; and

WHEREAS, the Yates County Legislature is encouraging Towns, Villages, Fire Departments or other cooperating agencies to participate in this community-wide training initiative; and

WHEREAS, as an incentive to encourage participation the Yates County Legislature has agreed to absorb the cost for entities to participate for the contract period of November 1, 2019 to October 31, 2020; and

WHEREAS, the cost to the County for the year will be \$1,500 for the County's participation and then for each additional entity with 1-14 employees \$100, 15-49 employees \$200, 50-100+ employees \$500; and

WHEREAS, each entity will have its own designated administrator who will manage the individual employees for that particular entity;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is authorized to sign an agreement with the Yates Community Center for the contract period of November 1, 2019 to October 31, 2020 for use of the Yates Skill-Up Program for the County and entities willing to participate; and be it further

RESOLVED, that a copy of this resolution be provided to each participating Town Supervisor, Village Mayor and Fire Chief, the Yates County Personnel Officer and Treasurer.

Res. No. 16-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

AUTHORIZE CHAIRMAN TO SIGN PLAN MANAGEMENT AGREEMENT AND BUSINESS ASSOCIATE AGREEMENT WITH BENETECH

WHEREAS, Yates County desires to contract with Benetech for the administration and management of Workers' Compensation and Flexible Spending Account Administration and Health Reimbursement Arrangement Administrative Services inclusive of all statutory functions performed as a Third Party Administrator;

NOW, THEREFORE, BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign the Amendment to the Plan Management Agreement with Benetech for the period of January 1, 2020 through December 31, 2020 for the following cost apportionments:

SERVICE FEE	SERVICE FEE
Flexible Spending Account (FSA) Administrative Services	\$4.65 Per Participant Per Month (PPPM)
Summary Plan Description (SPD) and Plan Documents	\$300 each
Amendments and Summaries of Material Modifications (SMMs)	\$100 each
Health Reimbursement Arrangement (HRA) Administrative Services	\$4.65 Per Participant Per Month (PPPM)
Summary Plan Description (SPD) and Plan Documents	\$300 each
Amendments and Summaries of Material Modifications (SMMs)	\$100 each
Self-Insured Workers Compensation Third Party Claims Administrative Services	1/1/20 – 12/31/20 \$1,587 Per Month (\$19,044 Annually)
WCB General Administration Assessments	1/1/20 – 12/31/20 \$208 Per Month (\$2,496 Annually)

And be it further

RESOLVED, that a copy of this resolution be provided to Benetech, the County Administrator, Personnel Officer and Treasurer.

AMEND YATES COUNTY CONTROLLED SUBSTANCES AND ALCOHOL TESTING POLICY

(Yates County Controlled Substances and Alcohol Testing Policy)

WHEREAS, the Controlled Substances and Alcohol Testing Policy is in need of modification to correct a couple typos;

NOW, THEREFORE, BE IT RESOLVED, that effective January 13, 2020, on page 35 Chapter 6, the second number 3 be changed to 4 and in the same chapter a) under subsection two should not be bold; and be it further

RESOLVED, on page 15 under Chapter 3, required Tests and Associated Costs Section 3, Post Accident Testing subsection c) will be revised to b); and be it further

RESOLVED, that the revised policy be made available to all County employees by means of the Intranet.

AMEND YATES COUNTY EMPLOYEE HANDBOOK

(Yates County Employee Handbook)

WHEREAS, the Employee Handbook is in need of modifications;

NOW, THEREFORE, BE IT RESOLVED, that effective January 13th, 2020 a hyperlink in the Handbook entitled “Yates County Code of Ethics” will be linked to the Yates County Code of Ethics Policy on the Intranet and added to Section 306.7 Related Documents and the remaining subsection numbers be updated accordingly;

And be it further

RESOLVED, the following language be added to Section 603 Overtime / Compensatory Time after 603.3 and the remaining subsection numbers be updated accordingly;

- 4. **Hours Actually Worked** – The County will not count personal or sick leave hours taken by an employee toward the calculation of overtime because the hours are not actually worked and are therefore not considered as hours counted toward overtime under the Fair Labor Standards Act (FLSA). The County will consider paid holidays and vacation as time worked and the hours will be counted toward overtime.

And be it further

RESOLVED, the following language be added to Section 715 The New York State Employees’ Retirement System after 715.3 and the remaining subsection numbers be updated accordingly;

- 4. **Member Contributions** – It is the responsibility of the New York State Comptroller to invest employer and member contributions wisely to ensure there are sufficient assets to

support the benefits earned by current and future retirees. The amount a member contributes is determined by the Comptroller and is subject to change

5. **Voluntary Member Contributions Retirement** – Participating members of the NYS Retirement System are not eligible to make additional monetary contributions towards their NYS Retirement. With the exception that pursuant to New York State Retirement and Social Security Law § 21(L) and 321(L), a Tier One (1) or Two (2) member in a non-contributory plan may choose to make voluntary contributions to the system to purchase additional annuity income.
6. **Tier Status** –The date an employee joins the Retirement System will determine the tier he/she will be assigned. The tier an employee is assigned will determine the benefits available to him/her. The tier determines the employee's:
 - A. Contribution requirements
 - B. Benefit eligibility
 - C. Service crediting
 - D. The formula used to calculate final average salary
 - E. Loan provisions
 - F. Vesting requirements
 - G. Death benefit coverage
 - H. The formula used to calculate the retirement benefit.

And be it further

RESOLVED, the following be added to Section 606 Deferred Compensation after 606.1 and the remaining subsection numbers be updated accordingly;

2. **Retirement Plan Types** – The Plan offers two (2) ways an employee can invest for retirement.
 - A. 457(b) traditional pre-tax contributions
 - B. 457(b) Roth after-tax contributions.
3. **Tax Options** – An employee can decide how he/she wants to be taxed.
 - A. With traditional pre-tax contributions (457(b) traditional), an employee can defer income taxes on contributions and earnings until he/she makes withdrawals from his/her Plan account in retirement, potentially lowering his/her taxable income now.
 - B. With post-tax contributions (Roth 457(b)), an employee will pay income taxes on his/her contributions right away so that his/her distributions in retirement are tax-free, as long as Roth tax requirements are met.
4. **Withdrawal Eligibility** – The conditions under which an employee can make withdrawals from his/her account are:
 - A. Separation from service, including regular retirement
 - B. Unforeseeable Emergency Withdrawal (as defined by federal regulations)
 - C. A Plan loan

- D. Employee reaches age seventy and one-half (70 ½)
- E. Required Minimum Distribution – when an employee reaches age seventy and one-half (70 ½), the IRS requires the employee to take a distribution, unless he/she is still employed by the same employer
- F. Death
- G. Small Inactive Account provision
- H. Purchase service credit in a qualifying pension plan
- I. Absence due to qualifying military service

And be it further

RESOLVED, that a section on Health Reimbursement Arrangement (HRA) be added and become the new Section 713 and the remaining Section numbers be updated accordingly;

713 *Health Reimbursement Arrangement (HRA)*

1. **Summary** – Pursuant to Internal Revenue Code § 105, the County has made an integrated Health Reimbursement Account Plan (HRA) available to full-time employees enrolled in the eligible health plan.
2. **Eligibility** – A full-time employee or Elected Official is eligible to participate in this plan. A part-time, temporary or seasonal employee may not participate in this plan.
3. **Funding** – Employees actively employed by the County on January 1 of a new plan year will be credited with:
 - A. One-thousand three-hundred dollars (\$1,300) for employees receiving individual coverage
 - B. Two-thousand six-hundred dollars (\$2,600) for employees receiving Employee/Spouse coverage
 - C. Two-thousand six-hundred dollars (\$2,600) for employees receiving Family coverage
 - D. Two-thousand six-hundred dollars (\$2,600) for employees receiving Single Parent coverage.
4. **New Employee HRA Funding** – A newly hired employee will be credited with a prorated dollar amount based on his/her benefit eligibility date.
5. **Accumulation** – An employee may accumulate his/her HRA funding to a maximum of six-thousand dollars (\$6,000).
6. **Health Reimbursement Arrangement** – A participating employee may use the money in his/her HRA account to reimburse him/her for eligible out-of-pocket health care expenses (medical, dental and vision) not reimbursed by the existing health or dental plans, such as, but not necessarily limited to, deductibles and co-payments.

7. **HRA Account Upon Retirement** – Upon retirement, an employee with a remaining balance in his/her HRA will be able to continue accessing the funds until they are exhausted. Retirees are not eligible to receive any additional funding.
8. **HRA Account Upon Resignation or Termination** – At the time an employee separates from the County, he/she will no longer be able to access any remaining funds in his/her HRA account for services received after his/her termination date. Employees will be eligible to submit for reimbursement for services received up to and including his/her last day of employment in accordance with HRA COBRA.
9. **Related Documents**
 - A. [HRA COBRA Election Notice](#)
 - B. [HRA Enrollment Form](#)
 - C. [HRA-FSA Eligible Expense List](#)

And be it further

RESOLVED, the following be added to Section 806 Local Law Prohibiting the Use of Tobacco, Nicotine and Other Like Substances and update the subsection numbers accordingly;

4. **Enforcement Procedure for County Employees**
 - A. A complaint form has been made available on the Intranet and when applicable, employees shall utilize this method for reporting violations of Local Law 1-2018 by other employees
 - B. The Enforcement Officer will receive the completed complaint form and will contact the Department Head/Supervising Authority to discuss the claim with the employee in question.
5. **Enforcement Procedure for General Public**
 - A. If a member of the public is using a tobacco product while on County property, employees are encouraged to politely notify the individual that this is a tobacco free campus. The employee does not need to ensure that the person complies.

And be it further

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

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

Res. No. 19-2020

Motioned By: Bronson

Date: January 13, 2020

Seconded By: _____

AUTHORIZE REIMBURSEMENT TO THE TOWN OF MILO

WHEREAS, the County has received a Local Government Records Management Improvement Fund Grant (LGRMIFG) from the New York State Education Department; and

WHEREAS, the Town of Milo will provide labor for their portion of said grant for specific Town record preservation services; and

WHEREAS, the County administers said grant;

NOW, THEREFORE, BE IT RESOLVED, that the County will reimburse the Town for labor using funds from the LGRMIFG; and be it further

RESOLVED, that copies of this resolution be provided to the County Treasurer, Historian and Town of Milo.

Res. No. 20-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

**AMEND RESOLUTION NO. 532-19
(JAIL COOK)**

WHEREAS, Resolution 532-19 was duly adopted on December 30, 2019 which adopted the 2020 Hourly Salary Schedule; and

WHEREAS, the resolution is in need of being amended to reflect the recent NYS State Minimum Wage increase to \$11.80/hour starting January 1, 2020;

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 2020 the “Jail Cook ...\$11.66” be changed to “Jail Cook... \$11.80”; and be it further

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

Res. No. 21-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

**AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN LEASE AGREEMENT
(Keuka Abstract Corporation)**

WHEREAS, the term of a Lease Agreement Between Yates County and Keuka Abstract Corporation for rental of space within the County Clerk’s Office expired on December 31, 2019; and

WHEREAS, the County Clerk has negotiated such agreement with Keuka Abstract Corporation, for an amount of \$250 per month for one year;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is hereby authorized to sign said lease agreement for one year to expire on December 31, 2020; and be it further

RESOLVED, that copies of this resolution be given to the County Clerk, County Treasurer, and Keuka Abstract Corporation.

Res. No. 22-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

**AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO CREATE AND FILL
TEMPORARY FULL-TIME FISCAL ADMINISTRATIVE OFFICER POSITION**

WHEREAS, the Commissioner of Social Services has requested to fill a full-time temporary Fiscal Administrative Officer position due to an anticipated vacancy that will occur in August 2020 as the result of a retirement; and

WHEREAS, the Commissioner has indicated that it will take approximately six (6) to eight (8) months to fully train a new Fiscal Administrative Officer on the financial responsibilities of the position; and

WHEREAS, the Commissioner through the vacancy review process has identified the need to create a temporary full-time Fiscal Administrative Officer position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position is \$60,126 which includes fringe benefits; with the 80% reimbursement the total cost to the County will be \$12,025;

NOW, THEREFORE, BE IT RESOLVED, that effective January 13, 2020 a temporary full-time Fiscal Administrative Officer position is hereby created for a time period not to exceed eight (8) months, unless the appointment is ended sooner by the Commissioner; and be it further

RESOLVED, that the Commissioner of Social Services 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 shall be provided the Commissioner of Social Services, Personnel Officer and County Administrator.

Res. No. 23-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

**A RESOLUTION TO INCREASE STATE SUPPORT FOR CORNELL COOPERATIVE
EXTENSION COUNTY ASSOCIATIONS IN THE STATE OF NEW YORK**

WHEREAS, Cornell Cooperative Extension is a formal collaboration between the National Institute of Food and Agriculture at USDA, New York State, County Governments and the Citizens of the State that has served to apply unbiased, research-based knowledge from Cornell, New York's Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

WHEREAS, local extension educators are key community partners in helping to implement state initiatives including maximizing agriculture and local food systems, strengthening the economy, promoting healthier eating habits and access to good nutrition, fighting poverty particularly in rural areas, protecting water quality and stewardship of New York's natural resources, building opportunity through STEM based youth education and leadership skills in 4-H, promoting protection of farmland resources, and partnering where appropriate to promote agritourism and local food and farm businesses; and

WHEREAS, support from Federal, State and County sources is essential to the continued success of locally-governed county cooperative extension associations; and

WHEREAS, state appropriations for county cooperative extension associations to match county government appropriations as authorized by Section 224 (8) of New York State County Law have remained stagnant for twenty years; and

WHEREAS, state funding is needed to ensure that the Cornell Cooperative Extension system can equitably work for all New York residents through increased resources to support rural, suburban, and urban community development needs;

NOW, THEREFORE, BE IT RESOLVED that the Legislature of Yates County supports increasing the State appropriation for Cornell Cooperative Extension associations to \$8 million, such funds to be distributed directly to the associations through Cornell University as agent for the state as provided by law; and be it further

RESOLVED, that copies of this resolution be given to the Cornell Cooperative Extension, Senator Thomas O'Mara, and Assemblyman Phil Palmesano.

Res. No. 24-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

**AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF
UNDERSTANDING WITH CORNELL COOPERATIVE EXTENSION**

WHEREAS, Yates County has budgeted \$255,153 for the support and maintenance of the work of Cooperative Extension of Yates County in the conduct of the extended educational programs of the New York State College of Agriculture and Life Sciences, the College of Human Ecology and other units at Cornell University;

NOW, THEREFORE, BE IT RESOLVED, the Chairman is authorized to sign an MOU agreement with Cornell Cooperative Extension with the understanding that the insurance requirements are waived; and be it further

RESOLVED, that copies of this resolution be given to Cornell Cooperative Extension

Res. No. 25-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

**REAPPOINT MEMBERS TO THE REGION 8 FISH AND WILDLIFE MANAGEMENT
BOARD**

WHEREAS, pursuant to Article 11, Section 11-0501 of the Environmental Conservation Law of the State of New York, the Chairman of the Legislature shall appoint members to the Region 8 Fish and Wildlife Management Board, subject to confirmation by the County Legislature;

NOW, THEREFORE, BE IT RESOLVED, the following reappointments to the Region 8 Fish and Wildlife Management Board are hereby confirmed by this Legislature for the terms indicated:

Daniel Banach	Term Ending
326 Elm Street	12/31/2021
Penn Yan, NY 14527 (Legislative representative)	

C. George Hullings	Term Ending
4069 Skyline Drive	12/31/2021
Keuka Park, NY 14478 (Sportsmen representative)	

And be it further

RESOLVED, that copies of this resolution be provided to NYSDEC and each member listed above.

Res. No. 26-2020
Motioned By: Bronson

Date: January 13, 2020
Seconded By: _____

RESCIND RESOLUTION NO. 533-19
(Exempt Non-Union Compensatory Time Policy)

WHEREAS, Resolution No. 533-19 was duly adopted on December 30, 2019 and adopted the Exempt Non-Union Compensatory Time Policy; and

WHEREAS, upon further review by the Legislature, the policy is not needed;

NOW, THEREFORE, BE IT RESOLVED, that effective January 13, 2020, Resolution No. 533-19 is hereby rescinded, thus rescinding the Exempt Non-Union Compensatory Time Policy; and be it further

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

Res. No. 27-2020
Motioned By: Church

Date: January 13, 2020
Seconded By: _____

AUTHORIZE CONTRACTS WITH THE FOLLOWING AGENCIES/PERSONS

WHEREAS, Yates County and the Yates County Department of Social Services wish to enter into contract with the following agencies/persons; and

WHEREAS, the term of these contracts is January 1, 2020 through December 31, 2020;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairman of the Yates County Legislature and Commissioner of Social Services are hereby authorized to sign contracts with the following agencies/persons:

- Scott Steele, for counseling services \$90 per hour, waive liability Insurance due to having professional liability insurance
- Chris Clinton, for counseling services \$95 per hour, waive liability Insurance due to having professional liability insurance
- FLACRA, \$40 per assessment, \$10 per urine screen

And be it further

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

Res. No. 28-2020
Motioned By: Church

Date: January 13, 2020
Seconded By: _____

RENEW CONTRACT WITH DUNDEE CHILDREN'S CENTER

WHEREAS, the Department of Social Services assists with childcare expenses for eligible individuals;

NOW, THEREFORE, BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Legislature and the Commissioner of Social Services are hereby authorized to sign a contract between the Yates County Department of Social Services and Dundee Children's Center for the provision of Childcare at the following rates effective 1/1/20 – 12/31/20:

Gross Family Income	Cost per week	Per day
Up to \$17,999	\$90	\$18
\$18,000-\$27,999	\$105	\$21
\$28,000-\$37,999	\$115	\$23
\$38,000-\$51,999	\$130	\$26
\$52,000 and up	\$150	\$30

-2/3 price for additional children.

Before School-\$40 per week with additional children \$26.64

After School- \$67.50 per week with additional children \$44.96

After 3 year old program-\$67.50 per week and additional children \$44.96 per week.

And be it further

RESOLVED, that a copy of this resolution be forwarded to the Yates County Treasurer and the Yates County Department of Social Services.

Res. No. 29-2020

Date: January 13, 2020

Motioned By: Church

Seconded By: _____

AUTHORIZE CONTRACT WITH SAFE HARBORS

BE IT RESOLVED, that after review by the County Attorney, the Youth Bureau Director and the Chairman of the Legislature are hereby authorized to sign contracts with the following agency for approved Youth Bureau funding for the time frame 1/1/2020-12/31/2020:

<u>Agency/Organization</u>	<u>Program</u>	<u>Amount</u>
Safe Harbors of the Finger Lakes -	Sexually Exploited Youth Programming	\$38,000

And be it further

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

Res. No. 30-2020

Date: January 13, 2020

Motioned By: Church

Seconded By: _____

APPOINT MEDICAL DIRECTOR (DEWITT)

WHEREAS, Eleanor H. DeWitt, M. D. has been determined qualified and approved to serve in the capacity as Medical Consultant by the New York State Commissioner of Health; and

WHEREAS, Eleanor H. DeWitt, M.D. has been credentialed by Yates County Public Health and the Human Services Committee of the Yates County Legislature.

NOW, THEREFORE, BE IT RESOLVED, that Eleanor H. DeWitt, M.D. is hereby appointed to the position of Medical Director for Yates County Public Health for a two (2) year period January 1, 2020- December 31, 2021; and be it further

RESOLVED, that a copy of this resolution be sent to Eleanor H. DeWitt, M.D. and the Public Health office.

Res. No. 31-2020

Date: January 13, 2020

Motioned By: Church

Seconded By: _____

AUTHORIZE CHAIRMAN TO SIGN AN AGREEMENT WITH EVALUMETRICS RESEARCH

WHEREAS, Evalumetrics Research has expertise in developing and conducting youth surveys at the middle and high school levels to assess risk and protective factors in this age population; and

WHEREAS, Yates County and its community partners utilize this data for the development and evaluation of programs aimed at improving population health and reducing substance use.

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the Yates County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign an agreement with Evalumetrics Research; and be it further

RESOLVED, that the requirement for the liability certificate of insurance is hereby waived; and be it further

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

Res. No. 32-2020

Date: January 13, 2020

Motioned By: Church

Seconded By: _____

AUTHORIZE CONTRACT RENEWALS WITH THE FOLLOWING AGENCIES/PERSONS:

WHEREAS, Yates County Community Services wishes to renew their agreements with the following agencies/persons; and

WHEREAS, the term of these agreements is January 1, 2020 through December 31, 2020;

NOW, THEREFORE, BE IT RESOLVED, that upon approval by the County Attorney, the Chairman of the Yates County Legislature and Director of Community Services are hereby authorized to sign renewal Agreements with the following agencies/persons for the payment of consideration for the services to be provided therein equal to the amount of funding ultimately provided to the County for such purpose by the applicable New York State agency for the time periods covered by such Agreements. To this end, the initial state funding allotments for such services are set forth below; however, such Agreements will contain recitations that these initial consideration amounts are subject to change by the applicable state funding agency, and that consequently in such instances where said agency changes the ultimate funding amount for the time period covered by an Agreement the amount of consideration to be paid pursuant to such Agreement shall be adjusted accordingly; and further that the payment of the consideration therein is contingent on Yates County receiving the New York State agency funding for such purpose and in the amount of such consideration:

NAME	SERVICE	RATE
ARC of Yates	School Based Counselor	\$5,000

ARC of Yates	Developmental Disability Vocational Services	\$259,150
AspireHopeNY	Family Support	\$48,869
Connie L. Baughman <i>* Certificate of Liability Insurance Waived</i>	Parent Advocacy Services	\$15/hour
Big Brothers/ Big Sisters	Mentoring & Advocacy Services	\$42,252
Catholic Charities-Steuben/Kinship Family and Youth Services	Home Based Intervention	\$247,112
	Recreational Program	\$38,366 Total \$285,478
Council on Addiction of the Finger Lakes	Community Based & School Based Prevention & Education	\$244,644
Dundee Central School District	Advocacy Services to Students	\$45,100
Finger Lakes Area Counseling & Recovery Agency	Addiction Treatment Services	\$149,544
Roberta Fisher <i>* Certificate of Liability Insurance Waived</i>	Fiscal Consultant	\$82/hour
Richard Hoyt, PhD <i>* Certificate of Liability Insurance Waived</i>	Psychological Consultation Services	\$125/hour
Lakeview Health Services	Outreach	\$108,034
	Adult SPOA	\$8,574
	Residential	\$53,440
	Drop In Center	\$25,092
	Psychosocial Club	\$61,048
	System of Care	\$70,379 Total \$326,567
Mark Reynolds, PhD <i>* Certificate of Liability Insurance Waived</i>	Psychological Consultation Services	\$125/hour
Sexual Behaviors Outreach Consultants	Individual and Group Treatment	\$200/Group as needed and \$150/assessment Not to exceed \$5,000
Soldiers & Sailors Memorial Hospital	Clinic Treatment	\$159,431.32
	Crisis Outreach	\$23,235.00
	Health Homes / Service Dollars	\$25,126.00
	Telemedicine/Telepsychiatry	\$4,801.68
		Total \$212,594.00

Yates County Public Health	Principle Account Clerk & Account Clerk Services up to 14 hrs/week	Current Hourly Rate plus Fringe
Yates County Sheriff's Office	Chemical Dependency Services at the Jail	\$3,352
Yates County Workforce Development	Vocational & Work Readiness Activities to Adults	\$3,014
	Youth	\$7,218
		Total \$10,232

And be it further

RESOLVED, that a copy of this resolution be sent to Community Services, the Public Health office and the Yates County Treasurer

Res. No. 33-2020

Date: January 13, 2020

Motioned By: Banach

Seconded By: _____

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH HMT INC.

WHEREAS, the transformer and electrical cables serving the County Office Building needed to be tested in response to a concern with the equipment; and

WHEREAS, the County would like to be proactive and test the transformer and electrical cables serving the County Courthouse in the coming months; and

WHEREAS, the Building Maintenance Supervisor has received an hourly rate from HMT Inc. of \$142.00 per hour for this service;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is hereby authorized to enter into a contract with HMT Inc. for the testing of the transformers and cables; and be it further

RESOLVED, that said contract will run from 1/2/20 to 12/31/20 for an amount not to exceed \$3000.00; and be it further

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

Res. No. 34-2020

Date: January 13, 2020

Motioned By: Banach

Seconded By: _____

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH SCHULER-HAAS ELECTRIC CORPORATION

WHEREAS, the electrical cables serving the County Office Building needed to be replaced due to a failure of the cable; and

WHEREAS, this was an emergency situation as the County Office Building was only able to be powered by the emergency generator until the cables were replaced; and

WHEREAS, the Building Maintenance Supervisor has received quotes from three qualified companies for this service;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is hereby authorized to enter into a contract with Schuler-Haas Electric Corporation for the replacement of the cables; and be it further

RESOLVED, that said contract will run from 1/2/20 to 3/31/20 for an amount not to exceed \$69,800.00; and be it further

RESOLVED, that the County Treasurer is authorized to pay the invoice upon completion of work and contract requirements; and be it further

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

Res. No. 35-2020

Date: January 13, 2020

Motioned By: Holgate

Seconded By: _____

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

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

Ryan Hallings, 3562 Skyline Dr, Penn Yan, NY	Term: 1/1/20 to 12/31/21
Dr. Kim Williams, 3378 E. Sherman Hollow Rd., Penn Yan, NY	Term: 1/1/20 to 12/31/21
William Holgate, 75C S. Glenora Rd., Dundee, NY	Term: 1/1/20 to 12/31/21
Janice Gaub, 278 E. Lake Rd., Penn Yan, NY	Term: 1/1/20 to 12/31/21

And be it further

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

Res. No. 36-2020

Date: January 13, 2020

Motioned By: Holgate

Seconded By: _____

**APPROPRIATE ADDITIONAL REVENUE
(CENTRAL GARAGE)**

WHEREAS, Central Garage has received additional revenue over the 2019 budgeted amount along with corresponding expenditures; and

WHEREAS, these additional funds are not part of the 2019 budget;

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

Revenue:	
A1640.41789 CNTL GAR-Mileage Reimb.	\$ 150.22
A1640.41277 CNTL GAR-E-Z Pass	\$ 96.73
Appropriation:	
A1640.54411 CNTL GAR-Parts/Repaid	\$ 150.22
A1640.54664 CNTL GAR-EZ Pass & AAA	\$
96.73	

And be it further

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

Res. No. 37-2020

Date: January 13, 2020

Motioned By: Holgate

Seconded By: _____

**APPROPRIATE STATE AID
(RECORDS MANAGEMENT)**

WHEREAS, the Department of Records Management has received a Local Government Records Management Improvement Fund Grant (LGRMIFG) from New York State; and

WHEREAS, these additional funds are not part of the 2019 budget;

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

Revenue:	
A1460.43089 REC MGMT-State Aid	\$ 74,192.00
Appropriation:	
A1460.54011 REC MGMT-Consultants	\$ 1,258.00
A1460.54571 REC MGMT-Computer Software	\$ 72,934.00

And be it further

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

Res. No. 38-2020

Date: January 13, 2020

Motioned By: Holgate

Seconded By: _____

**APPROPRIATE ADDITIONAL REVENUE
(SHERIFF)**

WHEREAS, the Sheriff's Department has received additional revenue over the 2019 budgeted amount along with corresponding expenditures; and

WHEREAS, these additional funds are not part of the 2019 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 4,500.00:

Revenue:	
A3110.41510 SH-Sheriff Fees	\$ 4,500.00
Appropriation:	
A3110.51942 SH-OT CO82	\$ 4,500.00

And be it further

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

Res. No. 39-2020
Motioned By: Holgate

Date: January 13, 2020
Seconded By: _____

**APPROPRIATE STATE AID
(PUBLIC HEALTH)**

WHEREAS, the Department of Public Health has received additional state aid; and

WHEREAS, these additional funds are not part of the 2019 budget;

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

Revenue:		
A4010.44457 PH-Lead Program		\$ 1,721.57
A4010.43401 PH-State Aid		\$ 2,612.59
Appropriation:		
A4010.54153 PH-Education		\$ 2,429.70
A4010.54855 PH-Rabies		\$ 1,685.74
A4010.54469 PH-Nursing Supplies		\$ 218.72

And be it further

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

Res. No. 40-2020
Motioned By: Holgate

Date: January 13, 2020
Seconded By: _____

**APPROPRIATE CARRYOVER OF 2019 STATE AID
(RECORDS MANAGEMENT)**

WHEREAS, the Department of Records Management received a Local Government Records Management Improvement Fund Grant (LGRMIFG) from New York State in 2019; and

WHEREAS, a balance of \$36,915 remained at the end of 2019 and these funds can be carried over into 2020; and

WHEREAS, these funds are not part of the 2020 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$36,915:

Revenue:		
A1460.43089 REC MGMT-State Aid		\$ 36,915.00
Appropriation:		
A1460.54571 REC MGMT-Computer Software		\$ 36,915.00

And be it further

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

Res. No. 41-2020
Motioned By: Holgate

Date: January 13, 2020
Seconded By: _____

APPOINT TOURISM ADVISORY COMMITTEE MEMBERS (TAC)

WHEREAS, by Resolution No. 204-17, a Tourism Funding Procedure was adopted by the Yates County Legislature; and

WHEREAS, Resolution No. 117-18 appointed membership of a Tourism Advisory Committee (TAC); and

WHEREAS, Resolution No. 404-18 reappointed TAC members Dani Eichas, Brian Zerges and Jeanne Wiltberger to terms expiring 12/31/20;

NOW, THEREFORE, BE IT RESOLVED, that the following personnel representing their respective organizations are hereby reappointed to the TAC for terms expiring 12/31/21:

<u>Name</u>	<u>Business Name</u>	<u>Representing</u>
Vacant	--	Yates County Chamber of Commerce
Josh Trombley	Keuka Restaurant	Yates County Chamber of Commerce
Vacant	--	Hotel/Motel
Gene Pierce	Glenora Wine Cellars and The Inn at Glenora	Seneca Lake Wine Trail

And be it further

RESOLVED, James Multer (Legislature representative) and Winona Flynn (Acting County Administrator) will continue their appointments to the TAC as voting members until this Legislature appoints different personnel; and be it further

RESOLVED, that Jessica Bacher (Yates County Chamber of Commerce President) will continue her appointment to the TAC as a non-voting advisory member until this Legislature appoints different personnel; and be it further

RESOLVED, that copies of this resolution be sent to all persons stated above.

Res. No. 42-2020
Motioned By: Holgate

Date: January 13, 2020
Seconded By: _____

ENTER INTO AGREEMENT CONCERNING BROADBAND FEASIBILITY STUDY

WHEREAS, Yates County has identified a need to meet rural and insufficient broadband service; and

WHEREAS, Tioga County, Schuyler County and Steuben County are similarly situated with the same needs; and

WHEREAS, officials from said four counties have discussed proposed solutions, and recommend the obtaining of a feasibility study to determine the four-county broadband needs, projected financial models, business and partner structures, technology and design architecture, and business and network operating plans (hereinafter referred to as the "Feasibility Study"); and

WHEREAS, to this end, Southern Tier Network, Inc. (hereinafter referred to as "STN") will be procuring such a Feasibility Study; and

WHEREAS, the four counties wish to enter into an inter-municipal agreement to form a coalition to make regional, unified decisions to address insufficient access to broadband services in the region primarily in rural areas by way of providing financial contribution for the Feasibility Study and facilitating communication between the consultant conducting the Feasibility Study, STN and such counties, as well as bringing community representatives together to evaluate options, identify gaps in service, and report such communication back to each respective county and pursue all local, state and federal funding in support of the projects set forth by such coalition (said inter-municipal agreement herein referred to as the “IMA”); and

WHEREAS, by participating jointly, the above recited counties are well-positioned to provide fiber-based options to serve the unserved or underserved areas of the region with ultra-high broadband services; and

WHEREAS, Southern Tier Network, Inc. has agreed to pay 50% of the cost of the Feasibility Study; and

WHEREAS, said counties have discussed allocating the remaining 50% of the cost of the Feasibility Study (hereinafter referred to as the “Counties Cost Share”), with Yates County’s share being limited to the lesser of 15% of the Counties Cost Share or \$50,000;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to execute on behalf of Yates County an IMA with Tioga County, Schuyler County and Steuben County for effectuating the purposes set forth above, including but not limited to, defining the contribution allocation of each county toward the cost of such Feasibility Study procured by STN; and be it further

RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to execute on behalf of Yates County any agreement(s) with STN concerning such Feasibility Study as well as the Yates County’s cost contribution thereto; and be it further

RESOLVED, that Yates County’s cost authorizations contained herein shall be limited to: the lesser of 15% of the Counties Cost Share or \$50,000; and be it further

RESOLVED, that this resolution herein supersedes Resolution No. 491-19 in its entirety; and be it further

RESOLVED, that copies of this resolution be provided to the Acting County Administrator and the Yates County Attorney.

Res. No. 43-2020

Date: January 13, 2020

Motioned By: Bronson

Seconded By: _____

ADOPT LOCAL LAW 1-20 ENTITLED A LOCAL LAW ESTABLISHING THE OFFICE OF COUNTY ADMINISTRATOR FOR THE COUNTY OF YATES

WHEREAS, proposed Local Law 1-20 entitled “A Local Law Establishing the Office of County Administrator for the County of Yates” was introduced at the January 6, 2020 Legislative meeting; and

WHEREAS, a public hearing was duly held on January 13, 2020;

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law 1-20 entitled “A Local Law Establishing the Office of County Administrator for the County of Yates” is hereby adopted; and be it further

RESOLVED, that a copy of this resolution be given to the County Attorney and the Secretary of State.

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY

Local Law Filing

12231 (Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underling to indicate new matter.

County
City of Yates
Town
Village

LOCAL LAW 1-20 ENTITLED: A Local Law Establishing the Office of County Administrator for the County of Yates

Be it enacted by the Legislature of the

County
City of Yates as follows:
Town
Village

SECTION 1. LEGISLATIVE INTENT

The County of Yates, through the Yates County Legislature (hereinafter referred to as the "County Legislature"), recognizes its responsibility in providing an efficient and accountable administrative government that provides for a clear delineation of responsibility and authority between the legislative function of the County Legislature and that of the county government structure. In accomplishing this, the Legislature is cognizant that county government and the problems that it addresses on a daily basis must be approached from a manageable and concise functional basis. As such, and in conformance with its intent to provide an administrative framework that will achieve these goals, the County Legislature by local law created the position of County Administrator for the County of Yates (hereinafter referred to as the "County Administrator") beginning January 1, 1988.

And subsequent thereto, the County Legislature has continued to maintain the position of County Administrator. It is the intent of this local law to reaffirm that the position of County Administrator shall continue; as well as provide the procedural and substantive framework of the position of County Administrator, including but not limited to, the duties, qualifications and term of office thereof.

SECTION 2. COUNTY ADMINISTRATOR; TERM; QUALIFICATIONS

On or after January 1, 2013 there shall be a County Administrator who shall be appointed by the County Legislature on or after January 1, 2013 for a one year term from and including January 1, 2013 and ending December 31, 2013.

On or after January 1, 2014 there shall be a County Administrator who shall be appointed by the County Legislature on or after January 1, 2014 for a two year term from and including January 1, 2014 and ending December 31, 2015. And similarly thereafter, there shall be a County Administrator who shall be appointed by the County Legislature on or after January 1 of an even

numbered calendar year for a two year term from and including January 1 of said even numbered calendar year and ending on December 31 of the following odd numbered calendar year.

Vacancies occurring otherwise than by expiration of the term shall be filled by appointment by the County Legislature for the unexpired portion of the term.

The County Administrator shall be directly responsible to the County Legislature and shall be a person qualified by formal training in public administration, finance, or related fields, and by experience in an administrative executive position in governmental administration or by equivalent experience and training sufficient to indicate capacity for effective governmental administration.

The County Administrator shall hold no other partisan elective office during his/her term as County Administrator, other than such partisan elective office that he/she may hold at the time of his/her appointment as County Administrator.

The County Administrator position is a full time position.

The total compensation of the County Administrator shall be fixed by the County Legislature.

MINIMUM QUALIFICATIONS:

The County Administrator shall have the qualifications set forth in Section 3 of the Public Officer's Law, except that, at the time of his/her appointment the County Administrator need not be a resident of Yates County, but shall become a resident of Yates County within ninety (90) days of his/her taking office, and thereafter shall remain a resident of Yates County during his/her tenure of office.

In addition to the above qualifications, the County Administrator shall meet or exceed the following qualifications:

- (a) Possess an Associate's Degree from an accredited college or university and have ten years satisfactory paid full time responsible management experience in a private or public business or industrial enterprise, or
- (b) Possess a Bachelor's Degree from an accredited college or university and have six years satisfactory paid full time responsible management experience in a private or public business or industrial enterprise, or
- (c) Possess a Master of Public Administration or a Master of Business Administration Degree or a Master's Degree in a closely related field from an accredited college or university and have four years of satisfactory paid full time responsible management experience in a private or public business or industrial enterprise, or
- (d) Have an equivalent combination of education, training and management experience listed above.

SECTION 3. GENERAL POWERS

The County Administrator shall, as herein provided, act as representative of the County Legislature. Within the limits of his/her authority, he/she shall be responsible to the County Legislature for the overall administration of county government and shall provide a full range of staff services to the County Legislature and its various committees. He/she shall coordinate the activities of the several officers, employees, agents, departments, offices, boards, agencies, and committees so that the policies and programs enunciated by this County Legislature, as well as programs mandated by other governmental authority, are implemented in a cost effective manner for the most benefit to the citizens served. He/she shall perform all of the duties now and

hereafter conferred or imposed upon him/her by law and as directed by the County Legislature and shall have all the powers and perform all the duties necessarily implied or incidental thereto.

In instances where the County Administrator is also a Department Head, any lawful powers and/or duties of the County Administrator granted or directed by the terms of this Local Law herein as they relate to such Department Head or the office/department of such Department Head, shall be withheld and instead wholly exercised by the County Legislature.

SECTION 4. SPECIFIC POWERS AND DUTIES: COUNTY ADMINISTRATOR

The County Administrator shall:

- (a) Execute and enforce, as authorized by the County Legislature, all applicable laws, legalizing acts, ordinances, and resolutions of the County Legislature and all other acts required by operation of law;
- (b) Ensure efficient and effective operation of all County departments and offices, and recommend such changes in personnel, finances and structures as deemed necessary to meet this objective;
- (c) Support and supervise all Department Heads who are not elected officials, in order to assure the implementation of legislative policies and procedures, with a particular emphasis on the provision of consistent and fair departmental goals, objectives, staffing practices and operations in accordance with established policies;
- (d) Appoint such assistants and staff within his/her office as may be authorized by the County Legislature, and the County Administrator shall be the appointing authority thereof;
- (e) Attend meetings of the County Legislature, its committees, and such meetings as the legislature may direct and recommend such policies and measures he/she may deem appropriate;
- (f) Review proposed department and office budgets collaboratively with Department Heads and the Budget Officer and make recommendations for expenditures to be in the County budget, and monitor expenditures throughout the year;
- (g) Coordinate the preparation of multi-department policies and shall, where necessary, make recommendation to the County Legislature and shall implement necessary administrative policies as may be required to carry out the policies established by the County Legislature;
- (h) Perform those specific tasks directed to be performed by him/her by the Legislature through the Standing committee overseeing the office of County Administrator pursuant to its authority under the Legislature's rules or by the Legislature. The County Administrator shall not perform specific tasks requested of him/her by any individual Legislator or group of Legislators;
- (i) Prepare resolutions as directed by the Standing Committee overseeing the Office of County Administrator;
- (j) Participate when requested by a member of the County Legislature in discussions of issues being considered by the legislature at its meetings;
- (k) Conduct regular meetings with Department Heads and others deemed necessary;
- (l) Have the administrative responsibility of approving the organization and staffing within any specific department, or agency or operation subject to his/her direct administrative control and shall have administrative control of other temporary assignments with the same department, agency, or operation or from one department, agency, or operation to another;
- (m) Evaluate on an annual basis all Department Heads, excluding elected Department Heads, who report directly to him/her and shall make recommendations on salaries for Department Heads and other managerial employees;
- (n) Participate as authorized by the County Legislature in the conduct of collective bargaining negotiations with employees;

- (o) Exercise general supervision over all County institutions and agencies, except as otherwise required by law, coordinate the various administrative activities of the county, and unify the management of its affairs or cause all such responsibilities to be executed and performed through the Department Heads;
- (p) Perform the ministerial duty of executing contracts in the name of the county, when such contracts have been authorized by resolution of the County Legislature;
- (q) Have such other powers and perform such other duties as may now or hereafter be conferred or imposed upon him/her by resolution of the County Legislature or applicable law.

SECTION 5. ACTING COUNTY ADMINISTRATOR; DELEGATION; POWERS AND DUTIES

In the event of i) the County Administrator's absence or inability to perform and exercise the powers and duties of his/her office or ii) a vacancy in the office of County Administrator; the County Legislature may appoint a person to serve as Acting County Administrator or more than one person to serve simultaneously as Acting County Administrators.

Any person appointed as an Acting County Administrator shall have only those powers and duties of the County Administrator as are granted and directed to them by the County Legislature, as well as any other additional and related powers and duties granted and directed by the County Legislature. Any person serving as Acting County Administrator does not have to possess the minimum qualifications prescribed for the office of County Administrator. The work hours, work schedule and total compensation for any person serving as an Acting County Administrator shall be determined by the County Legislature at its discretion.

The position of Acting County Administrator shall be at-will, and as such, any person so appointed as an Acting County Administrator shall serve at and during the pleasure of the County Legislature appointing him/her; but in no event shall such service extend beyond the time when the County Administrator is no longer absent or unable to act, or any vacancy in the office of County Administrator is filled by the appointment and qualification of a new County Administrator.

SECTION 6. REMOVAL OF THE COUNTY ADMINISTRATOR DURING HIS/HER TERM

The County Legislature may remove the County Administrator during his/her term for cause upon written charges and after affording him/her the opportunity to be heard thereon.

For the purposes of this Local Law, the failure of the County Legislature to reappoint an incumbent County Administrator to a new term of office shall not be deemed a removal or suspension of said County Administrator.

SECTION 7. DEFINITIONS

(a) Department Head: As used in this Local Law, this term refers to any person, whether appointed or elected, in charge of a department or office of Yates County.

SECTION 8. NO DIVESTITURE OF POWERS OR DUTIES OF THE COUNTY LEGISLATURE

Nothing contained in this Local Law shall operate or be construed to divest the County Legislature of any of its functions, powers or duties.

SECTION 9. SEPARABILITY

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

SECTION 10. LOCAL LAWS REPEALED

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

(a) Local Law No. 1 of the year 1987 entitled “A Local law to establish the office of County Administrator For the County of Yates”, and all amendments thereto, including, Local Law No. 4 of the year 1988, Local Law No. 2 of the year 1992, Local Law No. 1 of the year 1994 and Local Law No. 4 of the year 1996;

(b) Local Law No. 5 of the year 2012 entitled “A Local Law Establishing the Office of County Administrator for the County of Yates”, and its amendment thereto, to wit: Local Law No. 3 of the year 2015.

(c) Local Law No. 2 of the year 2018 entitled “A Local Law Establishing the Office of County Administrator for the County of Yates”.

(d) Local Law No. 4 of the year 2019 entitled “A Local Law Establishing the Office of County Administrator for the County of Yates”.

SECTION 11. EFFECTIVE DATE

This Local Law shall take effect immediately.