



YATES COUNTY LEGISLATURE
417 Liberty Street
Penn Yan, New York 14527
Phone 315-536-5150
Fax 315-536-5166

Leslie Church
Chairwoman
Emilee D. Miller
Clerk

**YATES COUNTY LEGISLATIVE AGENDA
March 17, 2022 at 1:00 pm**

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

Please click this URL to join.

<https://us02web.zoom.us/j/82225457413?pwd=ZVBmVndvdkVHSmRCVnFvTDJPN0tCdz09>

Passcode: 692361

Webinar ID: 822 2545 7413

Or One tap mobile:

+16465588656,,82225457413# US (New York)

+13126266799,,82225457413# US (Chicago)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 312 626 6799

- Ardele Bigos, Finger Lakes Health, Mental Health Needs
- Approve Minutes from the February 14th Meeting
- Approve Audit
- Committee Reports
- Public Comment
- Open Public Hearing on the Proposed Adoption of Local Law 2-22 Entitled: A Local Law Amending Local Law #5-2011 to Establish Redemption Fees for Impounded Dogs

RESOLUTION

Willson	95-22	Adopt Local Law 2-22 Entitled: A Local Law Amending Local Law #5-2011 to Establish Redemption Fees for Impounded Dogs
	96-22	Authorize Chairwoman and Sheriff to Sign Ontario County Related Jail Contract
	97-22	Authorize Chairwoman and County Administrator to Sign CBA Amendment with Certain Sheriff's Employees
	98-22	Authorize Chairwoman and Sheriff to Renew Microwave Communications Tower Site Service
	99-22	Establish Autopsy Assistant Fee
	100-22	Authorize Purchase of Generator Set for Public Safety Communications Project
Bronson	101-22	Authorize I.T. Director to Purchase Monsido Accessibility SAAS Solution (Monsido-Durham, NC)
	102-22	Authorize Chairwoman to Sign Contract (ePlus-Rochester, NY)

	103-22	File County Officers Annual Reports with Clerk of Legislature
	104-22	Authorize Highway Superintendent to Fill Position
	105-22	Authorize Building Maintenance Supervisor to Fill Cleaner Position
	106-22	Authorize Sheriff and Director of Public Health to Create and Fill Shared Part-Time Physician Position
	107-22	Authorize Commissioner of Social Services to Fill Director of Income Maintenance/Child Support Position
	108-22	Authorize Commissioner of Social Services to Create and Fill Caseworker Position
Chilson	109-22	Amendment to Resolution No. 410-21 (Richard Hoyt, PhD)
	110-22	Appoint Member to the Yates County Community Services Board and the Mental Health Subcommittee (Andrea L. Paul)
	111-22	Appoint Member to the Yates County Community Services Board and the Mental Health Subcommittee (Catherine Lovejoy)
	112-22	Amend Resolution 65-22 (Lifeguard Services)
	113-22	Proclaiming March 29 th as Vietnam Veterans Day in Yates County
	114-22	Authorize Chairwoman to Execute the Statewide Expansion of Hurrell-Harrington Non-Competitive Grant (CSTWIDEHH53) and Any Contract Extensions Relating to the Statewide Expansion of Hurrell-Harrington Non-Competitive Grant (CSTWIDEHH53)
Banach	115-22	Authorize Legislature Chairwoman to Sign County to Town Intermunicipal Aid Agreements
	116-22	Authorize Chairwoman of the Legislature and Public Works Committee to Enter into a Contingent Agreement for the Purchase of Three (3) Parcels of Real Property Located in the Town of Benton, County of Yates, State of New York
Paddock	117-22	Acceptable Training for the County Planning Board, Town & Village Planning Boards, and Town & Village Zoning Board of Appeals Members
	118-22	Natural and Recreational Resources Protection Grant- Selection of Grant Awardees and Funding Amounts for 2022
	119-22	Reappoint Members to the Yates County Planning Board (Jamie Sisson, Town of Jerusalem) (Edward Carman, Town of Middlesex) (Chandra Gilman, Town of Rushville) (Paul Danielson, Town of Barrington) (Steve Hullings, Town of Benton) (Larry Strickland, At-Large)
	120-22	2022 Budget Transfers
	121-22	Appropriate Additional Gifted/Donated Aid (Veterans Services)
	122-22	Amending Resolution #81-2022 (Appropriate Carryover of ERAP State Aid)
	123-22	Authorize Chairwoman to Sign Contract with Double M Fence

- 124-22 Authorize Chairwoman to Execute NYSDOT Aviation Project Funding Agreement and Related Documents
Project: Purchase of 2 Fuel Trucks for Fueling Aircrafts
2021 AIR '99 Grant, Project Identification Number
6906.89
- 125-22 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

Resolution No. 95-22
Motioned By: Willson

Date: 3/17/22
Seconded By:

ADOPT LOCAL LAW 2-22 ENTITLED: A LOCAL LAW AMENDING LOCAL LAW #5-2011 TO ESTABLISH REDEMPTION FEES FOR IMPOUNDED DOGS

WHEREAS, proposed Local Law 2-22 entitled “A Local Law Amending Local Law #5-2011 to Establish Redemption Fees for Impounded Dogs” was introduced at the February 8, 2022 Legislative meeting; and

WHEREAS, a Public Hearing was duly held on March 17, 2022;

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law 2-22 entitled “A Local Law Amending Local Law #5-2011 to Establish Redemption Fees for Impounded Dogs” is hereby adopted; and be it further

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

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

Local Law Filing

(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.

LOCAL LAW 2-22 ENTITLED: A LOCAL LAW AMENDING LOCAL LAW #5-2011 TO ESTABLISH REDEMPTION FEES FOR IMPOUNDED DOGS

Be it enacted by the Legislature of the

County

~~City~~ of Yates as follows:

~~Town~~

~~Village~~

Section 1. DECLARATION OF INTENT

This law shall be consistent with all applicable definitions in the New York State Agriculture and Markets Law and the local municipality’s redemption schedule authority as defined in Section 117 of said Agriculture and Markets Law.

Section 2. REDEMPTION FEE

There is established a flat \$25 (twenty-five dollar) redemption fee for each and every dog impoundment regardless of frequency

There shall be established a flat \$10 (ten dollar) fee for each additional twenty-four hour period or part thereof as part of the redemption.

Section 3. EFFECTIVE DATE

This local law shall take effect thirty days after the filing in the office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Resolution No. 96-22
Motioned By: Willson

Date: 3/17/22
Seconded By:

**AUTHORIZE CHAIRWOMAN AND SHERIFF TO SIGN
ONTARIO COUNTY RELATED JAIL CONTRACTS**

WHEREAS, at times the situation may arise for Ontario County Jails need to house inmates temporarily at the Yates County Jail at a cost of \$85 a day;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney that the Chairwoman and the Sheriff are authorized to digitally execute a business and an inmate housing agreement effective 1/1/2022 thru 12/31/2023; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff, the Legislative Clerk, Budget Officer, Director of Finance, and the Treasurer.

Resolution No. 97-22
Motioned By: Willson

Date: 3/17/22
Seconded By:

**AUTHORIZE CHAIRWOMAN AND COUNTY ADMINISTRATOR
TO SIGN CBA AMENDMENT WITH CERTAIN SHERIFF'S EMPLOYEES**

WHEREAS, at the Sheriff's request a bargaining session was held with Council 82 Labor Representative, the Presidents of Local Units #086 and #9010 to discussion amending Article 23 of both collective bargaining agreements from "Miscellaneous" to "Drug and Alcohol Testing" with Sheriff's implementation recommendations; and

WHEREAS, that session took place on February 11, 2022 at the Public Safety Building, and an agreement was resolved;

NOW, THEREFORE, BE IT RESOLVED, the amendment to the Unit #086 and Unit #9010 Article 23 language that the Chairwoman and the County Administrator may execute the policy change along with the Sheriff; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff, County Administrator, Personnel Officer, and the representatives of Council 82, and Presidents of local #086 and Local #9010.

Resolution No. 98-22
Motioned By: Willson

Date: 3/17/22
Seconded By:

**AUTHORIZE CHAIRWOMAN AND SHERIFF TO RENEW
MICROWAVE COMMUNICATIONS TOWER SITE SERVICE**

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman and Sheriff upon the approval of the County Attorney is authorized to renew the microwave services agreement for repair services and preventative maintenance at tower sites with Motorola Solutions, Inc. a NYS OGS #PT68722 vendor for microwave communication service as designated by Motorola

Solutions as their Field Services Unit from 3/5/2022 thru 3/4/2023 year at \$61,464; and be it further

RESOLVED that Motorola Solutions Inc. via its Field Services Unit is the provider for microwave tower site radio maintenance, etc. for the County of Yates with the understanding that the year 2022 is unique as the county is upgrading its public safety communications equipment related to this contract, and that said agreement can end with thirty days notification, if or when applicable; and be it further

RESOLVED, that the Treasurer is authorized to make said payment forthwith; and be it further

RESOLVED, that a copy of this be provided the Sheriff, Treasurer, Budget Officer, Director of Finance, and Communications Upgrade Committee Chair Legislator Paddock.

Resolution No. 99-22

Date: 3/17/22

Motioned By: Willson

Seconded By:

ESTABLISH AUTOPSY ASSISTANT FEE

NOW, THEREFORE, BE IT RESOLVED, that the pathology professional assistant (Diener) fee to aid the pathologist in performing of an autopsy is hereto Two Hundred dollars (\$200.00) per case; and be it further

RESOLVED, that copies of this resolution be provided the Sheriff who administrates Coroners' budget, each elected County Coroner, the Budget Officer, Director of Finance, and Treasurer.

Resolution No. 100-22

Date: 3/17/22

Motioned By: Willson

Seconded By:

AUTHORIZE PURCHASE OF GENERATOR SET FOR PUBLIC SAFETY COMMUNICATIONS PROJECT

WHEREAS, a specification was generated and quotes were solicited for a standby (backup) generator set for a new tower site as part of the Yates County Public Safety Communications Project; and

WHEREAS, quotes received were as follows:

Description	Finger Lakes Power Systems	Integrated Power Systems International	Commercial Power Systems	Stark Equipment
Generator	\$19,100.00	\$24,177.60	\$27,045.00	\$22,350.00
Delivery (weeks)	12 - 14	26	21	23 - 25
Optional Preventive Maintenance (annually)	\$595.00	\$1,888.00	\$1,190.00	\$1,850.00
Generator Set Manufacturer	Generac	Kohler	Kohler	Generac
kW Rating	35	36	36	35

And;

WHEREAS, the apparent low quote is from Finger Lakes Power Systems of Penn Yan, NY; and

WHEREAS, the County's project consultant, C & S Engineers, has reviewed the quotes and finds the proposed generator set meets specifications;

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff is authorized to issue a purchase order to Finger Lakes Power Systems for a generator set to be used as part of the Public Safety Communications Project; and be it further

RESOLVED, that total price shall not exceed \$19,100.00; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Sheriff, Director of Finance, Treasurer, Budget Officer, C & S Engineers and all that submitted quotes.

Resolution No. 101-22

Date: 3/17/22

Motioned By: Bronson

Seconded By:

**AUTHORIZE I.T. DIRECTOR TO PURCHASE MONSIDO ACCESSIBILITY SAAS SOLUTION
(Monsido – Durham, NC)**

WHEREAS, I.T. has identified a solution to monitor and repair issues with the Yates County website additionally correcting any ADA related issues; and

WHEREAS, I.T. has vetted a solution and recommends moving forward with the purchase of an annual subscription to the Monsido's Accessibility SaaS Solution at a cost of \$4300.00/year;

NOW, THEREFORE, BE IT RESOLVED, that the Director of I.T. is authorized to purchase the subscription to the Monsido Accessibility SaaS Solution at a cost of \$4300.00/year; and be it further

RESOLVED, that a copy of this resolution be given to the I.T. Director, the Budget Officer, Treasurer, and the Director of Finance.

Resolution No. 102-22

Date: 3/17/22

Motioned By: Bronson

Seconded By:

**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT
(ePlus -Rochester, NY)**

BE IT RESOLVED, that the Chairwoman of the Legislature, after review by the County Attorney, is hereby authorized to sign a contract with ePlus of Rochester, NY for Professional Services to make configuration changes and upgrades to our production Cisco CUCM phone system at a cost not to exceed 5,000.00; and be it further

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

Resolution No. 103-22
Motioned By: Bronson

Date: 3/17/22
Seconded By:

FILE COUNTY OFFICERS ANNUAL REPORTS WITH CLERK OF LEGISLATURE

RESOLVED, that all County Officers' reports be filed with the Clerk of the Legislature by April 1, 2022 and that said copies will be in the form of **electronic and hard copy**; and be it further

RESOLVED, that copies of this resolution be forwarded to all County Departments.

Resolution No. 104-22
Motioned By: Bronson

Date: 3/17/22
Seconded By:

AUTHORIZE HIGHWAY SUPERINTENDENT TO FILL POSITION

WHEREAS, a Motor Equipment Operator position will become vacant on effective March 18, 2022 as a result of a resignation; and

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

WHEREAS, the estimated annual cost to fill the Motor Equipment Operator position, including fringe, is \$53,119 to \$77,047, depending on health insurance; and

WHEREAS, the estimated annual cost to fill the Motor Equipment Operator Trainee position, including fringe, is \$48,101 to \$72,030, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective March 17, 2022 the Highway Superintendent is hereby authorized to fill the Motor Equipment Operator position with a candidate who meets the minimum qualifications for either Motor Equipment Operator or Motor Equipment Operator Trainee; and be it further

RESOLVED, that copies of this resolution shall be provided to the Highway Superintendent, Deputy Highway Superintendent, Personnel Officer, County Administrator, Treasurer, and Director of Finance.

Resolution No. 105-22
Motioned By: Bronson

Date: 3/17/22
Seconded By:

AUTHORIZE BUILDING MAINTENANCE SUPERVISOR TO FILL CLEANER POSITION

WHEREAS, a Cleaner Vacancy was created effective March 2, 2022 as a result of a resignation; and

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

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$44,134 to \$68,063, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective March 17, 2022 the Building Maintenance Supervisor is hereby authorized to fill the Cleaner position; and be it further

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

Resolution No. 106-22

Date: 3/17/22

Motioned By: Bronson

Seconded By:

**AUTHORIZE SHERIFF AND DIRECTOR OF PUBLIC HEALTH TO CREATE AND
FILL A SHARED PART-TIME PHYSICIAN POSITION**

WHEREAS, Resolution 86-09 created the position of part-time Jail Physician in accordance with NYS Corrections Law §501; and

WHEREAS, the individual currently encumbering the position of Jail Physician, is also performing services for the Yates County Department of Public Health through a contractual agreement; and

WHEREAS, the Sheriff and Director of Public Health are requesting to create and fill a part-time Physician position which shall be shared between the two (2) departments, allowing the needs of each department to be satisfied and to meet the requirements for the continuation of State-Aid funding; and

WHEREAS, the existing Jail Physician position will become and remain vacant; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$20,728; the County receives 100% reimbursement for salary from Public Health State-Aid Funding and therefore the total cost to the County shall be \$17,822;

NOW, THEREFORE, BE IT RESOLVED, that effective March 17, 2022 the Sheriff and Director of Public Health are hereby authorized to create and fill a part-time Physician position; understanding that the physician will provide the Sheriff and Director of Public Health a copy of their personally paid medical malpractice insurance; and be it further

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

Resolution No. 107-22

Date: 3/17/22

Motioned By: Bronson

Seconded By:

**AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL DIRECTOR OF
INCOME MAINTENANCE/CHILD SUPPORT POSITION**

WHEREAS, the Director of Income Maintenance/Child Support position became vacant effective December 31, 2021 as the result of a retirement; and

WHEREAS, the Commissioner through the vacancy review process has identified the continued need for the Director of Income Maintenance/Child Support position and is requesting the position be filled; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$82,404 to \$106,333, depending on health insurance; the County receives 80% reimbursement for salary and fringe and therefore the total cost to the County to refill this position will be \$16,481 to \$21,267;

NOW, THEREFORE, BE IT RESOLVED, that effective March 17, 2022 the Commissioner of Social Services is hereby authorized to fill a full-time Director of Income Maintenance/Child Support position; and be it further

RESOLVED, that the Commissioner of Social Services is authorized to fill any subsequent vacancy that will occur as the result of a promotion of an employee into the vacant Director of Income Maintenance/Child Support position; and be it further

RESOLVED, that copies of this resolution shall be provided the Commissioner of Social Services, Personnel Officer, County Administrator/Budget Officer, Treasurer, and Director of Finance.

Resolution No. 108-22

Date: 3/17/22

Motioned By: Bronson

Seconded By:

**AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO CREATE AND FILL
CASEWORKER POSITION**

WHEREAS, the Commissioner of Social Services has requested to create and fill a full-time Caseworker position due to an anticipated vacancy that will occur on April 21, 2022 as the result of a resignation; and

WHEREAS, the Commissioner has identified the need to create the Caseworker position for an efficient and effective transition and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$62,110 to \$86,039, depending on health insurance; the County receives 80% reimbursement for salary and fringe and therefore the total cost to the County to refill this position will be \$12,422 to \$17,207;

NOW, THEREFORE, BE IT RESOLVED, that effective March 17, 2022 the Commissioner of Social Services is hereby authorized to create and fill a full-time Caseworker 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 Caseworker position; and be it further

RESOLVED, that copies of this resolution shall be provided the Commissioner of Social Services, Personnel Officer, County Administrator/Budget Officer, Treasurer, and Director of Finance.

Resolution No. 109-22
Motioned By: Chilson

Date: 3/17/22
Seconded By:

AMENDMENT TO RESOLUTION NO. 410-21
(Richard Hoyt, PhD)

WHEREAS, Resolution 410-21 authorized signature of agreements for Richard Hoyt, PhD; and

WHEREAS, revised fees have been provided;

NOW, THEREFORE, BE IT RESOLVED, that Resolution 410-21 be amended as follows:

Richard Hoyt, PhD * <i>Certificate of Liability Insurance Waived</i>	Psychological Consultation Services	\$150/hour
---	-------------------------------------	------------

And be it further

RESOLVED, that copies of this resolution be provided to the Public Health Department, Community Services, Treasurer, Budget Officer, and the Finance Director.

Resolution No. 110-22
Motioned By: Chilson

Date: 3/17/22
Seconded By:

APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD
AND THE MENTAL HEALTH SUBCOMMITTEE
(Andrea L. Paul)

BE IT RESOLVED, that the Yates County Legislature appoint Andrea L. Paul, 4725 East Cayuga Street, Locke, New York 13092, to the Yates County Community Services Board and the Mental Health Subcommittee, to a first term ending, 12/31/2025; and be it further

RESOLVED, that a copy of this resolution be provided to Andrea L Paul and to the Yates County Department of Community Services.

Resolution No. 111-22
Motioned By: Chilson

Date: 3/17/22
Seconded By:

APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD
AND THE MENTAL HEALTH SUBCOMMITTEE
(Catherine Lovejoy)

BE IT RESOLVED, that the Yates County Legislature appoint Catherine Lovejoy, 1231 Phelps Road, Middlesex, New York 14507, to the Yates County Community Services Board and the Mental Health Subcommittee, to a first term ending, 12/31/2025; and be it further

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

Resolution No. 112-22
Motioned By: Chilson

Date: 3/17/22
Seconded By:

AMEND RESOLUTION 65-22
(Lifeguard Services)

WHEREAS, resolution 65-22 contained a typographical error; and

WHEREAS, funding has been appropriated in the 2022 Yates County Budget for the following municipalities:

Village of Penn Yan (Lifeguard Services)	\$10,260.00
Town of Middlesex (Lifeguard Services)	\$1,026.00
Town of Torrey (Lifeguard Services)	\$1,026.00

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Yates County Legislature is hereby authorized to sign said memorandums of understanding for the allocation for these funds; and it be further

RESOLVED, that a copy of this resolution be provided to the County Treasurer, Director of Finance, the Budget Officer, and the Youth Bureau Director.

Resolution No. 113-22
Motioned By: Chilson

Date: 3/17/22
Seconded By:

PROCLAIMING MARCH 29TH AS VIETNAM VETERANS DAY
IN YATES COUNTY

WHEREAS, Throughout the history of our state and nation, countless brave individuals have answered the call to patriotic duty, including Vietnam veterans who endured unspeakable hardships and risked their lives fighting for the ideals of democracy; it was on March 29, 1973, the last 2,500 American combat troops were withdrawn from the battlefields of Vietnam, and we solemnly commemorate the anniversary of this day and reflect on its significance for past, present, and future generations; and

WHEREAS, American involvement in the Vietnam War - one of the longest military conflicts in America's history - began with the arrival of the United States military personnel in South Vietnam in the 1950s and ended with the fall of Saigon on April 30, 1975, when the last Americans were evacuated from the United States Embassy; and

WHEREAS, during this long and difficult war, American involvement escalated to staggering statistics: over 3.4 million were deployed to Southeast Asia; 2.7 million served in the designated war zone; over 58,000 were killed in theater of operation; 153,000 were non-mortally wounded; today nearly 4 decades later approximately 2,000 are still unaccounted for; and

WHEREAS, of the names listed on the Vietnam Memorial Wall in our nation's capital, 4,120 are those of courageous young New Yorkers who went off to fight half way around the world, never to return; we recognize and thank all of our county's Vietnam veterans for their service- those who made the ultimate sacrifice, those who came home physically or emotionally scarred, and those who returned home safely to their loved ones; and

WHEREAS, we have not forgotten - nor will we ever forget - the men and women who served so honorably in the Vietnam War, like so many others who answered the call to serve in previous and subsequent wars; the selfless service and sacrifice of Vietnam veterans as an inspiring reminder of the patriotism, spirit, and courage of all who serve in our nation's Armed Forces; and

WHEREAS, in accordance with the Vietnam War Veterans Recognition Act of 2017 that amended title 4 United States Code, section 6(d) directing the flag be raised in honor of Vietnam Veterans Day; and

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature proclaims in commemoration of those who served, that the Yates County Legislature extends its gratitude to all who served during the Vietnam War, by proclaiming March 29, 2022 as "Vietnam Veterans Day" in Yates County.

Resolution No. 114-22

Date: 3/17/22

Motioned By: Chilson

Seconded By:

AUTHORIZE CHAIRWOMAN TO EXECUTE THE STATEWIDE EXPANSION OF HURRELL-HARRING NON-COMPETITIVE GRANT (CSTWIDEHH53) AND ANY CONTRACT EXTENSIONS RELATING TO THE STATEWIDE EXPANSION OF HURRELL-HARRING NON-COMPETITIVE GRANT (CSTWIDEHH53)

WHEREAS, there are funds available to the Yates County Public Defender's Office through non-competitive grants; and

WHEREAS, a grant was written titled "Statewide Expansion of Hurrell-Harring" in the amount of \$1,736,169.00 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 Chairwoman of the Legislature for the receipt of the same (hereinafter referred to as the "Hurrell-Harring Master Contract"); and

WHEREAS, if the monies are not all used prior to the grant term of April 1, 2018 – March 31, 2023 for expenditures that are reimbursable under the Hurrell-Harring 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 March 31, 2023 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 Chairwoman 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 Chairwoman of the Legislature is authorized to sign and execute the Hurrell-Harring 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/Budget Officer, Director of Finance, County Treasurer and the Office of Indigent Legal Services (ILS)

Resolution No. 115-22
Motioned By: Banach

Date: 3/17/22
Seconded By:

AUTHORIZE LEGISLATURE CHAIRWOMAN TO SIGN COUNTY TO TOWN INTERMUNICIPAL AID AGREEMENTS

WHEREAS, Yates County wishes to enter in to an Inter-municipal Aid Agreement pursuant to Article 5-G, Section 119-o, of the New York General Municipal Law; and

WHEREAS, pursuant to Federal and State law the Provider and the Requester are allowed to enter into such Mutual Aid agreements to assist in times of emergency; and

WHEREAS, Yates County resolution #117-17 previously authorized the Chairman of the Legislature to sign Inter-municipal Aid Agreements with various participating towns in Yates County; and

WHEREAS, the original inter-municipal aid agreements have expired and new agreements are needed;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is hereby authorized to sign all County to Town Inter- municipal Aid Agreements; and be it further

RESOLVED, that a copy of this resolution be sent to the Yates County Highway Superintendent, the County Administrator and to the Highway Superintendent and the Town Supervisors of all participating, signatory Towns.

Resolution No. 116-22
Motioned By: Banach

Date: 3/17/22
Seconded By:

AUTHORIZE CHAIRWOMAN OF THE LEGISLATURE TO ENTER INTO A CONTINGENT AGREEMENT FOR THE PURCHASE OF THREE (3) PARCELS OF REAL PROPERTY LOCATED IN THE TOWN OF BENTON, COUNTY OF YATES, STATE OF NEW YORK

WHEREAS, Yates County (hereinafter referred to as the “County”) wishes to acquire three (3) parcels of real property to accommodate the installation and operation of a County owned Highway, Public Health and Office of Emergency Services Facility; and

WHEREAS, the County has identified three (3) parcels of real property that are conducive to such objective located in the Town of Benton, County of Yates, State of New York, (hereinafter referred to as the “Acquisition Parcels”); and

WHEREAS, the County wishes to acquire the Acquisition Parcels by way of purchase, subject to the satisfaction of certain contingencies; and

WHEREAS, to such end, the County will agree to a negotiated purchase price within the price parameters established by the County Legislature for the Acquisition Parcels, along with the County paying all closing costs, including such closing costs of the seller;

NOW, THEREFORE, BE IT RESOLVED, that upon approval by the County Attorney, the County hereby authorizes the Chairwoman of the Legislature to enter into a written agreement between the County and the property owners, for a purchase price of each Acquisition Parcel within the price parameters established by the County Legislature, with the County paying all closing costs, including such closing costs of the seller, and containing any other provisions approved by the County Attorney; and be it further

RESOLVED, that subsequent to the parties' execution of such agreement, and satisfaction of applicable contingencies, the Chairwoman is hereby authorized to execute any and all documentation necessary to effectuate the County's purchase of the Acquisition Parcels and the conveyance of the Acquisition Parcels to the County; and be it further

RESOLVED, that a copy of this resolution be given to the Highway Superintendent, Director of Public Health, Director of Emergency Services, County Administrator/Budget Officer, Director of Finance, Treasurer, and County Attorney.

Resolution No. 117-22

Date: 3/17/22

Motioned By: Paddock

Seconded By:

ACCEPTABLE TRAINING FOR THE COUNTY PLANNING BOARD, TOWN & VILLAGE PLANNING BOARDS, AND TOWN & VILLAGE ZONING BOARD OF APPEALS MEMBERS

WHEREAS, Town Law Sections 267 and 271 and General Municipal Law 239-C provide that effective January 1, 2007, all planning board and zoning board of appeals members in New York State, as well as alternate members of those boards, must complete a minimum of four hours of training each year; and

WHEREAS, the above sections of state law provide that a planning board or zoning board of appeals member shall not be eligible for reappointment to such board if they have not completed the training required by law; and

WHEREAS, the above sections of state law provide that the legislative body of the County can specify which activities qualify as training to satisfy the state requirements; and

NOW, THEREFORE, BE IT RESOLVED, that the following list of agencies, commissions, associations, universities, and other organizations are approved to provide training to meet the state requirements when the training they provide pertains to municipal planning, zoning, community design, environmental issues, economic development, and local government functions and practices:

- 1) the NYS Department of State; Department of Agriculture and Markets; Office of the State Comptroller; Department of Health; Department of Transportation; Department of

Environmental Conservation; Office of Parks, Recreation, and Historic Preservation; Hudson River Valley Greenway; and

2) the New York State Association of Towns, the New York Conference of Mayors, the New York State Association of Counties, the New York Planning Federation, the American Planning Association, the Upstate New York Chapter of the American Planning Association and its sections, and the Metro New York Chapter of the American Planning Association and its sections; and

3) the Capital District Regional Planning Commission, Central New York Regional Planning and Development Board, Herkimer-Oneida Counties Comprehensive Planning Program, Lake Champlain-Lake George Regional Planning Board, Long Island Regional Planning Board, Southern Tier Central Regional Planning and Development Board, Southern Tier East Regional Planning Development Board, Southern Tier West Regional Planning and Development Board, Genesee-Finger Lakes Regional Planning Council, Hudson Valley Regional Council, Tug Hill Commission, and Adirondack Park Agency; and

4) the Yates County Planning Department and the Yates County Soil and Water Conservation districts;

5) the Albany Law School Governmental Law Center and Institute for Legal Studies, Pace Law School, Cornell University and its cooperative extension;

6) On-line planning and zoning training programs offered by the New York Municipal Insurance Reciprocal, Pace University and Land Use Law Center, and the Lincoln Institute of Land Use Policy; and

7) the Hancock Estabrook, LLP and MRB Group 2022 Municipal Bootcamp Series; and be it further

RESOLVED, that other training activities may be approved on a case-by-case basis by the County upon the request of the Yates County Planning Department; and be it further

RESOLVED, that training received by a planning board member or zoning board of appeals member in excess of four hours in any one year may be carried over by the member into succeeding years; and be it further

RESOLVED, that copies of this resolution be given to the Yates County Planner, The Cornell Cooperative Extension of Yates County, and a copy filed with the County Clerk.

Resolution No. 118-22

Date: 3/17/22

Motioned By: Paddock

Seconded By:

**NATURAL AND RECREATIONAL RESOURCE PROTECTION GRANT-
SELECTION OF GRANT AWARDEES AND FUNDING AMOUNTS FOR 2022**

WHEREAS, the Yates County Legislature has created a Natural and Recreational Resources Protection Fund for use in awarding certain parties grants to assist in promoting such resources in Yates County; and

WHEREAS, applicants have submitted requests for funding of their prospective programs, projects and efforts that meet the criteria set forth in the Natural and Recreational Resource Protection Grant Guidelines adopted by Yates County; and

WHEREAS, the Finance Committee, County Administrator, Ad-Hoc Natural and Recreational Resource Protection Grant Award Committee, and the Planner have reviewed and evaluated such applicants for eligibility and other criteria set forth in said Guidelines;

NOW, THEREFORE, BE IT RESOLVED, on recommendation of the Finance Committee, County Administrator, the Planner, and the Ad-Hoc Natural and Recreational Resource Protection Grant Award Committee, that grants be awarded to the following applicants for the stated projects in the amounts indicated:

- 1) Town of Torrey, Torrey Town Park Remediation, \$12,747;
- 2) Village of Dresden, Village of Dresden Tennis Courts, \$25,000;
- 3) Fulkerson Wine Cellars, Frisbee Golf Course Project, \$10,649;

RESOLVED, that upon notification and intent to accept on the part of the awardees that each party shall enter into a contractual phase to formalize the details and obligations of both parties and the Chairwoman is authorized to sign such contracts after approval by the County Attorney.

Resolution No. 119-22
Motioned By: Paddock

Date: 3/17/22
Seconded By:

REAPPOINT MEMBERS TO THE YATES COUNTY PLANNING BOARD

(Jamie Sisson, Town of Jerusalem)
(Edward Carman, Town of Middlesex)
(Chandra Gilman, Town of Rushville)
(Paul Danielson, Town of Barrington)
(Steve Hullings, Town of Benton)
(Larry Strickland, At-Large)

WHEREAS, Jamie Sisson (2907 West Lake Rd, Penn Yan), Edward Carman (638 Fisher Rd, Middlesex), Chandra Gilman (PO Box 3, Rushville), Paul Danielson (5347 Dutch St, Dundee), Steve Hullings (2384 Stape Rd, Penn Yan), and Larry Strickland (234 East Main, Penn Yan) have been recommended by their respective municipalities to be their representation on the Yates County Planning Board;

NOW, THEREFORE, BE IT RESOLVED, that Jamie Sisson is hereby reappointed as a member of the Yates County Planning Board, representing the Town of Jerusalem, to a term to expire on 3/14/24, and Edward Carman is hereby reappointed as a member of the Yates County Planning Board, representing the Town of Middlesex, , to a term to expire on 3/14/24, and Paul Danielson is hereby reappointed as a member of the Yates County Planning Board, representing the Town of Barrington, to a term to expire on 3/14/25, and Steve Hullings is hereby reappointed as a member of the Yates County Planning Board, representing the Town of Benton, to a term to expire on 3/14/24 and Larry Strickland is hereby reappointed as a member of the Yates County Planning Board, as a member At-Large, to a term to expire on 3/14/25; and be it further

RESOLVED, that copies of this resolution be given to Jamie Sisson, Edward Carman, Chandra Gilman, Paul Danielson, Steve Hullings, Larry Strickland, the County Planner, the Town of Jerusalem, the Town of Middlesex, the Town of Rushville, the Town of Barrington, and a copy filed with the County Clerk.

Resolution No. 120-22
Motioned By: Paddock

Date: 3/17/22
Seconded By:

2022 BUDGET TRANSFERS

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

From:	To:	Amount:
A1165.54740 DA- Sec Transport	A1165.51108 DA-LEO Liaison	\$ 1,565.46
A1165.54072 DA- Exp. Witness Fee	A1165.51108 DA- LEO Liaison	\$ 2,887.64
A1990.54905 CONTINGENT	A6010.51389 DSS- Social Welfare Exam.	\$ 35,527.00

And be it further

RESOLVED, that copies of this resolution be provided to the District Attorney, the Director of Social Services, the County Treasurer, the Finance Director and the Budget Officer.

Resolution No. 121-22
Motioned By: Paddock

Date: 3/17/22
Seconded By:

**APPROPRIATE ADDITIONAL GIFTED/DONATED AID
(VETERANS SERVICES)**

WHEREAS, Veterans Services has been gifted additional aid for travel expenses in the amount of \$1,250.00; and

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

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

Revenue:		
A6510.42705 VET-Gifts & Donations		\$ 1,250.00
Appropriation		
A6510.54660 VET-Travel Expenses		\$ 1,250.00

And be it further

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

Resolution No. 122-22
Motioned By: Paddock

Date: 3/17/22
Seconded By:

**AMENDING RESOLUTION #81-2022
(Appropriate Carryover of ERAP State Aid)**

WHEREAS, resolution #81-22 “Appropriate Carryover of ERAP State Aid” was adopted on 2/14/2022 and funds were carried over to the 2022 Budget Year; and

WHEREAS, these funds should have been appropriated for the 2021 Budget Year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be corrected and tabulated below for the 2021 budget year:

Revenue:		
A6010.44610 SS- Social Service Admin		\$ 5,134.00
Appropriation:		
A6010.54027 SS- Miscellaneous		\$ 5,134.00

And be it further

RESOLVED, that resolution #81-22 be rescinded; and it be further

RESOLVED, that copies of the rescinded resolution be provided to the Commissioner of Social Services, the County Treasurer, Director of Finance and the Budget Officer.

Resolution No. 123-22
Motioned By: Paddock

Date: 3/17/22
Seconded By:

**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH
DOUBLE M FENCE**

WHEREAS, a wildlife fence was damaged during the flooding that occurred in August 2021 at the Penn Yan – Yates County Airport; and

WHEREAS, it is necessary to repair the damaged fencing to prevent wildlife from entering airport property; and

WHEREAS, Yates County Airport Council working with Passero Associates and Yates County Highway have determined an alternate location that will mitigate future damage due to flooding; and

WHEREAS, firms capable of providing the fence repair have been contacted and have returned quotes as follows:

The Grounds Guys	\$21,350.00
Double M Fence	\$11,000.00
NY Fence	No quote received.
Ballard Fence	No quote received
Reale Fence	No quote received; and

WHEREAS, the Airport Council has reviewed the quotes obtained and recommends that the County engage Double M Fence for the sum of \$11,000 to undertake the project as described; and

WHEREAS, the expenditure is reimbursable to the County from FEMA or through other grant funding;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairwoman of the Legislature is authorized to sign a contract between Double M Fence and Yates County for the described project at the Penn Yan – Yates County Airport in the amount of \$11,000; and be it further

RESOLVED, that copies of this resolution be provided to the Airport Council, Yates, Passero Associates, County Highway Superintendent, County Budget Officer, County Director of Finance, and the County Treasurer.

Resolution No. 124-22

Date: 3/17/22

Motioned By: Paddock

Seconded By:

**AUTHORIZE CHAIRWOMAN TO EXECUTE NYSDOT AVIATION PROJECT
FUNDING AGREEMENT AND RELATED DOCUMENTS**

**PROJECT: PURCHASE OF 2 FUEL TRUCKS FOR FUELING AIRCRAFTS
2021 AIR'99 GRANT, PROJECT IDENTIFICATION NUMBER 6906.89**

WHEREAS, Yates County will receive a grant from the New York State Department of Transportation (NYSDOT) for financial assistance for the Project Acquiring 2 Fuel Trucks as referenced above at the Penn Yan-Yates County Airport; and

WHEREAS, the Grant amount is \$373,500, Local Share amount is \$41,500, and total Project Cost is \$415,000;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is hereby authorized to execute the NYSDOT Aviation Project Funding Agreement and any other necessary documents in connection with the advancement or approval of the aforementioned project at Penn Yan-Yates County Airport; and be it further

RESOLVED, that the Chairwoman of the Legislature is hereby authorized to accept the Grant Agreement from NYSDOT; and be it further

RESOLVED, that copies of this resolution be given to the Treasurer, Director of Finance, Budget Officer, and the Penn Yan-Yates County Airport; and be it further

RESOLVED, that a Certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Resolution No. 125-22

Date: 3/17/22

Motioned By: Paddock

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 was twice previously effectively extended, once for the one-year period of January 1, 2020 through December 31, 2020 and another for the one-year period of January 1, 2021 through December 31, 2021; and

WHEREAS, the County wishes to additionally extend the Contract for 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 March 1, 2022 are in order due to cost increases, 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;

NOW, THEREFORE, BE IT RESOLVED, that the County is authorized to enter into a written amendment to the Contract extending the term thereof for the one-year term of January 1, 2022 through December 31, 2022, with the pricing beginning March 1, 2022 for such general office supplies provided by the Contractor to be 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 this resolution shall supersede the County's previous resolution passed on December 29, 2021, numbered 495-21; and be it further

RESOLVED, that copies of this resolution be given to the County Treasurer, Budget Officer, Director of Finance, and Longs' Cards and Books, Inc.