



YATES COUNTY LEGISLATURE
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Douglas Paddock
Chairman

Connie C. Hayes
Clerk

**YATES COUNTY LEGISLATIVE
AGENDA**

April 13, 2020 at 1:00 pm

**THIS MEETING WILL BE DONE IN A
WEBINAR SETTING.**

PUBLIC AND PRESS WEBINAR PARTICIPATION INFORMATION ONLY

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

Please click this URL to join. <https://zoom.us/j/254418139>

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

Webinar ID: 254 418 139

- Approve minutes of the March 9th and March 25th meetings
- Approve Audit
- Committee reports
- Public Comment

RESOLUTIONS

- | | | |
|---------|--------|--|
| Cutler | 145-20 | Recognize 2020 National Crime Victims' Rights Week |
| | 146-20 | Recognize National Public Safety Telecommunications Week For 2020 |
| | 147-20 | Recognize Yates County Sheriff's Officer of the Year |
| | 148-20 | Authorize Chairman to Sign Agreement With Verbatim Court Reporting Services, Inc. |
| | 149-20 | Authorize Director of Emergency Management to Create and Fill a Position (Emergency Services Coordinator) |
| | 150-20 | Enter Into An Inter-Municipal Agreement With Schuyler County Concerning Emergency Related Services Provided By the Yates County Emergency Services Coordinator |
| Bronson | 151-20 | Authorize Chairman of Legislature to Sign Contract Extension Appendix X for HAVA Shoebox Money Contract #T003215 |
| | 152-20 | Authorize Chairman to Enter Into a Lease with Dianne S. Lovejoy for the Rental of Office Space |
| | 153-20 | Authorize Chairman to Enter Into a Written Agreement with Dianne S. Lovejoy for the Administration of Indigent Person Conflict Assignments |
| | 154-20 | Amend Resolution 531-19 Adopt 2020 Non-Union Salary Schedule (Deputy County Highway Superintendent) |
| | 155-20 | Authorize Chairman to Sign Memorandum of Understanding (CSEA) |
| | 156-20 | Enter Into a Non-Disclosure Agreement with Spectrum Northeast, LLC and/or Charter Communications, Inc. in Furtherance of Broadband Feasibility Study |
| Church | 157-20 | Amend Resolution 366-19 |
| | 158-20 | Appropriate Workforce Development Funding |
| | 159-20 | Authorize Amendment to Yates County Foster Care and Adoption Subsidy Rates |

- 160-20 Sign Agreement with Health Research Inc. (HRI)
- 161-20 Appoint Member to the Yates County Community Services Board and the Mental Health Sub-Committee
- 162-20 Appoint Member to the Yates County Community Services Board

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 - 163-20 Award Bid for Cold Milling of Asphalt Pavement
 - 164-20 Award Bid for Liquid Bituminous Material
 - 165-20 Award Bid for Hot Mix Asphalt Concrete
 - 166-20 Authorize Legislature Chairman to Sign 2020 Mowing Contracts
 - 167-20 Designate Deputy Highway Superintendent as the Responsible Local (RLO) for Purposes of the NYSDOT's EBO Software

- Holgate
 - 168-20 Hiring of Clark Patterson Lee as the Consulting Engineering Firm to Undertake the County-Wide Water Infrastructure Study.
 - 169-20 Natural and Recreational Resource Protection Grant – Selection of Grant Awardees and Funding Amounts for 2020
 - 170-20 2020 Budget Transfers
 - 171-20 Appropriate Carryover of 2019 LEAD Grant (Public Health)
 - 172-20 Appropriate Carryover of 2019 Mental Health Grant (Community Services)
 - 173-20 Accept and Appropriate State Interoperable Grant FY 2019 (Sheriff)
 - 174-20 Accept and Appropriate Live Scan State Grant (Sheriff)
 - 175-20 Appropriate CARA SFY 2019-2020 (Social Services)
 - 176-20 Appropriate Additional NCEP Federal Aid (Social Services)
 - 177-20 Enter into a Non-Disclosure Agreement with Spectrum Northeast, LLC and/or Charter Communications, Inc. in furtherance of Rural Utilities Service Reconnect Program Grant
 - 178-20 Authorizations Pertaining to a Grant and Security Agreement with the United States of America, and Other Documentation, Regarding the Receipt of a Grant Pursuant to the Rural Utilities Service Reconnect Program
 - 179-20 Authorize Chairman to Sign Addendum to the Southern Tier Broadband Coalition Inter-Municipal Agreement (IMA)

RECOGNIZE 2020 NATIONAL CRIME VICTIMS' RIGHTS WEEK

WHEREAS, the National Crime Victim's Rights Week is designated as April 19 – 25 acknowledging the victims' rights movement that has resulted in the passage of laws at the local, state, and federal levels that established essential rights for victims, and the theme this year is *Seek Justice, Ensure Victims' Rights, Inspire Hope*; and

WHEREAS, the District Attorney, the Victims' Advocates, the Sheriff, the Victims' Impact Panel Coordinator, and the Probation Director in their commitments to raise victim awareness now request a proclamation for recognition of this annual victims' rights week; and

WHEREAS, it was 1982 when President Reagan signed the crime victims' rights act that has provided victims with ways to participate meaningfully throughout the criminal justice process, with a more equitable and supportive response to victims; and

WHEREAS, the rights of crime victims are best protected when all participants in the criminal justice process—not only victims—are appropriately educated about victims' rights; and

WHEREAS, crime can leave a lasting impact regardless of age, gender, sexual orientation, immigration or economic status, thus supporting victims of crime is crucial to the U.S. justice system because our support honors the experiences of victims and allows them to have dignity and respect to find autonomy and empowerment through achieving self-defined goals; and

WHEREAS, we must help victims access the justice, assistance, and support they need to rebuild their lives, and by providing advocacy by and for victims of crime it is itself a form of seeking justice, no less than justice sought in the courts; and

WHEREAS, the accomplishments of the victims' rights movement—achieved through compassion and collaboration, and built on the courageous advocacy of individual victims and their families across the country—inspire in us hope for future progress and greater healing; and

WHEREAS, we are determined to respond to crime and violence by helping victims find not only support, recovery, and justice, but also a sense of hope for their future, providing an opportunity to recommit to ensuring that accessible, appropriate, and trauma-informed services are offered to all victims of crime; and

WHEREAS, in Yates County, criminal justice services both public and private are dedicated to strengthen victims and survivors available to help rebuild lives, and thus victims' rights are a critical component of the Probation Officers, District Attorney's staff and Victim's Advocates, Sheriff's services including STOP DWI program Victims Impact Panel, and VINE in-custody hotline and the notification of the service of protective orders all play a role in victims' support, and

WHEREAS, both public and private entities are hereby dedicated to strengthening victims and survivors in the aftermath of crime, building resilience in our communities and our victim service providers, and bringing hope and healing to all victims and survivors;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature recognizes **National Crime Victims' Rights Week** April 19 – 25, 2020 and supports the rights of crime victims and survivors to be treated with dignity and fairness; and be it further

RESOLVED that this Legislature thank all the local efforts of so many advocates, volunteers, individuals, public employees and entities in our community, and be it further

RESOLVED, that a copy of this resolution be provided to Marisa Rube, Director, Safe Harbors of the Finger Lakes; Caitlin Metz, Director of Victim/witness services at the D.A. office; Tiffany Worboys, Victim's Advocate for the Sheriff's Office; STOP DWI program VIP Coordinator Linda Wright; Probation Director Sharon Dawes; District Attorney Todd Casella and Sheriff Ron Spike.

Res. No. 146-2020
Motioned By: Cutler

Date: April 13, 2020
Seconded By: _____

**RECOGNIZE NATIONAL PUBLIC SAFETY
TELECOMMUNICATIONS WEEK FOR 2020**

WHEREAS, **National Public Safety Telecommunications Week** has been designated by APCO (Association of Public-Safety Communications Officials) as April 12 – 18, 2020, celebrating all emergency telecommunications personnel's hard work, sacrifices and devotion to their law enforcement and public safety efforts in their local communities; and

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services; and when an emergency occurs the prompt response of police officers, firefighters and emergency medical responders is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers, firefighters and first responders is dependent upon the quality and accuracy of information obtained from citizens who telephone or text the Yates County 911 emergency communications center; and Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; where they monitor emergency responders' activities by radio, providing them information and insuring their safety; and have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients, while exhibiting compassion, understanding and professionalism during the performance of their duties job in the past year;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature takes recognition of the National Public Safety Telecommunications Week and joins Sheriff Spike thanking all the Yates County 911 emergency services dispatch personnel, and related staff for their continued efforts to preserve the public's safety and health; and be it further

RESOLVED, that copies of this resolution be provided to Sheriff Spike, the Director of OEM Winslow, Chief Dispatcher Smith, the 911 Advisory Board members and President Lindsay Tones of Local #9010 of Council 82.

Res. No. 147-2020
Motioned By: Cutler

Date: April 13, 2020
Seconded By: _____

**RECOGNIZE YATES COUNTY
SHERIFF'S OFFICER OF THE YEAR**

WHEREAS, on March 14, 2020 the Johnson Costello Post 355 of the American Legion, Penn Yan after Sheriff's nomination has recognized Deputy Sheriff Seth Skelly as the 2019 Officer of the Year noting that Skelly graduated from Bath Haverling high school, attended Corning Community College, and then joined the US Army as a military police officer, and after became a VA hospital police officer. He joined the Yates County Sheriff Office in 2015 as Marine Patrol Officer and appointed a deputy sheriff in 2016 graduating from the Elmira LE Academy assigned to the Road Patrol; and

WHEREAS, Skelly has received several letters of recognition, including arrests, and STOP DWI award of merit. On June 29, 2019, he responded to a swimming pool drowning call of a two-year-old boy in rural Italy Valley, and he arrived on scene in three minutes finding the boy unconscious. He immediately began CPR to the lifeless child and continued for an exhausting ten minutes not giving up. Then a Naples FD first responder arrived to help. Deputy Skelly retrieved his CPR mask from his patrol car and stated giving breaths. EMS arrived and 13 minutes later reported a pulse. The boy was medivac helicopter to Strong Memorial Hospital where he survived. Additionally Skelly has completed 160 hours of advanced training, much of it being mathematics, and is part of the YCSO Accident Reconstruction Unit.

NOW, THEREFORE, BE IT RESOLVED that this Legislature joins Sheriff Spike and the Americans Legion in recognizing Deputy Sheriff Seth Skelly as county officer of the year for 2019, and thanks him for his public safety work, and proficiency in his policing skills; and be it further

RESOLVED, that a copy of the resolution be provided to Deputy Skelly, Personnel Officer, Council 82 Unit 1869 President and Sheriff Spike.

Res. No. 148-2020
Motioned By: Cutler

Date: April 13, 2020
Seconded By: _____

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH VERBATIM COURT
REPORTING SERVICES, INC.**

WHEREAS the District Attorney is required to retain a court reporter for transcription of the minutes of Grand Jury proceedings and Felony Preliminary Hearings and to obtain transcripts of these and other court or recorded proceedings or events; and

WHEREAS, the District Attorney wishes to retain the services of **Verbatim Court Reporting Services, Inc.** and to enter into a written agreement for those purposes at a cost of:

- a. Original transcript and one condensed copy of transcript produced at a rate of \$4.10 per page;
- b. There will be NO cost for an email PDF version of said transcripts upon request of the County;
- c. There will be NO appearance fees or expediting costs except a fee of \$60.00 for hearing under General Municipal Law 50-h; and
- d. There will be a charge of \$10.00 for shipping and handling, unless hand delivery of transcripts is practicable.

and

WHEREAS, the County requires that payment for the provision of these continuing services be under a written contractual agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is authorized to sign such contract; and be it further

RESOLVED, that the District Attorney and the Treasurer be provided with a copy of this resolution.

Res. No. 149-2020

Date: April 13, 2020

Motioned By: Cutler

Seconded By: _____

**AUTHORIZE DIRECTOR OF EMERGENCY MANAGEMENT TO CREATE AND
FILL A POSITION (EMERGENCY SERVICES COORDINATOR)**

WHEREAS, Resolution 86-19 was duly adopted on February 11, 2019 authorizing the Director of Emergency Management to fill the part-time Emergency Services Coordinator position, however, as the result of recruitment difficulty the Director of Emergency Management has requested to create and fill a full-time Emergency Services Coordinator position; and

WHEREAS, Schuyler and Yates Counties are desirous of sharing the full-time Emergency Services Coordinator position to meet the needs of both Counties; and

WHEREAS, the estimated annual cost to fill the full-time position is \$56,103 which includes fringe benefits; and

WHEREAS, Schuyler County will reimburse Yates County on a quarterly basis for fifty (50%) percent of the actual salary and fringe for this position;

NOW, THEREFORE, BE IT RESOLVED, that effective April 13, 2020 the Director of Emergency Management is hereby authorized to create and fill a full-time Emergency Services Coordinator position; and be it further

RESOLVED, that Resolution 86-19 be rescinded; and be it further

RESOLVED, that copies of this resolution be given to the Yates County Director of Emergency Management, Schuyler County Director of Emergency Management, Schuyler County Administrator, Yates County Administrator, Treasurer and Personnel Officer.

Res. No. 150-2020

Date: April 13, 2020

Motioned By: Cutler

Seconded By: _____

**ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER COUNTY
CONCERNING EMERGENCY RELATED SERVICES PROVIDED BY THE YATES
COUNTY EMERGENCY SERVICES COORDINATOR**

WHEREAS, Yates County (hereinafter referred to as "Yates") and Schuyler County (hereinafter referred to as "Schuyler") are committed to providing essential emergency related services to their residents; and

WHEREAS, Article 5 – G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service; and

WHEREAS, given the mutual goal of Yates and Schuyler to work collectively towards fiscal responsibility balanced with emergency services delivery, Yates and Schuyler are desirous of entering into an inter-municipal agreement regarding the sharing of certain employees of Yates' Department of Emergency Management with Schuyler; to wit: Yates' Emergency Services Coordinator, to be utilized by Schuyler in its provision of emergency related services;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Yates County Legislature is authorized to execute and deliver on behalf of Yates County an inter-municipal agreement with Schuyler County regarding the sharing of Yates' Emergency Services Coordinator with Schuyler, to be utilized by Schuyler in its provision of emergency related services, for a term through December 31, 2022 and consideration to be paid to Yates by Schuyler to include an annual sum of \$28,051.30 plus 50% of Yates' applicable costs as is more further set forth in such agreement; and be it further

RESOLVED, that copies of this resolution be provided to the Yates County Administrator, Yates County Office of Emergency Management and Schuyler County.

Res. No. 151-2020

Date: April 13, 2020

Motioned By: Bronson

Seconded By: _____

**AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN CONTRACT EXTENSION
APPENDIX X FOR HAVA SHOEBOX MONEY
CONTRACT # T003215**

WHEREAS, the New York State Board of Elections has allocated certain State funds provided to New York State for reimbursement of certain HAVA related expenditures; and

WHEREAS, the Yates County Board of Elections desires to use the \$435.59 balance for the purposes set forth;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of this Legislature be authorized to sign the contract appendix X extending the time to use the appropriations to March 31, 2021; and be it further

RESOLVED, that a copy of this resolution be given to the Election Commissioners, and the Treasurer.

Res. No. 152-2020

Date: April 13, 2020

Motioned By: Bronson

Seconded By: _____

**AUTHORIZE CHAIRMAN TO ENTER INTO A LEASE WITH DIANNE S. LOVEJOY
FOR THE RENTAL OF OFFICE SPACE**

BE IT RESOLVED, that upon approval by the County Attorney, the Chairman may enter into a written lease with Dianne S. Lovejoy for the rental from the County of office space located at the Yates County Office Building, 417 Liberty Street, Penn Yan, NY 14527, consisting of Suite 1055, with applicable contents and service infrastructure; with the term of the lease being for a period of January 1, 2020 and ending on December 31, 2020; at a rent of \$199.60 per month plus applicable reimbursements; and be it further

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

Res. No. 153-2020

Date: April 13, 2020

Motioned By: Bronson

Seconded By: _____

**AUTHORIZE CHAIRMAN TO ENTER INTO A WRITTEN AGREEMENT WITH
DIANNE S. LOVEJOY FOR THE ADMINISTRATION OF INDIGENT PERSON
CONFLICT ASSIGNMENTS**

BE IT RESOLVED, that upon approval by the County Attorney, the Chairman may enter into a written agreement with Dianne S. Lovejoy for the administration of indigent person conflict assignments as Assigned Counsel Administrator, for the time period beginning January 1, 2020 and ending December 31, 2020, for the sum of \$13,500; and be it further

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

Res. No. 154-2020

Date: April 13, 2020

Motioned By: Bronson

Seconded By: _____

**AMEND RESOLUTION 531-19 ADOPT 2020 NON-UNION SALARY SCHEDULE
(DEPUTY COUNTY HIGHWAY SUPERINTENDENT)**

WHEREAS, Resolution 531-19 was duly adopted on December 30, 2019 which adopted the 2020 Non-Union Salary Schedule; and

WHEREAS, the County Highway Superintendent retired effective March 27, 2020, and as such, the Deputy County Highway Superintendent has taken on additional responsibilities as a result of the retirement; and

WHEREAS, the Yates County Legislature recognizes the additional responsibility;

NOW, THEREFORE BE IT RESOLVED, that effective March 27, 2020 the Deputy County Highway Superintendent will receive an additional \$785.00 per month, until further notice; and be it further

RESOLVED, that “Deputy County Highway Superintendent Add-On - \$785.00/month” be added to Resolution 531-19 under “Deputy County Highway Superintendent - \$68,312”; and be it further

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

Res. No. 155-2020

Date: April 13, 2020

Motioned By: Bronson

Seconded By: _____

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

WHEREAS, the Director of Emergency Management has presented to the Public Safety Committee justification for the position of Emergency Services Coordinator to be full-time; and

WHEREAS, it is necessary to add the said position to the current CSEA collective bargaining agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding the addition of the job title of Emergency Services Coordinator to Group IX of the current collective bargaining agreement; and be it further

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

Res. No. 156-2020

Date: April 13, 2020

Motioned By: Bronson

Seconded By: _____

**ENTER INTO A NON-DISCLOSURE AGREEMENT WITH SPECTRUM
NORTHEAST, LLC AND/OR CHARTER COMMUNICATIONS, INC. IN
FURTHERANCE OF BROADBAND FEASIBILITY STUDY**

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

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

WHEREAS, officials from said five counties have discussed proposed solutions, and recommend the obtaining of a feasibility study to determine the five-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 five counties have entered 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; and

WHEREAS, Spectrum Northeast, LLC and/or Charter Communications, Inc. (hereinafter collectively referred to as "Charter") possesses certain information relevant to the preparation of the Feasibility Study, to wit: per Charter, Charter agreed to build out to 145,000 addresses in New York that are either unserved or underserved with respect to broadband service as part of the approval by the New York Public Service Commission of its merger with Time Warner Cable, Inc., and as part of settlements dated June 19, 2017 and April 19, 2019 (hereinafter referred to as the "Settlements") Charter agreed to file a list containing the street level identification of the 145,000 addresses and update it every six months (hereinafter referred to as the "Information"); and

WHEREAS, per Charter, Charter considers the Information proprietary and confidential and has filed it as a trade secret confidential document with the Records Access Officer of the Broadband Program Office/Department of Public Service (hereinafter referred to as the "BPO/DPS"), and as part of the Settlements, agreed that BPO/DPS and Charter could release address information relevant to a particular municipality if such municipality requests it and agrees to enter into a confidentiality agreement to keep the Information confidential; and

WHEREAS, in furtherance of the Feasibility Study, Yates County wishes to obtain such Information; and

WHEREAS, to this end Charter requires a non-disclosure agreement to be executed between it and Yates County as a pre-requisite to the County obtaining such Information;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to execute on behalf of Yates County a non-disclosure agreement with Spectrum Northeast, LLC and/or Charter Communications, Inc. concerning the use and disclosure of the Information; and be it further

RESOLVED, that copies of this resolution be provided to the Yates County Administrator, Yates County Information Technology Director, STN and Spectrum Northeast, LLC/Charter Communications, Inc.

Res. No. 157-2020

Date: April 13, 2020

Motioned By: Church

Seconded By: _____

AMEND RESOLUTION 366-19

WHEREAS, the Department of Social Services is required by regulation to provide childcare assistance for eligible Yates County residents; and

WHEREAS, the Department of Social Services is interested in contracting with Rainbow Junction Child Care Center for these services; and

WHEREAS, Resolution 366-19 contained an error in the listed rates;

NOW, THEREFORE, BE IT RESOLVED, that the childcare rates adopted in resolution 366-19 be amended to reflect the following:

Age	Weekly	Daily
6 Weeks-18 months	\$220.00	\$48.00
18-36 months	\$206.00	\$45.00
3-5 years	\$195.00	\$44.00
6-12 years out of school	\$180.00	\$39.00

And be it further;

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

Res. No. 158-2020

Date: April 13, 2020

Motioned By: Church

Seconded By: _____

APPROPRIATE WORKFORCE DEVELOPMENT FUNDING

WHEREAS, the Department of Social Services has been authorized by the legislature to enter into a contract with the Workforce Investment Board by resolution 63-20; and

WHEREAS, the Department of Social Services must allocate total revenue in the amount of \$5,870 to fund Workforce Development for 2020;

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

CD6293.1C	(WIOA Title I Youth Staff Wage)	\$ 931.00
CD6293.4C	(WIOA Title I Youth Operating)	\$1,300.00
CD6293.8C	(WIOA Title I Youth Staff Fringe)	\$ 239.00
CD6293.11C	(WIOA Title I Youth Participant Wage)	\$2,800.00
CD6293.81C	(WIOA Title I Youth Participation Fringe)	\$ 600.00

And be it further

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

Res. No. 159-2020

Date: April 13, 2020

Motioned By: Church

Seconded By: _____

**AUTHORIZE AMENDMENT TO YATES COUNTY FOSTER CARE AND ADOPTION
SUBSIDY RATES**

WHEREAS, New York State has mandated a 3.5 percent increase in local agency operated foster home care and adoption subsidies for local Social Services districts effective April 1, 2019; and

WHEREAS, Yates County is complying with this directive;

NOW, THEREFORE, BE IT RESOLVED, that the following rate schedule be adopted and continue until further mandated MSAR rates are promulgated by New York State OCFS:

<u>Rates</u>	<u>Foster Care Daily Rates</u>	<u>Adoption Subsidy Daily</u>
	Level One Difficulty	Level One Difficulty
Children 0-3	\$15.51	\$16.57
Children 4-5	\$13.85	\$14.90
Children 6-11	\$15.35	\$16.83
Children 12-15	\$16.86	\$19.14
Children 16-21	\$16.86	\$19.14
	Level Two Difficulty	Level Two Difficulty
Children 0-3	\$24.55	\$25.60
Children 4-5	\$22.89	\$23.94
Children 6-11	\$22.89	\$24.37
Children 12-15	\$22.89	\$25.17
Children 16-21	\$22.89	\$25.17
	Level Three Difficulty	Level Three Difficulty
Children 0-3	\$31.84	\$32.89
Children 4-5	\$30.18	\$31.23
Children 6-11	\$30.18	\$31.66
Children 12-15	\$30.18	\$32.46
Children 16-21	\$30.18	\$32.46

And be it further

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

Res. No. 160-2020

Date: April 13, 2020

Motioned By: Church

Seconded By: _____

SIGN AGREEMENT WITH HEALTH RESEARCH INC. (HRI)

WHEREAS, Yates County Public Health has received notice of additional COVID-19 funding through the New York State Department of Health Emergency Preparedness Program of \$567,490; with \$67,490 available to the County and \$500,000 restricted for use by NYSDOH; and

WHEREAS, said grant period will be for the period of March 5, 2020 – March 15, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is hereby authorized to sign an agreement with Health Research Inc. (HRI) for the period March 5, 2020 through March 15, 2021 for the COVID-19 Grant; and be it further

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

Res. No. 161-2020

Date: April 13, 2020

Motioned By: Church

Seconded By: _____

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD
AND THE MENTAL HEALTH SUB-COMMITTEE**

WHEREAS, Jannine Philips residing at 1724 Twin Oaks Drive, Penn Yan, New York 14527 has been recommended for appointment to serve on the Yates County Community Services Board and has been recommended to serve on the Mental Health Sub-committee;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature appoint Jannine Philips to the Yates County Community Services Board and to the Mental Health Subcommittee for a first term ending 12/31/2024; and be it further

RESOLVED, that copies of this resolution be provided to Jannine Philips and the Yates County Department of Community Services.

Res. No. 162-2020

Date: April 13, 2020

Motioned By: Church

Seconded By: _____

APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD

WHEREAS, Jacqueline M. Shrader residing at 292-C Strait Lane, Himrod, New York 14842 has been recommended for appointment to serve on the Yates County Community Services Board;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature appoints Jacqueline M. Shrader to the Yates County Community Services Board for a first term ending 12/31/2020; and be it further

RESOLVED, that copies of this resolution be provided to Jacqueline M. Shrader and the Yates County Department of Community Services.

AWARD BID FOR COLD MILLING OF ASPHALT PAVEMENT

WHEREAS, bids were requested for Cold Milling of Asphalt Pavement and received on March 26, 2020 at 10:00 a.m. and four firms submitted bids to the Yates County Highway Department;

BIDDER:	Suit-Kote Corporation	Cold Springs Construction Co.	Donegal Construction Corp.	Villager Construction Inc.
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Project #1 CR #31, Friend Road (5.18 miles)

3" depth, Estimated quantity: +/-69,920 sy

With County Supplied Trucking /sq yd:	NB	\$2.15	\$0.93	\$0.86
Deduct for County Provided M&P of Traffic:	NB	-\$0.29	-\$0.09	-\$0.08
Total:		\$1.86	\$0.84	\$0.78

Project #2 CR #18, Italy Valley Road (6.53 miles)

3" depth, Estimated quantity: +/-88,110 sy

With County Supplied Trucking /sq yd:	NB	\$2.16	\$0.93	\$0.86
Deduct for County Provided M&P of Traffic:	NB	-\$0.31	-\$0.09	-\$0.08
Total:		\$1.85	\$0.84	\$0.78

NOW, THEREFORE BE IT RESOLVED, to award the bid for Project #1 and Project #2 to Villager Construction, Inc.; and be it further

RESOLVED, that copies of this resolution be provided to all bidders, the Yates County Treasurer and the Yates County Highway Superintendent.

AWARD BID FOR LIQUID BITUMINOUS MATERIAL

WHEREAS, bids were requested for Liquid Bituminous Material and received on March 26, 2020 at 10:00 a.m. and three firms submitted a bid to the Yates County Highway Department;

	BIDDER:	Midland Asphalt Materials	Suit Kote Corporation	Vestal Asphalt Inc.
LIQUID EMULSIFIED ASPHALT MATERIALS "PER GALLON"				
702-3101	RS-2	2.915	2.777	2.805
	* HFRS-2P	3.175	3.077	2.905
702-3301	HFMS-2	3.274	2.846	3.255
	* HFMS-2ST	2.915	2.606	3.050
	* AEPM	2.250	1.982	2.260
702-4101	CRS-2	2.860	2.831	2.925
	* CRS-2P	3.155	3.091	3.225
MIX PAVER OPTION "APPLIED PER GALLON"				
702-4201	CMS-2	3.544	3.470	3.585

	*	HFMS-2GH	3.634	3.514	3.555
CHIPPER RENTAL & APPLIED OIL PRICE PER GALLON					
Chipper		w/CRS-2	3.100	3.071	2.655
		w/RS-2	3.155	2.310	2.535
		w/HFRS-2	3.155	2.360	3.055
		w/HFRS-2ST	3.155	3.037	3.105
		w/HFMS-2ST	3.155	2.846	3.255
PUG MILL and PAVER OPERATIONS "APPLIED PER GALLON"					
702-3301		HFMS-2	3.874	3.476	3.555
	*	HFMS-2C	3.874	3.426	NB
702-4201		CMS-2	3.854	3.510	3.655
	*	HFMS-2GH	3.958	3.600	3.800
			Midland Asphalt Materials	Suit Kote Corporation	Vestal Asphalt Inc.
RENTAL OF EQUIPMENT INCLUDING OPERATOR					
VIBRATORY DOUBLE DRUM ROLLER					
		/DAY	NB	2,200.00	2,350.00
10-12 TON RUBBER TIRED ROLLER					
		/DAY	1,900.00	2,000.00	2,150.00
MIX PAVER					
		/DAY	2,900.00	4,500.00	5,000.00
ASPHALT PAVER					
		/DAY	NB	3,200.00	3,500.00
MILLING MACHINE (75" DOWN CUT)					
		/DAY	NB	5,400.00	NB
PUG MILL OPERATION					
		/DAY	2,700.00	2,600.00	2,700.00
CHIPPER					
		/DAY	2,400.00	2,400.00	2,400.00

NOW, THEREFORE, BE IT RESOLVED, to award the bid to: Suit Kote Corporation for Liquid Emulsified Asphalt Materials RS-2, HFMS-2, HFMS-2ST, AEPM, CRS-2 and CRS-2P. Mix Paver Options CMS-2 and HFMS-2GH. Chipper Rental & Applied Oil RS-2, HFRS-2, HFRS-2ST, and HFMS-2ST. Pug Mill and Paver Operations HFMS-2, HFMS-2C, CMS-2, and HFMS-2GH. To Vestal Asphalt Inc. for Liquid Emulsified Asphalt Materials HFRS-2P. Chipper Rental & Applied Oil CRS-2; and be it further

RESOLVED, to award the bid for Rental of Equipment Including Operator to: Suit Kote Corporation for Vibratory Roller Double Drum, Asphalt Paver, Milling Machine 75" Down Cut, Pug Mill Operation, and Chipper. To Midland Asphalt Materials Inc for 10-12 Ton Rubber Tired Roller, Mix Paver, and Chipper. To Vestal Asphalt for Chipper; and be it further

RESOLVED, that copies of this resolution be provided to all bidders, the Yates County Treasurer and the Yates County Highway Superintendent.

Res. No. 165-2020
 Motioned By: Banach

Date: April 13, 2020
 Seconded By: _____

AWARD BID FOR HOT MIX ASPHALT CONCRETE

WHEREAS, bids were requested for Hot Mix Asphalt Concrete and received on March 26, 2020 at 10:00 a.m. and six firms submitted bids to the Yates County Highway Department,

BIDDER:	Seneca Stone Corporation	Spallina Materials Inc.	Hanson Aggregates NY	Northern Asphalt LLC	Dolomite Products DBA A.L.Blades	Dolomite Products Co. Inc.
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NYS DOT ITEM	ITEM	F.O.B Est. QUANT. (Tons)						
403.198902	Type 7F Top	500-1,000	\$65.00	\$66.45	\$70.50	\$65.50	\$64.00	\$64.00
403.178302	Type 6F Top	500-1,000	\$63.00	\$65.45	\$68.50	\$63.00	\$61.00	\$61.00
*	Fine Binder	500-1,000	\$58.00	\$64.00	\$62.75	\$60.00	\$61.00	\$61.00
403.138902	Type 3 Binder	500-1,000	\$58.00	\$57.75	\$60.75	\$58.00	\$58.00	\$58.00
402.097203	9.5 mm < 30	500-1,000	\$65.00	\$66.95	\$67.00	\$64.00	\$64.00	\$64.00
402.127203	12.5 mm < 30	500-1,000	\$63.00	\$65.95	\$65.50	\$61.00	\$61.00	\$61.00
402.197903	19.0 mm < 30	500-1,000	\$59.00	\$58.25	\$61.00	\$58.00	\$58.00	\$58.00
402.257903	25.0 mm < 30	500-1,000	\$57.00	\$57.75	\$57.50	\$57.00	\$58.00	\$58.00

SPECIFIED IN-PLACE PROJECTS

Project #1 Friend Road

CR #31 From NYSR 364 to CR #29								
5.18 Mi. 13,475 tons 19 mm < 30 (4") Unit:	NB	\$54.59	\$49.50	\$54.54	\$71.00	NB		
5,585 tons 9.5 mm < 30 (1.5") Unit:	NB	\$61.25	\$57.15	\$59.37	\$80.50	NB		
Total:		\$1,077,681.50	\$986,195.25	\$1,066,507.95	\$1,406,317.50			

Project #2 Italy Valley Road

CR #18 From NYSR 364 southwesterly to South of Sliter Hill Rd								
6.53 Mi. 10,450 tons 19 mm < 30 (2") Unit:	NB	\$54.59	\$49.45	\$54.54	\$71.75	NB		
7,040 tons 9.5 mm < 30 (1.5") Unit:	NB	\$61.25	\$57.10	\$59.37	\$79.80	NB		
Total:		\$1,001,665.50	\$918,736.50	\$987,907.80	\$1,311,579.50			

BIDDER:	Seneca Stone Corporation	Spallina Materials Inc.	Hanson Aggregates NY	Northern Asphalt LLC	Dolomite Products DBA A.L.Blades	Dolomite Products Co. Inc.
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UNSPECIFIED IN-PLACE PROJECTS

403.198302	Type 7F3 Top	Base Bid:	\$85.00	\$110.00	\$98.60	\$86.00	NB	NB
403.178302	Type 6F3 Top	Base Bid:	\$83.00	\$105.00	\$97.55	\$84.00	NB	NB
*	Fine Binder	Base Bid:	\$78.00	\$103.00	\$91.15	\$79.00	NB	NB
403.138902	Type 3 Binder	Base Bid:	\$78.00	\$103.00	\$91.10	\$79.00	NB	NB
402.097203	9.5 mm < 30	Base Bid:	\$85.00	\$115.00	\$100.25	\$86.00	NB	NB
402.127203	12.5 mm < 30	Base Bid:	\$83.00	\$112.00	\$97.05	\$83.00	NB	NB
402.197903	19.0 mm < 30	Base Bid:	\$79.00	\$108.00	\$91.95	\$79.00	NB	NB
402.257903	25.0 mm < 30	Base Bid:	\$77.00	\$106.00	\$89.55	\$77.00	NB	NB

NOW, THEREFORE BE IT RESOLVED, due to various worksites throughout the County, the bid award for F.O.B. materials shall be awarded to all bidders and the purchase of F.O.B. from any vendor shall be determined by combining the price per ton at the vendor yard and the Yates County cost for hauling the materials to the job site; and be it further

RESOLVED, that Specified In-Place Project #1 and #2 shall be awarded to Hanson Aggregates NY LLC. Unspecified In Place Projects to Seneca Stone Corporation for all and to Northern Asphalt LLC for 12.5mm<30, 19.0mm<30, and 25.0mm<30; and be it further

RESOLVED, that copies of this resolution be provided to all bidders, the Yates County Treasurer and the Yates County Highway Superintendent.

Res. No. 166-2020

Date: April 13, 2020

Motioned By: Banach

Seconded By: _____

AUTHORIZE LEGISLATURE CHAIRMAN TO SIGN 2020 MOWING CONTRACTS

WHEREAS, in the interest of public safety all Yates County roadsides need to be mowed during the months of May through September; and

WHEREAS, the adopted 2020 Yates County budget has sufficient funding appropriated to line D5110.54032 to contract with several Towns to do roadside mowing for Yates County at an established rate of \$155 per centerline mile; and

WHEREAS, the Town of Barrington, Town of Middlesex, and the Town of Potter have agreed to do contract mowing of Yates County roads within their Towns;

NOW, THEREFORE, BE IT RESOLVED, to authorize the Chairman of the Yates County Legislature to sign roadside mowing contracts with each of the above named Towns; and be it further

RESOLVED, that a copy of this resolution be sent to the Yates County Treasurer, the Yates County Highway Department and each Town doing mowing for Yates County.

Res. No. 167-2020

Date: April 13, 2020

Motioned By: Banach

Seconded By: _____

DESIGNATE DEPUTY HIGHWAY SUPERINTENDENT AS THE RESPONSIBLE LOCAL OFFICIAL (RLO) FOR PURPOSES OF THE NYSDOT'S EBO SOFTWARE

WHEREAS, by this Resolution the Yates County Legislature designates Craig Prior, Yates County Deputy Highway Superintendent, as the County's Responsible Local Official (RLO) for purposes of the NYS Department of Transportation's Equitable Business Opportunities software (EBO), which streamlines and reduces the efforts required by the construction industry to satisfy civil rights reporting requirements; and

WHEREAS, in his position as Yates County Deputy Highway Superintendent, Craig Prior has frequent contact with NYS Department of Transportation (NYSDOT) personnel thereby making him the most appropriate County employee to oversee NYSDOT's EBO software;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature designates responsibility as the Responsible Local Official for purposes of NYSDOT's EBO software to Craig Prior; and be it further

RESOLVED, that copies of this resolution be sent to the Yates County Highway Department and the New York State Department of Transportation.

Res. No. 168-2020

Date: April 13, 2020

Motioned By: Holgate

Seconded By: _____

HIRING OF CLARK PATTERSON LEE AS THE CONSULTING ENGINEERING FIRM TO UNDERTAKE THE COUNTY-WIDE WATER INFRASTRUCTURE STUDY.

WHEREAS, Yates County has been awarded a grant by New York State to undertake a County-wide Water Infrastructure Study; and

WHEREAS, Municipal Solutions located at 62 Main Street, Leroy, NY 14482, was to assist the County in the preparation of the Study in conjunction with Larson Design Group as sub-consultant; and

WHEREAS, Larson Design Group is no longer able to provide consulting engineering in support of the Study; and

WHEREAS, Clark Patterson Lee located at 205 Saint Paul Street, Rochester, NY 14604, has agreed to provide the necessary engineering support portion for the Study for the previously-established fee of \$45,000.00 under the Grant award;

NOW, THEREFORE, BE IT RESOLVED, that Clark Patterson Lee be named as the consulting engineer for the County-wide water infrastructure study; and be it further

RESOLVED, the Chairman is authorized to sign the required contracts and other documentation necessary to execute the Grant and resulting Study after review by the County Attorney; and be it further

RESOLVED, that copies of this resolution be given to Municipal Solutions, Clark Patterson Lee, the County Treasurer and the County Planner.

Res. No. 169-2020

Date: April 13, 2020

Motioned By: Holgate

Seconded By: _____

NATURAL AND RECREATIONAL RESOURCE PROTECTION GRANT – SELECTION OF GRANT AWARDEES AND FUNDING AMOUNTS FOR 2020

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 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 and the Planner, that grants be awarded to the following applicants for the stated projects in the amounts indicated:

- 1) Yates Community Center, Recreational Park Project, \$24,996.00;
- 2) Finger Lakes Museum and Aquarium, Wetlands Trail Project, \$19,000.00;

And be it further

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 Chairman is authorized to sign such contracts after approval by the County Attorney.

Res. No. 170-2020

Date: April 13, 2020

Motioned By: Holgate

Seconded By: _____

2020 BUDGET TRANSFERS

BE IT RESOLVED, that the following transfers be made in the 2020 budget:

From:	To:	Amount:
A1430.54019 PERS-EAP	A1430.51661 PERS-Comp Time BO	\$ 57.00
A1430.54501 PERS-Advertising	A1430.51661 PERS-Comp Time BO	\$ 50.00
A1430.54516 PERS-Printing	A1430.51661 PERS-Comp Time BO	\$ 50.00
A1430.54660 PERS-Travel	A1430.51661 PERS-Comp Time BO	\$ 50.00
A1430.54501 PERS-Advertising	A1430.51661 PERS-Comp Time BO	\$ 50.00
A1430.54572 PERS-Comp Access	A1430.51661 PERS-Comp Time BO	\$ 56.65
A1625.58303 B&G-Med INS CSEA	A1625.51520 B&G-Ins BO CSEA	\$ 216.00

And be it further

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

Res. No. 171-2020

Date: April 13, 2020

Motioned By: Holgate

Seconded By: _____

**APPROPRIATE CARRYOVER OF 2019 LEAD GRANT
(PUBLIC HEALTH)**

WHEREAS, the Department of Public Health received a LEAD grant for the year 2019 and a balance of \$15,505.38 remained at the end of 2019; and

WHEREAS, these funds are not part of the 2020 budget and can be carried over to the 2020 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$15,505.38;

Revenue:		
A4010.44457 PH-LEAD		\$ 15,505.38
Appropriation		
A4010.54109 PH-LEAD		\$ 15,505.38

And be it further

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

Res. No. 172-2020
Motioned By: Holgate

Date: April 13, 2020
Seconded By: _____

**APPROPRIATE CARRYOVER OF 2019 MENTAL HEALTH GRANT
(COMMUNITY SERVICES)**

WHEREAS, the Community Services Department received a Mental Health Grant for the year 2019 and a balance of \$10,957.56 remained at the end of 2019; and

WHEREAS, these funds are not part of the 2020 budget and can be carried over to the 2020 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$10,957.56;

Revenue:		
A4320.44491 CS-Suicide Prevention Coalition		\$ 10,957.56
Appropriation		
A4320.54282 CS-Suicide Prevention		\$ 10,957.56

And be it further

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

Res. No. 173-2020
Motioned By: Holgate

Date: April 13, 2020
Seconded By: _____

**ACCEPT AND APPROPRIATE STATE INTEROPERABLE GRANT FY 2019
(SHERIFF)**

WHEREAS, the Office of Sheriff has been awarded a grant from the NYS Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications; and

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

NOW THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$328,425.00;

Revenue:		
A3020.43323 SH-SICG FY19		\$ 328,425.00
Appropriation		
A3020.52954 SH-SICG FY19		\$ 328,425.00

And be it further

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

Res. No. 174-2020
Motioned By: Holgate

Date: April 13, 2020
Seconded By: _____

**ACCEPT AND APPROPRIATE LIVE SCAN STATE GRANT
(SHERIFF)**

WHEREAS, the Office of Sheriff has been awarded a Live Scan state grant to upgrade current fingerprinting equipment; and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$7,050.00;

Revenue:		
A3110.43325 SH-Legislative Initiative		\$ 7,050.00
Appropriation		
A3110.52965 SH-Legislative Initiative		\$ 7,050.00

And be it further

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

Res. No. 175-2020
Motioned By: Holgate

Date: April 13, 2020
Seconded By: _____

**APPROPRIATE CARA SFY 2019-2020
(SOCIAL SERVICES)**

WHEREAS, the Department of Social Services is to receive additional NYS aid for the behavioral specialist CARA program for the 2019-20 state fiscal year; and

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

NOW THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$50,000.00;

Revenue:		
A6010.44610 DSS-Social Service Admin		\$ 50,000.00
Appropriation		
A6010 54065 DSS- Social Service Admin		\$ 50,000.00

And be it further

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

Res. No. 176-2020
Motioned By: Holgate

Date: April 13, 2020
Seconded By: _____

**APPROPRIATE ADDITIONAL NCEP FEDERAL AID
(SOCIAL SERVICES)**

WHEREAS, the Department of Social Services has been awarded additional federal aid for the Non-Custodial Employment Program; and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$1,800.00;

Revenue:		
A6010.44610 DSS-Social Service Admin	\$	1,800.00
Appropriation		
A6010 54135 DSS- Non Cust Emp Program	\$	1,800.00

And be it further

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

Res. No. 177-2020
Motioned By: Holgate

Date: April 13, 2020
Seconded By: _____

**ENTER INTO A NON-DISCLOSURE AGREEMENT WITH SPECTRUM
NORTHEAST, LLC AND/OR CHARTER COMMUNICATIONS, INC. IN
FURTHERANCE OF RURAL UTILITIES SERVICE RECONNECT PROGRAM
GRANT**

WHEREAS, Yates County has applied for and been awarded grant financial assistance pursuant to the Rural Utilities Service ReConnect Program, concerning the construction of a broadband infrastructure project to serve rural areas where at least 100% of the households are without sufficient access to broadband (hereinafter referred to as the “Grant”); and

WHEREAS, Spectrum Northeast, LLC and/or Charter Communications, Inc. (hereinafter collectively referred to as “Charter”) possesses certain information relevant to the achievement of the goals to be effectuated through such Grant, to wit: per Charter, Charter agreed to build out to 145,000 addresses in New York that are either unserved or underserved with respect to broadband service as part of the approval by the New York Public Service Commission of its merger with Time Warner Cable, Inc., and as part of settlements dated June 19, 2017 and April 19, 2019 (hereinafter referred to as the “Settlements”) Charter agreed to file a list containing the street level identification of the 145,000 addresses and update it every six months (hereinafter referred to as the “Information”); and

WHEREAS, per Charter, Charter considers the Information proprietary and confidential and has filed it as a trade secret confidential document with the Records Access Officer of the Broadband Program Office/Department of Public Service (hereinafter referred to as the “BPO/DPS”), and as part of the Settlements, agreed that BPO/DPS and Charter could release address information relevant to a particular municipality if such municipality requests it and agrees to enter into a confidentiality agreement to keep the Information confidential; and

WHEREAS, in furtherance of the goals to be effectuated through such Grant, Yates County wishes to obtain such Information; and

WHEREAS, to this end Charter requires a non-disclosure agreement to be executed between it and Yates County as a pre-requisite to the County obtaining such Information;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to execute on behalf of Yates County a non-disclosure agreement with Spectrum Northeast, LLC and/or Charter Communications, Inc. concerning the use and disclosure of the Information; and be it further

RESOLVED, that copies of this resolution be provided to the Yates County Administrator, Yates County Planner and Spectrum Northeast, LLC/Charter Communications, Inc.

Res. No. 178-2020

Date: April 13, 2020

Motioned By: Holgate

Seconded By: _____

**AUTHORIZATIONS PERTAINING TO A GRANT AND SECURITY AGREEMENT
WITH THE UNITED STATES OF AMERICA, AND OTHER DOCUMENTATION,
REGARDING THE RECEIPT OF A GRANT PURSUANT TO THE RURAL UTILITIES
SERVICE RECONNECT PROGRAM**

WHEREAS, Yates County (hereinafter the “County”) has applied for and been awarded grant financial assistance pursuant to the Rural Utilities Service ReConnect Program, in an amount not to exceed \$10,324,875.00, concerning the construction of a broadband infrastructure project to serve rural areas where at least 100% of the households are without sufficient access to broadband (hereinafter referred to as the “Grant”); and

WHEREAS, in order to effectuate the Grant, the County’s execution of a grant and security agreement with the United States of America, acting through the Administrator of the Rural Utilities Service is required; and

WHEREAS, to this end, a grant and security agreement entitled: “RUS Project Designation: NY 1702-A61, ReConnect Program, Grant and Security Agreement, dated as of March 5, 2020, between Yates County and The United States of America, United States Department of Agriculture, Rural Utilities Service”, consisting of the County and the United States of America, acting through the Administrator of the Rural Utilities Service as parties (said agreement hereinafter referred to as the “Grant and Security Agreement”) has been presented to the County for execution; and

WHEREAS, in furtherance of the Grant and Security Agreement, the County’s execution of a deposit control agreement (hereinafter referred to as the “Deposit Control Agreement”) and UCC-1 and UCC-1AD with attachments (hereinafter collectively referred to as the “Financing Statements”) are also required; and

WHEREAS, the County wishes to designate USNY Bank as the bank depository of the Grant funds, which shall be pledged to United States of America and held in accordance with the provisions of the Grant Security Agreement and Deposit Control Agreement;

NOW, THEREFORE, BE IT RESOLVED, that Yates County borrow from the United States of America, acting through the Administrator of the Rural Utilities Service, an amount not to exceed \$10,324,875.00 to be used for such purposes as approved by the Rural Utilities Service; and be it further

RESOLVED, that Yates County accept a grant in the amount of \$10,324,875.00 from the United States of America to be used for such purposes as approved by the Rural Utilities Service; and be it further

RESOLVED, that the County is authorized to enter into the Grant and Security Agreement, a Deposit Control Agreement and Financing Statements; and to this end, be it further

RESOLVED, that the Chairman of the Yates County Legislature, upon the approval of the County Attorney, is hereby authorized on behalf of Yates County to execute and deliver, as many counterparts, respectively, as shall be deemed advisable, the following documents: the Grant and Security Agreement, Deposit Control Agreement and Financing Statements, and any other ancillary documentation related to the Grant and Security Agreement, Deposit Control Agreement or Financing Statements as may be required by the Rural Utilities Service; and be it further

RESOLVED, that a separate account be opened in USNY Bank, and all proceeds of said loan/grant shall be deposited in such account which shall be pledged to the United States of America and held in accordance with the provisions of the Grant and Security Agreement and Deposit Control Agreement; and be it further

RESOLVED, that the Chairman of the Yates County Legislature, or his designee, be and is authorized in the name and on behalf of Yates County, to execute all such instruments, make all such payments and do all such other acts as in the opinion of the Chairman may be necessary or appropriate in order to carry out the purposes and intent of this resolution herein; and be it further

RESOLVED, that this resolution herein shall amend Resolution No. 517-19 issued on December 17, 2019; and be it further

RESOLVED, that copies of this resolution be given to the County Administrator, County Planner and Rural Utilities Service.

Res. No. 179-2020

Date: April 13, 2020

Motioned By: Holgate

Seconded By: _____

**AUTHORIZE CHAIRMAN TO SIGN ADDENDUM TO THE SOUTHERN TIER
BROADBAND COALITION INTER-MUNICIPAL AGREEMENT (IMA)**

WHEREAS, Resolution #42-2020 authorized the Chairman of the Legislature to execute on behalf of Yates County an inter-municipal agreement (IMA) with Tioga County, Schuyler County, and Steuben County for effectuating the purposes of a Feasibility Study; and

WHEREAS, the Participating Counties wish to allow Chemung County to participate in the Agreement; and

WHEREAS, the Participating Counties have agreed to certain adjustments to the Agreement, thereby reducing the cost to Yates County; and

WHEREAS, all other terms and conditions set forth in the Agreement shall remain the same;

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 addendum to the Southern Tier Broadband Coalition IMA; and be it further

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