



YATES COUNTY LEGISLATURE
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Penn Yan, New York 14527
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Leslie Church
Chairwoman
Emilee D. Miller
Clerk

**YATES COUNTY LEGISLATIVE AGENDA
May 9, 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/82539695805?pwd=MFZQa1R0L1BSWVJINGx3SHYybnhXZz09>

Webinar ID: 825 3969 5805

Passcode: 914119

Or one tap mobile:

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Or join by phone:

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

- Call to Order & the Pledge of Allegiance
- Moment of Silence for Craig Prior & John Payne Sr.
- Steve Griffin, FLEDC CEO, End of 2021 Year Figures & Update
- Certificate of Appreciation for Michele Personius, Intern for Veterans' Services
- Approve Minutes from the April 11th Meeting
- Approve Audit
- Committee Reports
- Public Comment

RESOLUTION

Willson	176-22	Set Date for Public Hearing on Proposed Local Law 3-2022 Entitled "A Local Law Creating the Department of Emergency Services in the County of Yates"
	177-22	Recognize Peace Officers' Memorial Day
	178-22	Discontinue Res. 314-04 (Admin Fee)
	179-22	Authorize Sheriff and Chairwoman to Sign Lease Agreement (Cayuga County)
	180-22	Accept Bid for Public Safety Communications Project Tower Site Construction
	181-22	Authorizations Pertaining to NYSEG and the County's Development of the Parcel of Real Property Located at Emerson Road in the Town of Italy, County of Yates, State of New York
	182-22	Authorizations Pertaining to NYSEG and the County's Development of the Parcel of Real Property Located at Bill Bailey Road in the Town of Barrington, County of Yates, State of New York

Bronson	183-22	Squash Bee Names Yates County Pollinator of the Year	
	184-22	Appoint Highway Superintendent	
	185-22	Authorize County Historian to Fill Records Management Officer Position	
	186-22	Authorize Sheriff to Fill Correction Officer Sergeant Position	
	187-22	Authorize Commissioner of Social Services to Create and Fill Full-Time Senior Employment and Training Counselor Position	
	188-22	Authorize Commissioner of Social Services to Create and Fill Part-Time Employment and Training Assistant Position	
	189-22	Adopt 2022 Non-Union Non-Exempt Employee Wage Schedule	
	190-22	Adopt 2022 Non-Union Exempt Employee Salary Schedule	
	191-22	Authorize Chairwoman to Sign Memorandum of Understanding (CSEA)	
	192-22	Authorize Chairwoman to Sign Memorandum of Understanding (CSEA)	
	193-22	Approving Memorandum of Understanding with CSEA Concerning Highway Department Commercial Driver License (CDL) Training Program	
	194-22	Authorize Chairwoman to Sign Memorandum of Understanding (CSEA)	
	195-22	Standard Work Day and Reporting Resolution for Elected and Appointed Officials	
	196-22	Authorize Insurance Renewal	
	197-22	Ratify Letter of Support	
	198-22	Set Date for Public Hearing on Proposed Resolution Entitled “Adopt the Expansion of Videoconferencing for Public Meetings”	
	199-22	Set Date for Public Hearing on Proposed Local Law 4-2022 Entitled “A Local Law Amending County of Yates Local Law No. 3 of the Year 1971, as Amended by Local Law No. 2 of the Year 1982, as Further Amended by Local Law No. 2 of the Year 2012 – For the Purpose of Adopting a Plan of Reapportionment of Legislative Districts Based on the 2020 Census”	
	Chilson	200-22	Recognize National Poppy Day-May 27, 2022
		201-22	Authorization to Sign Annual Update and 4-Year Plan Review and Approval for the Yates County Area Agency on Aging
202-22		Authorize Contracts with Children Awaiting Parents	
203-22		Renew Contract with Canandaigua Driving School	
204-22		Renew Residential Services Contracts from July 1, 2022-June 30, 2023	
205-22		Sign Agreement with Health Research Inc. (HRI)-Public Health Corps Fellowship Program	
206-22		Recognition of Yates County Volunteers	

Banach	207-22	Award Bid for Vegetation Control
Holgate	208-22	2022 Budget Transfers
	209-22	Amend Resolution #168-2022 (Social Services)
	210-22	Appropriate Additional State Aid (Highway)
	211-22	Appropriate Additional State Aid (Social Services)
	212-22	Appropriate Additional State Aid (Social Services)
	213-22	Appropriate Additional State Aid (Sheriff)
	214-22	Appropriate Additional State Aid (Public Defender & Assigned Counsel)
	215-22	Appropriate Infrastructure Reserve Funds
	216-22	Adopt Investment Policy
	217-22	Resolution to Award the Bid of Site Preparation for ReConnect 1 Fiber Materials Storage
	218-22	Authorize Chairwoman to Sign Contract with Graybar Electric Company for Additional 96 Fiber Optic Cable for the ReConnect Project
	219-22	Authorize Chairman to Sign Contract with R.L. Powers for Hanger Heater Equipment and Installation
220-22	Resolution of the Legislature of the County of Yates Electing a Cents per Gallon Rate of Sales and Compensating Use Taxes on Motor Fuel and Diesel Motor Fuel, in Lieu of the Percentage Rate of Such Taxes, Pursuant to the Authority of Article 29 of the Tax Law of the State of New York	

Executive Session if needed

Resolution No. 176-22

Date: 5/9/22

Motioned By: Willson

Seconded By:

**SET DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW 3-2022 ENTITLED
“A LOCAL LAW CREATING THE DEPARTMENT OF EMERGENCY SERVICES IN
THE COUNTY OF YATES”**

BE IT RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed Local Law 3-2022 entitled “A Local Law Creating the Department of Emergency Services in the County of Yates”, said proposed Local Law being set forth herein; and be it further

RESOLVED, that said public hearing shall be held June 13, 2022 at 1:10 p.m. in the Yates County Legislative Chambers, 417 Liberty Street, Penn Yan, NY.

LOCAL LAW NO. 3 OF THE YEAR 2022

ENTITLED:

**A LOCAL LAW CREATING THE DEPARTMENT OF EMERGENCY SERVICES IN
THE COUNTY OF YATES**

Be it enacted by the County Legislature of the County of Yates, New York as follows:

Section 1. Establishment of Department of Emergency Services and Position of Director Thereof.

There is hereby created, as a separate department of Yates County government, the Yates County Department of Emergency Services, the head of which shall be the Director of Emergency Services who shall be appointed by the Yates County Legislature and hold such position at the pleasure of the Yates County Legislature. The Director shall receive an annual salary to be fixed by the Yates County Legislature.

Section 2. Powers and Duties of the Director of Emergency Services.

The Director of Emergency Services shall have the power and duty to:

- (a) Direct and coordinate the provision of emergency management services and fire control services within the County;
- (b) Appoint and remove a deputy director, other subordinates, and employees of the Department of Emergency Services, within the amounts appropriated therefore by the Yates County Legislature, and to prescribe and supervise their duties;
- (c) Insure the County’s compliance with federal and state laws pertaining to natural disasters, emergency preparedness, hazard mitigation, hazardous materials response, and other related emergency response activities;
- (d) Administer training programs for the fire service and emergency medical personnel;
- (e) Promote emergency preparedness and other preventive activities to enhance public awareness of emergency management;
- (f) Coordinate inter- and intra-county mutual aid programs for both the fire and emergency medical services within the County;

- (g) Oversee the maintenance and operation of the County’s Emergency Operations Center;
- (h) Oversee the management of NYS EMS Course Sponsorship and associated Certified Instructors;
- (i) Work cooperatively with local agencies on recruitment and retention;
- (j) Recommend and/or formulate administrative policies and procedures for the operation and accountability of the Department of Emergency Services; and
- (k) Perform such additional and related duties as may be prescribed from time to time by the Yates County Legislature and/or the Yates County Administrator.

Section 3. Local Law Repealed.

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

(a) Local Law No. 1 of the year 2011 entitled “A Local Law Creating the Department of Emergency Management in the County of Yates”.

Section 4. Effective Date.

This local law shall take effect immediately upon its filing with the New York Secretary of State.

Resolution No. 177-22
Motioned By: Willson

Date: 5/9/22
Seconded By:

RECOGNIZE PEACE OFFICERS’ MEMORIAL DAY

WHEREAS, the Congress and President have designated May 15 as Peace Officers Memorial Day during National Police Week recognizing that law enforcement plays an essential role in safe guarding the rights and freedoms of citizens while members understand their duties, responsibilities, hazards, sacrifices, and duty to serve and safeguard life and property against violence and disorder, and that local law enforcement provides an essential public safety service; and

WHEREAS, in this year 2022 law enforcement and all related public safety services our men and women are serving in challenging times with increases in vulnerability to the risks of the profession;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature extends their appreciation to the men and woman of local law enforcement, corrections and public safety related duties on this national week and observance of May 15 where public law 103-322 directs flags at government buildings be at half-staff in observance of this recognition; and be it further

RESOLVED, that copies of this resolution be provided Sheriff Spike, Buildings and Grounds Supt. Reed, and to Presidents of all local Council 82 unions #1869, #086, and #9010.

Resolution No. 178-22
Motioned By: Willson

Date: 5/9/22
Seconded By:

DISCONTINUE RES. 314-04 (ADMIN FEE)

WHEREAS, RES. 314-04 established an administrative fee for Sheriff to charge participants attending the NYS snowmobile or boater operator training of \$5.00, and due to NYS Parks and Recreation administrative changes it is no longer practicable or feasible to process said fee;

NOW, THEREFORE, BE IT RESOLVED, that Resolution 314-04 is hereby discontinued as has served its purpose for last eighteen years; and be it further

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

Resolution No. 179-22
Motioned By: Willson

Date: 5/9/22
Seconded By:

**AUTHORIZE SHERIFF AND CHAIRWOMAN TO SIGN LEASE AGREEMENT
(Cayuga County)**

WHEREAS, Cayuga County owns property and a communications tower located at 2196 Seneca Street, Ovid, NY 14521; and

WHEREAS, Yates County desires to lease a portion of the said property for placement of a standby generator set, propane fuel tank and shelter for public safety communications equipment as well as space on the said communications tower for antennas and other appurtenances related to Yates County's Public Safety Communications Project; and

WHEREAS, Cayuga County is willing to enter into such a lease agreement with Yates County;

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff and Chairwoman of the Legislature, upon the approval of the County Attorney, are authorized to sign such a lease agreement with Cayuga County on behalf of Yates County, as well as any other necessary documents, to enable site construction and installation of Public Safety Communications Project equipment and appurtenances; and be it further

RESOLVED, that there shall be no cost to Yates County for the said lease; and be it further

RESOLVED, that copies of this resolution be furnished to Cayuga County, the Yates County Sheriff, County Administrator/Budget Officer, Director of Emergency Services, Highway Superintendent, Information Technology Director, Director of Finance, Treasurer and C & S Engineers.

Resolution No. 180-22
Motioned By: Willson

Date: 5/9/22
Seconded By:

**ACCEPT BID FOR PUBLIC SAFETY COMMUNICATIONS PROJECT
TOWER SITE CONSTRUCTION**

WHEREAS, on May 2, 2022, bids for Bluff Point and Ovid tower site construction (Phase 1, Contract 6 – Yates County Public Safety Communications Project Site Construction) were received, opened, read aloud and documented, as follows:

Company	Location	Bid
Patriot Towers	Scottsville, NY 14546	\$359,761
Mid-State Communications	Oriskany, NY 13424	\$293,000
Kaplan-Schmidt Electric, Inc.	Rochester, NY 14623	\$247,630

And;

WHEREAS, the apparent low bidder for Tower Site Construction, Phase 1, Contract 6 is Kaplan-Schmidt Electric, Inc. of Rochester, NY; and

WHEREAS, the County’s project consultant, C & S Engineers, has reviewed the bids and recommends accepting said bid from Kaplan-Schmidt;

NOW, THEREFORE, BE IT RESOLVED, that the above Kaplan-Schmidt Electric, Inc. bid is hereby accepted, contingent upon the execution of a written contract related thereto between the County and Kaplan-Schmidt Electric, Inc., and to this end, the Chairwoman of the Legislature, upon the approval of the County Attorney, is authorized to sign such a contract on behalf of the County, as well as any other necessary documents with Kaplan-Schmidt Electric, Inc., to enable site construction for the Public Safety Communications Project, including, but not limited to change orders; and be it further

RESOLVED, that total contract shall not exceed \$247,630; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Sheriff, County Administrator/Budget Officer, Director of Emergency Services, Highway Superintendent, Information Technology Director, Director of Finance, Treasurer, C & S Engineers and all bidders.

Resolution No. 181-22
Motioned By: Willson

Date: 5/9/22
Seconded By:

**AUTHORIZATIONS PERTAINING TO NYSEG AND THE COUNTY’S
DEVELOPMENT OF THE PARCEL OF REAL PROPERTY LOCATED AT EMERSON
ROAD IN THE TOWN OF ITALY, COUNTY OF YATES, STATE OF NEW YORK**

WHEREAS, Yates County (hereinafter referred to as the “County”) has recently acquired the following parcel of real property to accommodate the installation and operation of a County owned public safety communications tower: lands acquired from Paul Dale Cayward and Lourie J. Cayward, located at Emerson Road in the Town of Italy, County of Yates, State of New York, at Emerson Road, and being a portion of the parcel of real property having a current tax map parcel number of 80.03-1-10 (hereinafter referred to as the “Acquisition Parcel”); and

WHEREAS, in order to effectuate the development of the Acquisition Parcel, adequate electrical power servicing the same is needed; and

WHEREAS, to such end the County wishes to have New York State Gas & Electric Corporation (hereinafter referred to as “NYSEG”) install the necessary equipment and/or improvements necessary to effectuate the continuous transmission of adequate electric power to the Acquisition Parcel (hereinafter referred to as the “Installations”) and to grant any easements to NYSEG needed in order to effectuate this purpose (hereinafter referred to as the “NYSEG Easements”);

NOW, THEREFORE, BE IT RESOLVED, that 1) the County authorizes the Legislative Chair, upon approval of the County Attorney, on behalf of the County, to place the requisite order(s) with NYSEG, as needed, for the aforementioned Installations, and execute any related agreement(s) with NYSEG or other documentation thereto, whether such Installations are on the Acquisition Parcel and/or other contiguous lands owned by the County and 2) the County authorizes the Legislative Chair, upon approval of the County Attorney, on behalf of the County, to execute any and all NYSEG Easements, as needed, and all other documentation necessary to fully convey such easement(s) to NYSEG, whether such NYSEG Easements encumber the Acquisition Parcel and/or other contiguous lands owned by the County; and be it further

RESOLVED, that County funds are hereby authorized to be expended to NYSEG for the rendering of such Installations, such costs of Installations having been reviewed by the County Legislature; and be it further

RESOLVED, that County funds are hereby authorized to be expended for any county clerk recording costs pertaining to the NYSEG Easements; and be it further

RESOLVED, that a copy of this resolution be given to the County Administrator, Sheriff, New York State Electric & Gas Corporation, C & S Engineers and Kaplan-Schmidt Electric, Inc.

Resolution No. 182-22

Date: 5/9/22

Motioned By: Willson

Seconded By:

**AUTHORIZATIONS PERTAINING TO NYSEG AND THE COUNTY’S
DEVELOPMENT OF THE PARCEL OF REAL PROPERTY LOCATED AT BILL
BAILEY ROAD IN THE TOWN OF BARRINGTON, COUNTY OF YATES, STATE OF
NEW YORK**

WHEREAS, Yates County (hereinafter referred to as the “County”) has acquired the following parcel of real property to accommodate the installation and operation of a County owned public safety communications tower: lands acquired from Lowell Z. Hoover and Norma B. Hoover, located at Bill Bailey Road in the Town of Barrington, County of Yates, State of New York, and being a portion of the parcel of real property having a current tax map parcel number of 118.02-1-11 (hereinafter referred to as the “Acquisition Parcel”); and

WHEREAS, in order to effectuate the development of the Acquisition Parcel, adequate electrical power servicing the same is needed; and

WHEREAS, to such end the County wishes to have New York State Gas & Electric Corporation (hereinafter referred to as “NYSEG”) install the necessary equipment and/or improvements necessary to effectuate the continuous transmission of adequate electric power to the Acquisition Parcel (hereinafter referred to as the “Installations”) and to grant any easements

to NYSEG needed in order to effectuate this purpose (hereinafter referred to as the “NYSEG Easements”);

NOW, THEREFORE, BE IT RESOLVED, that 1) the County authorizes the Legislative Chair, upon approval of the County Attorney, on behalf of the County, to place the requisite order(s) with NYSEG, as needed, for the aforementioned Installations, and execute any related agreement(s) with NYSEG or other documentation thereto, such Installations being on the Acquisition Parcel and 2) the County authorizes the Legislative Chair, upon approval of the County Attorney, on behalf of the County, to execute any and all NYSEG Easements, as needed, and all other documentation necessary to fully convey such easement(s) to NYSEG, such NYSEG Easements encumbering the Acquisition Parcel; and be it further

RESOLVED, that County funds are hereby authorized to be expended to NYSEG for the rendering of such Installations, such costs of Installations having been reviewed by the County Legislature; and be it further

RESOLVED, that County funds are hereby authorized to be expended for any county clerk recording costs pertaining to the NYSEG Easements; and be it further

RESOLVED, that a copy of this resolution be given to the County Administrator, Sheriff, New York State Electric & Gas Corporation, C & S Engineers and Kaplan-Schmidt Electric, Inc.

Resolution No. 183-22

Date: 5/9/22

Motioned By: Bronson

Seconded By:

SQUASH BEE NAMED YATES COUNTY POLLINATOR OF THE YEAR

WHEREAS, the Legislature of Yates County recognizes that agriculture is the primary economic driver of Yates County, which, according to the most recent [2017] USDA Agricultural Census harvested 1,849 acres of vegetables, of which 71 acres were squash [up from 47 acres in 2012] and 42 acres were pumpkins; and

WHEREAS, Cornell Cooperative Extension of Yates County hosted its first five-week pollinator interactive event, Yates County Pollinator Tournament 2022, to educate the community and bring attention to the variety and importance of pollinators in the support and continuity of agriculture, which was viewed and voted 14,966 instances online; and

WHEREAS, the Week #1 Bracket Winner the Squash Bee received 58.5% of the vote, to defeat the Common Eastern Bumblebee which received 41.5% of the vote, which then advanced to the Final Round to compete against and defeat the Ruby-throated Hummingbird; and

WHEREAS, the Squash Bee is the most effective pollinator of squash including pumpkins, winter squash, zucchini, ornamental gourds and summer squash which are of high value to the local economy through fresh market and processing sales; and

WHEREAS, the squash bee was native of Central America but emigrated northward, following the expansion of human cultivation of squash plants, making the squash bee unique among solitary pollinators;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature affirms that pollinators are vital to creating and maintaining the habitats and ecosystem that native animals rely upon for food and shelter; and be it further

RESOLVED, the Yates County Legislature affirms that pollinators are vital to the ecosystem that farmers, nursery owners, fruit and produce growers depend upon for their economic livelihoods; and be it further

RESOLVED, that the Yates County Legislature recognize the Squash Bee as the winner of the 2022 Yates County Pollinator Tournament and proclaim the Squash Bee as the Yates County Pollinator of the Year; and be it further

RESOLVED, that copies of this resolution be provided to the New York State Director of Cornell Cooperative Extension and the Communications Manager of Cornell Cooperative Extension, the Board of President of Cornell Cooperative Extension of Yates County and the Executive Director of Cornell Cooperative Extension of Yates County.

Resolution No. 184-22

Date: 5/9/22

Motioned By: Bronson

Seconded By:

APPOINT HIGHWAY SUPERINTENDENT

BE IT RESOLVED, that Douglas Rapalee is appointed as Highway Superintendent for the following effective term: May 1, 2022 through April 30, 2026; and be it further

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

Resolution No. 185-22

Date: 5/9/22

Motioned By: Bronson

Seconded By:

AUTHORIZE COUNTY HISTORIAN TO FILL RECORDS MANAGEMENT OFFICER POSITION

WHEREAS, the Records Management Officer position became vacant effective March 1, 2022; and

WHEREAS, in Article 57-A, Section 57.19 of the Arts and Cultural Affairs Law it states, each local government shall have one (1) officer who is designated as Records Management Officer; and

WHEREAS, the County Historian through the position review process has identified the continued need for the part-time Records Management Officer position and is requesting the position be filled; and

WHEREAS, the estimated annual cost to fill the position, including fringe is, \$23,124;

NOW, THEREFORE, BE IT RESOLVED, that effective May 9, 2022 the County Historian is hereby authorized to fill a part-time Records Management Officer position; and be it further

RESOLVED, that in accordance with Article 57-A of the Arts and Cultural Affairs Law, Lisa M. Harper is hereby appointed as the Yates County Records Management Officer; and be it further

RESOLVED, that copies of this resolution be furnished to Mrs. Harper, the New York State Archives State Agency Services Cultural Education Center, the County Clerk, the Personnel Officer, the Director of Finance and the County Administrator.

Resolution No. 186-22

Date: 5/9/22

Motioned By: Bronson

Seconded By:

AUTHORIZE SHERIFF TO FILL CORRECTION OFFICER SERGEANT POSITION

WHEREAS, a Correction Officer Sergeant position will become vacant effective May 23, 2022 as the result of a resignation; and

WHEREAS, the Sheriff through the position review process has identified the continued need for the Correction Officer Sergeant position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$72,822 to \$96,751, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective May 24, 2022 the Sheriff is hereby authorized to fill a full-time Correction Officer Sergeant position; and be it further

RESOLVED, that the Sheriff is also authorized to fill any subsequent vacancy that will occur as the result of a promotion of an employee into the vacant Correction Officer Sergeant position; and be it further

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

Resolution No. 187-22

Date: 5/9/22

Motioned By: Bronson

Seconded By:

AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO CREATE AND FILL FULL-TIME SENIOR EMPLOYMENT AND TRAINING COUNSELOR POSITION

WHEREAS, the Part-Time Youth Bureau Director position became vacant effective April 29, 2022 as the result of a resignation; and

WHEREAS, to eliminate redundancy and cause an increase in efficiency, the Commissioner of Social Services has requested to create and fill a Full-Time Senior Employment and Training Counselor position which will absorb the designation and job responsibilities of the Youth Bureau Director position; and

WHEREAS, the estimated cost to fill the position, including fringe is, \$66,101; with approximately 80% reimbursement the total estimated cost to the County is \$13,220;

NOW, THEREFORE, BE IT RESOLVED, that effective May 9, 2022 the Commissioner of Social Services is hereby authorized to create and fill a Full-Time Senior Employment and Training Counselor position; and be it further

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

Resolution No. 188-22
Motioned By: Bronson

Date: 5/9/22
Seconded By:

**AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO CREATE AND FILL
PART-TIME EMPLOYMENT AND TRAINING ASSISTANT POSITION**

WHEREAS, through the position review process the Commissioner of Social Services has requested to create and fill a Part-Time Employment and Training Assistant position; and

WHEREAS, the estimated cost to fill the position, including fringe is, \$20,186; with approximately 80% reimbursement the total estimated cost to the County is \$4,037;

NOW, THEREFORE, BE IT RESOLVED, that effective May 9, 2022 the Commissioner of Social Services is hereby authorized to create and fill a Part-Time Employment Training Assistant position; and be it further

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

Resolution No. 189-22
Motioned By: Bronson

Date: 5/9/22
Seconded By:

ADOPT 2022 NON-UNION NON-EXEMPT EMPLOYEE WAGE SCHEDULE

WHEREAS, the Yates County Legislature appreciates the employees covered under this resolution and have chosen to increase certain hourly rates; and

WHEREAS, the rate of pay for Laborer (*Seasonal – Highway Department*) was previously set by factoring 80% of the full-time Laborer hourly rate as negotiated in the CSEA Collective Bargaining Agreement; due to recruitment difficulty, the County Legislature has discontinued the past practice and will now set the hourly rate independently of the CSEA Collective Bargaining Agreement and therefore increased the hourly rate for Laborer (*Seasonal – Highway Department*) to \$14.50; and

WHEREAS, due to the Commissioner of Social Services reconfiguring positions with the Social Services Department there is no longer a need for a Youth Bureau Director, and therefore “Youth Bureau Director....\$24.52” has been removed; and the position of Employment and Training Assistant...\$20.16” has been added; and

WHEREAS, as the result of the County being awarded additional Hurrell-Harring grant funding for secretarial personnel in the Public Defender’s Office, “Secretary to Public Defender – Hurrell-Harring Grant Add-On...\$5.47” has been added to the wage schedule;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature hereby amends the Non-Union Non-Exempt Employee Wage Schedule to be made effective January 1, 2022; and be it further

RESOLVED, that copies of this resolution be given to all Department Heads, all employees whose hourly rate will be affected by the adoption of this resolution, the Personnel Officer, County Administrator and Director of Finance.

	<u>START RATE (YEAR 1)</u>	<u>AFTER 12 MONTHS</u>	<u>AFTER 3 YEARS</u>			
Account Clerk Typist (<i>Sheriff's Office/Public Health</i>)	\$15.64	\$15.90	\$16.45			
Animal Control Officer (<i>Part Time</i>)	\$17.51					
Bachelors Prepared Nurse (ASN, AND. AASN)	\$25.05					
Chief Equipment Custodian	\$19.23					
Deputy Election Commissioner	\$25.02					
Elections Machine Technician I	\$23.37					
Electronic Machine Technician II	\$26.01					
Election Operations Assistant	\$17.50					
Election Auditor	\$16.00					
Equipment Custodian	\$18.01					
Election Coordinator	\$17.50					
Election Inspector	\$15.00					
Election Inspector (<i>Traveling</i>)	\$16.00					
Election Inspector Chairperson	\$17.50					
Election Inspector Chairperson (<i>Traveling</i>)	\$18.50					
Voting Machine Inspector	\$16.00					
Voting Machine Inspector (<i>Traveling</i>)	\$17.00					
Clerk (<i>Sheriff</i>)	\$15.70					
Clerk (Historian/Records Management Office)	\$19.61					
	<u>START RATE (YEAR 1)</u>	<u>AFTER 12 MONTHS</u>				
Correction Officer	\$19.43	\$20.55				
Correction Officer/ Court Security	\$19.43	\$20.55				
Coroner	\$100/Case					
County Code Enforcement Officer	\$22.20					
County Historian (<i>Part-Time</i>)	\$26.69					
Deputy Sheriff (<i>Experience 80% CO82 LE contract for appropriate step</i>)	TBD					
Deputy Sheriff (<i>90% as above, if duty requires special instructor or certification</i>)	TBD					
	<u>START RATE (YEAR 1)</u>	<u>AFTER 12 MONTHS</u>				
Emergency Services Dispatcher	\$16.04	\$16.52				
Employment and Training Assistant	\$20.16					
Examination Monitor	\$16.09					
	<u>YEAR 1</u>		<u>YEAR 2</u>		<u>YEAR 3</u>	
	<u>START RATE</u>	<u>PREMIUM</u>	<u>START RATE</u>	<u>PREMIUM</u>	<u>START RATE</u>	<u>PREMIUM</u>
Jail Cook	\$14.00	\$16.11	\$14.52	\$16.64	\$15.05	\$17.17
Jail Nurse Practitioner	\$36.86					
Jail Physician	\$36.86					
Laborer (<i>Seasonal- Highway Department</i>)	\$14.50					
Law Enforcement Liaison	\$23.83					
	<u>START RATE (YEAR 1)</u>	<u>YEAR 2</u>	<u>Year 2</u>			
Marine Patrol Officer (<i>Seasonal</i>)	\$19.43	\$20.55				
Motor Equipment Operator (<i>YC Stop- SMART</i>)	\$14.96					
Motor Vehicle Supervisor	\$27.36					

Personnel Assistant	\$23.57
Public Health Program Coordinator (<i>Part Time</i>)	\$28.14
Records Management Officer	\$20.20
Registered Nurse	\$34.57
Secretary to County Attorney	\$35.09
Secretary to District Attorney	\$21.46
Secretary to Public Defender	\$21.89
Secretary to Public Defender - Hurrell-Harring Grant Add-On	\$5.47
Secretary to Sheriff	\$22.08
Senior Account Clerk Typist (<i>Public Health</i>)	\$19.10
Senior Account Clerk Typist (<i>Planning</i>)	\$35.00
Vessel Operator	\$17.04

Resolution No. 190-22
Motioned By: Bronson

Date: 5/9/22
Seconded By:

ADOPT 2022 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE

WHEREAS, the Yates County Legislature recognizes the dedication and value of the non-union exempt employees and has chosen to adjust salaries;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature hereby adopts the following Non-Union Exempt Employee Salary Schedule effective January 1, 2022; and be it further

RESOLVED, that copies of this resolution be given to all Department Heads, Personnel Officer, County Administrator and Director of Finance.

<u>Elected Officials</u>	<u>Annual</u>
County Clerk	\$73,120
County Treasurer	\$30,000
District Attorney	200,400
Legislators (14 at \$9,112 each)	\$127,568
Legislature Chairman	\$9,112
Sheriff	\$105,884

<u>Exempt Employees</u>	<u>Annual</u>
Assistant District Attorney (First)	\$100,000
Assistant District Attorney	\$70,000
Assistant District Attorney	\$65,000
Assistant Public Defender (First)	\$36,614
Assistant Public Defender (First) – Hurrell-Harring Grant Add-On	\$55,000
Assistant Public Defender	\$45,533
Assistant Public Defender – Distribution #9 Grant Add-On	\$16,553
Assistant Public Defender – Hurrell-Harring Grant Add-On	\$7,000
Assistant Public Defender	\$20,000
Assistant Public Defender - Upstate Quality Improvement and Caseload Reduction Grant Add-On	\$65,000

Budget Officer	\$17,774
Building Maintenance Supervisor	\$75,779
Chief Corrections Officer	\$71,321
Clerk, County Legislature	\$50,400
Commissioner of Social Services	\$80,850
Confidential Assistant to Sheriff	\$47,248
County Administrator	\$109,461
County Attorney	\$103,041
Deputy County Clerk	\$47,876
Deputy Director of Public Health	\$67,000
Deputy Highway Superintendent	\$61,974
Director of Child and Family Services	\$67,625
Director of Community Services	\$81,596
Director of Community Services – Columbia University Grant Add-On	\$8,500
Director of Emergency Management	\$80,551
Director of Finance	\$90,000
Director of Income Maintenance & Child Support	\$67,625
Director of Public Health	\$85,782
Director of Real Property Tax Services	\$70,916
Director of Veterans' Services Agency	\$58,275
Election Commissioner (D)	\$55,307
Election Commissioner (R)	\$55,307
Highway Superintendent	\$81,260
Information Technology Director	\$82,416
Personnel Officer	\$73,183
Planner	\$62,236
Probation Director	\$74,981
Public Defender	\$76,250
Public Defender – Hurrell-Harring Grant Add-On	\$10,000
Social Services Attorney	\$87,000
Undersheriff	\$84,198

Resolution No. 191-22

Date: 5/9/22

Motioned By: Bronson

Seconded By:

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

WHEREAS, the Commissioner of Social Services and Personnel Officer presented to the Human Services Committee justification for the title of Case Supervisor to be moved from Group XIV of the CSEA Non-Highway and Highway Clerical Employee Salary Schedule to Group XV;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding moving the job title of Case Supervisor to Group XV of the current collective bargaining agreement to be made effective May 15, 2022; and be it further

RESOLVED, that copies of this resolution be given to the Commissioner of Social Services, to the employees currently encumbering the title of Case Supervisor, the CSEA Union President, CSEA Union Representative, Personnel Officer, County Administrator and Director of Finance.

Resolution No. 192-22

Date: 5/9/22

Motioned By: Bronson

Seconded By:

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

WHEREAS, the Commissioner of Social Services and Personnel Officer presented to the Human Services Committee justification for the title of Fiscal Administrative Officer to be moved from Group X of the CSEA Non-Highway and Highway Clerical Employee Salary Schedule to Group XI;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding moving the job title of Fiscal Administrative Officer to Group XI of the current collective bargaining agreement to be made effective May 16, 2022; and be it further

RESOLVED, that copies of this resolution be given to the Commissioner of Social Services, to the employees currently encumbering the title of Fiscal Administrative Officer, the CSEA Union President, CSEA Union Representative, Personnel Officer, County Administrator and Director of Finance.

Resolution No. 193-22

Date: 5/9/22

Motioned By: Bronson

Seconded By:

**APPROVING MEMORANDUM OF UNDERSTANDING WITH CSEA CONCERNING
HIGHWAY DEPARTMENT COMMERCIAL DRIVER LICENSE (CDL) TRAINING
PROGRAM**

WHEREAS, the Yates County Highway Superintendent has recommended the establishment of a training program that is intended to increase recruitment possibilities and to provide an avenue for new employees to obtain the required CDL Class B license to maintain employment with the Yates County Highway Department; and

NOW, THEREFORE, BE IT RESOLVED, that this County Legislature hereby approves said Highway Department CDL Training Program to be made effective May 9, 2022; and be it further

RESOLVED, that this County Legislature hereby approves a certain Memorandum of Understanding by and between the County and the Civil Service Employees Association, Local 1000 AFSCME, AFL-CIO, Yates County Unit, Yates County Local 862 (“CSEA”) for the purpose of memorializing a mutual agreement to amend the current collective bargaining agreement between the County and CSEA to accomplish the work hour alteration; and be it further

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

RESOLVED, that copies of this resolution be given to the Highway Superintendent, CSEA Union President, CSEA Union Representative, Personnel Officer, County Administrator and Director of Finance.

Resolution No. 194-22
Motioned By: Bronson

Date: 5/9/22
Seconded By:

AUTHORIZE CHAIRWOMAN TO SIGN MEMORANDUM OF UNDERSTANDING (CSEA)

WHEREAS, the County proposed to the CSEA Union that the position of Payroll Specialist ought to be removed from the Union’s bargaining unit in the belief that the incumbent of said position performs confidential duties for the County sufficient to warrant a “confidential” designation under the New York State Public Employees’ Fair Employment Act; and

WHEREAS, the Union’s representation approved the removal of said position from the bargaining unit;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding removing the job title of Payroll Specialist from the current collective bargaining agreement to be made effective upon the date the Memorandum of Understanding is fully executed by both parties; and be it further

RESOLVED, that copies of this resolution be given to the Payroll Specialist, CSEA Union President, CSEA Union Representative, Personnel Officer, County Administrator and Director of Finance.

Resolution No. 195-22
Motioned By: Bronson

Date: 5/9/22
Seconded By:



Office of the New York State Comptroller
 New York State and Local Retirement System
 Employees' Retirement System
 Police and Fire Retirement System
 110 State Street, Albany, New York 12244-0001

Standard Work Day and Reporting Resolution for Elected and Appointed Officials

RS 2417-A
 (Rev. 8/15)

BE IT RESOLVED, that the Yates County Legislature / 10057 hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials								
Legislator	7	Leslie Church			<input type="checkbox"/>	1/1/22 to 12/31/23	14.19	<input type="checkbox"/>
Legislator	7	Jesse Jayne			<input type="checkbox"/>	1/1/22 to 12/31/23	1.82	<input type="checkbox"/>
Appointed Officials								
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, Emilee D. Miller, secretary/clerk of the governing board of the Yates County Legislature, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 9 day of May, 20 22 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Yates County Legislature on this 9 day of May, 20 22.

Affidavit of Posting: I, Emilee D. Miller, being duly sworn, deposes and says that the posting of the Resolution began on May 10, 2022 and continued for at least 30 days. That the Resolution was available to the public on the 10 day of May, 20 22.

- Employer’s website at www.yatessecurity.org
- Official sign board at _____
- Main entrance secretary or clerk’s office at _____



Resolution No. 196-22
Motioned By: Bronson

Date: 5/9/22
Seconded By:

AUTHORIZE INSURANCE RENEWAL

WHEREAS, various insurance policies on behalf of the County expire on May 15th, 2022; and

WHEREAS, the total premium amount for the period May 15th, 2022 to May 15th, 2023 is \$359,503;

NOW, THEREFORE, BE IT RESOLVED, that the County continue their policies with the Stork Insurance Agency; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized to renew said policies with the Stork Insurance Agency with an expiration date of May 15th, 2023; and be it further

RESOLVED, that copies of this resolution be given to the Treasurer, Director of Finance, Budget Officer, and the Stork Insurance Agency.

Resolution No. 197-22
Motioned By: Bronson

Date: 5/9/22
Seconded By:

RATIFY LETTER OF SUPPORT

WHEREAS, an email requesting a letter supporting the Finger Lakes Tourism Alliance's (FLTA) appropriations request for \$2.4M to fund a new building for FLTA, with FLTA raising \$600K was received by the Chairwoman on April 28, 2022 at 2:31 p.m.; and

WHEREAS, the Letter of Support was needed by April 28, 2022 at 3:45 p.m. in order to be submitted to Congressman Tom Reed's office by April 28, 2022 at 4:00 p.m.; and

WHEREAS, the Letter of Support is imperative to FLTA's success in obtaining Federal Funds; and

WHEREAS, the new building, proposed to be located within Yates County, will provide office space for FLTA to continue its critical work for tourism, an interpretive center, community meeting/educational space, an opportunity for other organizations to have a larger presence in the region with exhibits and staff space for a potential National Heritage Area; and

WHEREAS, Yates County is dependent on tourism as an economic driver;

NOW, THEREFORE, BE IT RESOLVED, that the Letter of Support sent by the Chairwoman for FLTA is hereby ratified; and be it further

RESOLVED, that a copy of this resolution be furnished to FLTA.

**SET DATE FOR PUBLIC HEARING ON PROPOSED RESOLUTION ENTITLED
“ADOPT THE EXPANSION OF VIDEOCONFERENCING FOR PUBLIC MEETINGS”**

BE IT RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed resolution entitled “Adopt the Expansion of Videoconferencing for Public Meetings”, said proposed resolution being set forth herein; and be it further

RESOLVED, that said public hearing shall be held June 13, 2022 at 1:15 p.m. in the Yates County Legislative Chambers, 417 Liberty Street, Penn Yan, NY.

ADOPT THE EXPANSION OF VIDEOCONFERENCING FOR PUBLIC MEETINGS

WHEREAS, April 9, 2022 Governor Hochul signed an amendment to the Open Meetings Law, to expire on July 1, 2024, allowing for the expanded use of videoconferencing by public bodies in the conduct of open meetings, such amendment having been made to Section 103(c) of the New York State Public Officers Law and a new Section 103-a of the New York State Public Officers Law having been added thereto; and

WHEREAS, Yates County (hereinafter referred to as the “County”) wishes to avail itself of such expanded use of videoconferencing in the conducting of open meetings;

NOW, THEREFORE, BE IT RESOLVED that in accordance with the statutory framework recited above, and effective until July 1, 2024, the County hereby authorizes the County Legislature and its committees to use videoconferencing in conducting its open meetings, under the following circumstances, terms and conditions:

1. Such use of videoconferencing at a meeting is permissible only if such meeting contains the minimum number of the members of the particular meeting body needed to fulfill that body’s quorum requirement who are physically present at the same physical location where the public can attend.

2. The members of the particular body meeting shall be physically present at any such meeting unless such member is unable to be physically present at such meeting due to extraordinary circumstances. The term “extraordinary circumstances” shall be defined as disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.

3. The public shall be provided the opportunity to attend, listen and observe the meeting in at least one physical location wherein a member of the meeting body is participating in the meeting.

4. Meetings shall be conducted so that the members of the meeting body can be heard, seen and identified while the meeting is being conducted.

5. The minutes of the meetings shall include which, if any, members of the meeting body participated remotely.

6. The public notice for a meeting shall inform the public that videoconferencing will be used, and give pertinent information thereto, including but not limited to, where the public can view and/or participate in such meeting, and identify the physical location for the meeting where the public can attend.

7. The meeting body shall provide the opportunity for the public to view such meeting via video, and to participate in proceedings by videoconference in real-time where public comment or participation is authorized, and it will be ensured that videoconferencing allows the same public participation as in-person public participation.

8. The audio of the meeting shall be recorded and such recordings posted or linked on the public website of the County within five business days following the meeting and shall remain so available for a minimum of five years thereafter.

9. Notwithstanding the forgoing, fully remote meetings can be held and the in-person requirements shall not apply, during a state disaster emergency declared by the governor pursuant to Section 28 of the New York State Executive Law, or a local state of emergency proclaimed by the chief executive of a county, city, village, or town pursuant to Section 24 of the New York State Executive Law, if the meeting body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the meeting body to hold an in person meeting; and be it further

RESOLVED, that a copy of this resolution be given to the Clerk of the County Legislature, County Administrator and each County Legislator.

Resolution No. 199-22

Date: 5/9/22

Motioned By: Bronson

Seconded By:

**SET DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW 4-2022 ENTITLED
“A Local Law Amending County of Yates Local Law No. 3 of the Year 1971, as Amended
by Local Law No. 2 of the Year 1982, as Further Amended by Local Law No. 2 of the Year
2012 – For the Purpose of Adopting a Plan of Reapportionment of Legislative Districts
Based on the 2020 Census”**

BE IT RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed Local Law 4-2022 entitled “**A Local Law Amending County of Yates Local Law No. 3 of the Year 1971, as Amended by Local Law No. 2 of the Year 1982, as Further Amended by Local Law No. 2 of the Year 2012 – For the Purpose of Adopting a Plan of Reapportionment of Legislative Districts Based on the 2020 Census**”, said proposed Local Law being set forth herein; and be it further

RESOLVED, that said public hearing shall be held June 13, 2022 at 1:15 p.m. in the Yates County Legislative Chambers, 417 Liberty Street, Penn Yan, NY.

LOCAL LAW NO. 4 OF THE YEAR 2022

ENTITLED:

A Local Law Amending County of Yates Local Law No. 3 of the Year 1971, as Amended by Local Law No. 2 of the Year 1982, as Further Amended by Local Law No. 2 of the Year 2012 – For the Purpose of Adopting a Plan of Reapportionment of Legislative Districts Based on the 2020 Census

Be it enacted by the Legislature of the County of Yates as follows:

Section 1: Legislative Intent

The intent of this Local Law is to adopt a plan of reapportionment of legislative districts based upon county and town population data from the 2020 Census; and to do so in accordance with applicable constitutional, legal and statutory principles.

Section 2: Amendments

A. The paragraph numbered “4” of County of Yates Local Law No. 3 of the Year 1971, as Amended by Local Law No. 2 of the Year 1982, as Further Amended by Local Law No. 2 of the Year 2012, is hereby amended as follows:

4. That for the purpose of electing the members of the Yates County Legislature; the County of Yates is hereby divided into four (4) legislative districts as follows:

District No. 1: Town of Italy, Town of Jerusalem and Town of Middlesex.

District No. 2: Town of Benton, Town of Potter and Town of Torrey; with the Exception of All that portion of the Town of Benton located within the Village of Penn Yan.

District No. 3: Town of Milo and All that portion of the Town of Benton located within the Village of Penn Yan; with the Exception of All that portion of the Town of Milo located within the following area: Beginning at a point in the centerline of Sutherland Road, said point being in the common boundary line of the Town of Milo and the Town of Barrington, thence northerly along the centerline of Sutherland Road to a point in the centerline of Baker Road, thence easterly along the centerline of Baker Road to a point in the centerline of Chubb Hollow Road, thence southerly along the centerline of Chubb Hollow Road to a point in the centerline of Rice Road, thence easterly along the centerline of Rice Road to a point in the centerline of Rice Road (a/k/a Cherry Street), thence easterly along the centerline of Rice Road (a/k/a Cherry Street) to a point in the centerline of Norris Road, thence northerly along the centerline of Norris Road to a point in the centerline of Plum Point Road, thence easterly along the centerline of Plum Point Road to a point in the westerly line of New York State Route 14, thence easterly on a perpendicular course across said New York State Route 14 to a point in the easterly line of New York State Route 14, thence northerly along the easterly line of New York State Route 14 to a point in the centerline of Plum Point Road, thence easterly along the centerline of Plum Point Road to a point in the westerly line of current Tax Map Parcel No. 088.67-1-6, thence northerly along the westerly line of said Tax Map Parcel to a point marking the northwest corner of said Tax Map Parcel, thence easterly along the northerly line of said Tax Map Parcel to the westerly shore of Seneca Lake, thence southerly along the westerly shore of Seneca Lake to a point in the common boundary of the Town of Milo and the Town of Starkey, thence westerly along said

Milo-Starkey town line to a point marking the northeast corner of the Town of Barrington, thence westerly along said Milo-Barrington town line to the point and place of beginning.

District No. 4: Town of Barrington, Town of Starkey and All that portion of the Town of Milo located within the following area: Beginning at a point in the centerline of Sutherland Road, said point being in the common boundary line of the Town of Milo and the Town of Barrington, thence northerly along the centerline of Sutherland Road to a point in the centerline of Baker Road, thence easterly along the centerline of Baker Road to a point in the centerline of Chubb Hollow Road, thence southerly along the centerline of Chubb Hollow Road to a point in the centerline of Rice Road, thence easterly along the centerline of Rice Road to a point in the centerline of Rice Road (a/k/a Cherry Street), thence easterly along the centerline of Rice Road (a/k/a Cherry Street) to a point in the centerline of Norris Road, thence northerly along the centerline of Norris Road to a point in the centerline of Plum Point Road, thence easterly along the centerline of Plum Point Road to a point in the westerly line of New York State Route 14, thence easterly on a perpendicular course across said New York State Route 14 to a point in the easterly line of New York State Route 14, thence northerly along the easterly line of New York State Route 14 to a point in the centerline of Plum Point Road, thence easterly along the centerline of Plum Point Road to a point in the westerly line of current Tax Map Parcel No. 088.67-1-6, thence northerly along the westerly line of said Tax Map Parcel to a point marking the northwest corner of said Tax Map Parcel, thence easterly along the northerly line of said Tax Map Parcel to the westerly shore of Seneca Lake, thence southerly along the westerly shore of Seneca Lake to a point in the common boundary of the Town of Milo and the Town of Starkey, thence westerly along said Milo-Starkey town line to a point marking the northeast corner of the Town of Barrington, thence westerly along said Milo-Barrington town line to the point and place of beginning.

B. The paragraph numbered “7” of County of Yates Local Law No. 3 of the Year 1971, as Amended by Local Law No. 2 of the Year 1982, as Further Amended by Local Law No. 2 of the Year 2012, is hereby amended as follows: DELETED in its entirety; due to the fact that the subject matter of said paragraph (Yates County Legislator terms) is now governed by a separate Local Law.

Section 3: Commencement of Reapportionment Plan

This amendment of County of Yates Local Law No. 3 of the Year 1971, as Amended by Local Law No. 2 of the Year 1982, as Further Amended by Local Law No. 2 of the Year 2012, shall be effective for the election of members of the Yates County Legislature for terms commencing January 1, 2024 and thereafter and for all processes incidental thereto.

Section 4: Effective Date

This Local Law shall take effect upon filing with the Secretary of State in accordance with applicable provisions of the Municipal Home Rule Law of the State of New York.

Resolution No. 200-22
Motioned By: Chilson

Date: 5/9/22
Seconded By:

RECOGNIZING NATIONAL POPPY DAY - MAY 27, 2022

WHEREAS, May 27, 2022, marks the observation of National Poppy Day in Yates County; and

WHEREAS, the American Legion adopted the poppy as a symbol of freedom and the blood sacrificed by troops in wartimes at the end of World War I. Poppies serve as a symbolic tribute to our fallen and the future of living veterans and service members; and

WHEREAS, the use of the poppy symbolically comes from a poem in Flanders Fields, which movingly begins, "In Flanders Fields the poppies blow, between the crosses, row on row," written by Lieutenant Colonel John McCrae (a Canadian army doctor) referring to the poppies that sprang up in the churned earth of battlefields across Belgium and France where soldiers died fighting; and

WHEREAS, The American Legion Family has long utilized the red poppy as its official flower and it is fitting that as the American Legion and American Legion Auxiliary approach their 100th anniversaries, they expand the meaning and symbolism of the poppy, mirroring the manner in which the poppy is symbolically showcased in England and Canada in celebratory fashion on their Remembrance Day, also known as Armistice Day and Poppy Day; and

WHEREAS, wearing a poppy will unite citizens from across the country who decide to show their patriotism;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature does hereby proclaim May 27, 2022, as "National Poppy Day" encouraging citizens, residents, and visitors of Yates County to join in observing this day to honor every service member who has died in the name of liberty, freedom and democracy while also showing their support for living veterans, service members, and their families.

Resolution No. 201-22
Motioned By: Chilson

Date: 5/9/22
Seconded By:

AUTHORIZATION TO SIGN ANNUAL UPDATE AND 4-YEAR PLAN REVIEW AND APPROVAL FOR THE YATES COUNTY AREA AGENCY ON AGING

WHEREAS, it is required that the Yates Area Agency on Aging, Pro Action of Steuben and Yates, Inc., submit an Annual Update to the 4-Year Plan; and

WHEREAS, Expanded In-home Services for the Elderly Program and the Community Services for the Elderly Program have been approved in the 2022 Yates County Budget for the Pro Action Yates Office for the Aging; and

WHEREAS, that 2022 Annual Update to the 4-Year Plan process requires Local Executive Review and Approval to receive State and Federal funds for the Expanded In-home Services for the Elderly Program or the Community Services for the Elderly Program;

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson of the Legislature be authorized to sign the 2022 Annual Update to the 4-Year Plan; and be it further

RESOLVED, that copies of this resolution be forwarded to the Pro Action Yates Office for the Aging.

Resolution No. 202-22
Motioned By: Chilson

Date: 5/9/22
Seconded By:

AUTHORIZE CONTRACTS WITH CHILDREN AWAITING PARENTS

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

WHEREAS, the term of these contracts is February1, 2022, through June 30, 2023;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairwoman of the Yates County Legislature and Commissioner of Social Services are authorized to sign contracts with Children Awaiting Parents for the provision of Foster Care services at a rate set by New York State; and be it further

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

Resolution No. 203-22
Motioned By: Chilson

Date: 5/9/22
Seconded By:

RENEW CONTRACT WITH CANANDAIGUA DRIVING SCHOOL

WHEREAS, the Department of Social Services assists with driving instruction for eligible individuals;

RESOLVED, that after the approval of the County Attorney, the Chairwoman of the Legislature and the Social Services Commissioner is authorized to sign a contract with Canandaigua Driving School for the provision of driver training services to eligible clients of the Department of Social Services for the period July 1, 2022-June 30, 2023 at the rate herein identified:

Driving Lessons

Pick up within 15 miles of the school	\$80.00
Pick up between 16-20 miles of the school	\$90.00
Pick up between 21-30 miles of the school	\$100.00

Road Test/90 Minute Lesson

Pick up within 15 miles of the school	\$115.00
Pick up between 16-20 miles of the school	\$125.00
Pick up between 21-30 miles of the school	\$135.00

And be it further

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

Resolution No. 204-22
Motioned By: Chilson

Date: 5/9/22
Seconded By:

**RENEW RESIDENTIAL SERVICES CONTRACTS
FROM JULY 1, 2022- JUNE 30, 2023**

WHEREAS, the Department of Social Services is required to pay for children in foster care;

NOW, THEREFORE, BE IT RESOLVED, that contingent on the approval of the County Attorney, the Chairwoman of the Legislature and the Social Services Commissioner be authorized to sign contracts for residential services for eligible youth at the amended daily rates as shown below, or as adjusted by OCFS (New York State), and at the following institutions as listed below for the time frame July 1, 2022- June 30, 2023 at rates set by New York State;

Kinship Family and Youth Services, a Division of Catholic Charities of the Diocese of Rochester
Toomey Residential Services
Pathways Inc.
Cayuga Home for Children Inc.

And be it further

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

Resolution No. 205-22
Motioned By: Chilson

Date: 5/9/22
Seconded By:

**SIGN AGREEMENT WITH HEALTH RESEARCH INC. (HRI) –
PUBLIC HEALTH CORPS FELLOWSHIP PROGRAM**

WHEREAS, Yates County Public Health has received the New York State Department of Health Public Health Corps Fellowship Program grant award of \$548,752; with \$538,710 available to the County and \$10,042 restricted for use by NYSDOH; and

WHEREAS, said grant period will be for the period of September 1, 2021 – July 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman is hereby authorized to sign an agreement with Health Research Inc. (HRI) for the period September 1, 2021 through July 31, 2023 for the Public Health Corps Fellowship Program Grant; and be it further

RESOLVED, that a copy of this resolution be sent to the Public Health office, Budget Officer, and Finance Director.

Resolution No. 206-22
Motioned By: Chilson

Date: 5/9/22
Seconded By:

RECOGNITION OF YATES COUNTY VOLUNTEERS

WHEREAS, in 1991, President George H.W. Bush recognized the need to establish April as National Volunteer Month to honor the millions of volunteers who support charitable and not-for-profit causes across this great nation; and

WHEREAS, recognizing National Volunteer Month was celebrated nationally in April, and that April has passed, the legislature would like to take the opportunity to express our deepest appreciation to those who take time out of their busy lives and volunteer to help our citizens in Yates County; and

WHEREAS, they are dedicated community members who tackle Yates County’s greatest challenges to help us build a stronger and healthier community; and

WHEREAS, National Volunteer Month provides an opportunity to recognize the impact that our volunteers have on our community; and

WHEREAS, Yates County provides volunteers through Public Health Services and Veteran Services and that our volunteers have provided countless hours to meet a variety of needs to our citizens, such as assisting with Public Health Clinics and assisting with Veteran Transportation;

NOW, THEREFORE, BE IT RESOLVED, that Yates County does hereby thank our dedicated volunteers and recognize their efforts as they leave their positive impact in the community; and be it further

RESOLVED, that a copy of this resolution be provided to Public Health and Veteran Services.

Resolution No. 207-22
Motioned By: Banach

Date: 5/9/22
Seconded By:

AWARD BID FOR VEGETATION CONTROL

WHEREAS, bids were requested for Vegetation Control and received on April 21, 2022 at 10:00 a.m. and two firms submitted a bid to the Yates County Highway Department;

Roadside to be treated : Approximately 360 side miles

BIDDER:	Allen Chase Enterprises			DeAngelo Contracting Services		
Price per Mile of Roadside Application	360	\$38.61	\$13,899.60	360	\$34.99	\$12,596.40
Price per Gallon for Material Mixture	700	\$1.16	\$812.00	500	\$0.99	\$495.00
Total Price for Application & Materials			\$14,711.60			\$13,062.40

NOW, THEREFORE, BE IT RESOLVED, to award the bid to DeAngelo Contracting Services; and be it further

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

Resolution No. 208-22
Motioned By: Holgate

Date: 5/9/22
Seconded By:

2022 BUDGET TRANSFERS

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

From:	To:	Amount:
CD6292.11E KKP Youth Part Wage	CD6292.41E KKP Youth Operating	\$ 400.00
CD6292.81E KKP Youth Part Fringe	CD6292.41E KKP Youth Operating	\$ 100.00
A1640.54653 (CG) - Gasoline	A6010.52180-(CG) DSS- Vehicle Purchase	\$ 235.73

And be it further

NOW, THEREFORE, BE IT RESOLVED, that copies of this resolution be provided to the Commissioner of Social Services, the Deputy Highway Superintendent, the County Treasurer, the Finance Director, and the Budget Officer.

Resolution No. 209-22
Motioned By: Holgate

Date: 5/9/22
Seconded By:

AMEND RESOLUTION #168-2022
(SOCIAL SERVICES)

WHEREAS, resolution #168-22 “Appropriate Additional State Aid” was adopted on 4/11/2022 and received grant funds were allocated to corresponding expenditures ; and

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

NOW, THEREFORE, BE IT RESOLVED that the following accounts be corrected and tabulated below for the 2022 budget year;

Revenue:		
A6010.44610 SS- Social Service Admin		\$ 14,700.00
Appropriation:		
A6109.54305 SS- Family Assistance		\$ 14,700.00

And be it 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. 210-22
Motioned By: Holgate

Date: 5/9/22
Seconded By:

APPROPRIATE ADDITIONAL STATE AID
(HIGHWAY)

WHEREAS, the Highway Department has received revenue over the 2022 budgeted amount from PAVE-NY and EWR with corresponding expenditures; and

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

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

Revenue:	
D5112.43510 HW- CHIPS Capital (PAVE-NY)	\$ 399,716.00
D5112.43510 HW- CHIPS Capital (EWR)	\$ 262,998.00

Appropriation:	
D5112.54602 HW- Bituminous Materials	\$ 602,714.00
D5112.54962 HW- Leases; Equip. (Out)	\$ 60,000.00

And be it further

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

Resolution No. 211-22
Motioned By: Holgate

Date: 5/9/22
Seconded By:

**APPROPRIATE ADDITIONAL AID
(SOCIAL SERVICES)**

WHEREAS, the Department of Social Services is to receive additional revenue from Code Blue; and

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

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

Revenue:	
A6010.43610 SS- Social Service Admin	\$ 15,538.00

Appropriation:	
A6010.54027 SS- Miscellaneous	\$ 15,538.00

And be it further

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

Resolution No. 212-22
Motioned By: Holgate

Date: 5/9/22
Seconded By:

**APPROPRIATE ADDITIONAL AID
(SOCIAL SERVICES)**

WHEREAS, the Department of Social Services is to receive additional revenue for Pandemic EAF Multi-Generational Food; and

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

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

Revenue:
A6010.43610 SS- Social Service Admin \$ 15,330.00

Appropriation:
A6109.54305 SS- Family Assistance \$ 15,330.00

And be it further

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

Resolution No. 213-22
Motioned By: Holgate

Date: 5/9/22
Seconded By:

**APPROPRIATE ADDITIONAL STATE AID
(SHERIFF)**

WHEREAS, the Sheriff's department has received additional grant funding from the NYS Division of Homeland Security & Emergency Services Office of Interoperable and Emergency Communications for the grant year 2020; and

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

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

Revenue:
A3020.43318 SH- SICG FY20 \$ 320,699.00

Appropriation:
A3020.52964 SH- SICG FY20 \$ 320,699.00

And be it further

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

Resolution No. 214-22
Motioned By: Holgate

Date: 5/9/22
Seconded By:

**APPROPRIATE ADDITIONAL REVENUE
(PUBLIC DEFENDER & ASSIGNED COUNSEL)**

WHEREAS, the Public Defender and Assigned Counsel office anticipate receiving additional revenue from the Hurrell Haring Grant and plan to transfer grant reimbursements to cover expenditures to date; and

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

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

Revenue:
A1170.43025 PD- ILS Revenue \$ 41,003.42

A1172.43025 AC- ILS Revenue \$ 126,996.58

Appropriation:

A1170.51640 PD- Public Defender	\$ 10,000.00
A1170.51647 PD- 1 st Assistant Public Defender	\$ 55,000.00
A1170.51566 PD- 2 nd Assistant Public Defender	\$ 7,000.00
A1170.51646 PD- Secretary	\$ 10,000.00
A1172.54003 AC- Assigned Counsel Administrator	\$ 86,000.00

And be it further

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

Resolution No. 215-22
Motioned By: Holgate

Date: 5/9/22
Seconded By:

APPROPRIATE INFRASTRUCTURE RESERVE FUNDS

WHEREAS, the Department of Finance needs to appropriate \$30,626 of the Infrastructure Reserve Funds for the purchase of 2869 Emerson Rd. property, and;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$30,626;

Budgetary Account:	
A878.I (Infrastructure Reserve)	\$ 30,626.00
Appropriation Account:	
A3020.54736 SH- Tower Transition	\$ 30,626.00

And be it further

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

Resolution No. 216-22
Motioned By: Holgate

Date: 5/9/22
Seconded By:

ADOPT INVESTMENT POLICY

WHEREAS, Resolution #188-16 adopted the Yates County Investment Policy; and

WHEREAS, there is a need to amend the policy,

NOW, THEREFORE, BE IT RESOLVED, that resolution #188-16 are hereby rescinded and the following Investment Policy for Yates County is hereby adopted, and be it further;

RESOLVED, that a copy of this resolution be forwarded to the County Administrator, the Director of Finance, and to the County Treasurer.

INVESTMENT POLICY FOR YATES COUNTY

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order,

- To conform with all applicable federal, state and other legal requirement (legal);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements (liquidity); and
- To obtain a reasonable rate of return (yield)

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Director of Finance under the supervision of the County Administrator who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the **County of Yates** to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the **County of Yates** to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the **County of Yates** for all moneys collected by any officer or employee of the government to transfer those funds to the Department of Finance within 7 days of deposit, or within the time period specified in law, whichever is shorter.

The Director of Finance is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITARIES (Resolution No. 98-11)

The banks and/or trust companies authorized for the deposit of monies up to the maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>
Community Bank, N.A.	\$20,000,000.00
Lyons National Bank	\$11,000,000.00
Five Star Bank, N.A	\$15,000,000.00
Bank of the Finger Lakes/Wayne Bank	\$30,000,000.00
Key Bank (formally JP Morgan Chase)	\$20,000,000.00

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Article 10, all deposits of Yates County, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by a pledge of "eligible securities" with an aggregate "market value" as provided by General Municipal Law, Article 10.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the **County of Yates** or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the

securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Chapter 11, the **County of Yates** authorizes the Director of Finance to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL Chapter 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the County of Yates;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- Certificates of participation (COPs) issued pursuant to GML Chapter 109-b.
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Chapters 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the County of Yates within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys shall be payable or redeemable at the option of the **County of Yates** within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The **County of Yates** shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the **County of Yates**. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Director of Finance is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Director of Finance is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.

2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No.88-46, and the specific program has been authorized the governing board.

3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the **County of Yates** by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Chapter 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions.

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed
- The custodian shall be a party other than the trading partner.

Resolution No. 217-22

Date: 5/9/22

Motioned By: Holgate

Seconded By:

RESOLUTION TO AWARD THE BID OF SITE PREPERATION FOR RECONNECT 1 FIBER MATERIALS STORAGE

WHEREAS, Yates County, herein named as "the County", has been awarded a USDA ReConnect1 Grant and pursuant to said grant, materials will be delivered and the need to store them safely will arise; and

WHEREAS, the Yates County Highway Dept. has made a section of the yard behind the Guyanoga Highway Dept. Building available for this purpose. In order to keep the materials out of the mud a gravel pad should be prepared; and

WHEREAS, the Planning Dept. has reached out to 8 local excavation companies and has received the following estimates,

Company	Estimate
Zimmerman's Excavating, LLC	\$1748.58
City Hill Construction, Inc.	\$3630.00
Yates County Highway Dept.	\$5100.71
BW Excavation & Construction, LLC	\$6920.00

WHEREAS, all the timetables for construction were similar;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the County Attorney, the Chairwoman is hereby authorized to sign the agreement with Zimmerman Excavating, LLC; and be it further

RESOLVED, that a copy of this resolution shall be sent to the Yates County Planner, The Yates County Highway Dept., the Grant Specialist and all bidders.

Resolution No. 218-22

Date: 5/9/22

Motioned By: Holgate

Seconded By:

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH GRAYBAR ELECTRIC COMPANY FOR ADDITIONAL 96 FIBER OPTIC CABLE FOR THE RECONNECT PROJECT

WHEREAS, Yates County (hereinafter referred to as "County") is currently undertaking the design and construction of a fiber optic broadband network as part of its ReConnect 1 grant project (hereinafter referred to as the "project") awarded by USDA/Rural Utility Service; and

WHEREAS, the Graybar Electric Company (hereinafter referred to as "Graybar") was awarded the bid for Outside Plant Materials for Phase 1A of the project in Resolution 174-22; and

WHEREAS, Graybar has 189,000 feet of additional 96 fiber optic cable in stock and available for purchase at the same terms and conditions and price of \$1.05/foot as the awarded bid; and

WHEREAS, the additional fiber is not available from other suppliers for at least 24-52+ weeks;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to sign the contract with Graybar Electric Company for \$198,450; and be it further

RESOLVED, that copies of this resolution be provided to Graybar Electric Company, the County Administrator, the County Planner, and the Grant Specialist.

Resolution No. 219-22
Motioned By: Holgate

Date: 5/9/22
Seconded By:

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH R.L. POWERS FOR HANGER HEATER EQUIPMENT AND INSTALLATION

WHEREAS, the existing heaters in the County owned airport hangar now occupied by Precision Aviation are no longer working properly and due to age, need to be replaced; and

WHEREAS, the Yates County Buildings and Grounds Supervisor recommended replacement by a 3rd party, and

WHEREAS, the Airport Council has received quotes from various heating contractors as noted below, and after review is recommending the County engage R.L. Powers (proposal no 0338) for the sum of \$17,500 to undertake the project as described; and

Contractor	Location	Quoted Price to Replace
R.L. Powers	Palmyra, NY	\$17,500
F.H. Mechanical	Rochester, NY	\$22,780
JR's Heating, Cooling & General Contracting, LLC	Penn Yan, NY	\$25,570

WHEREAS, the expenditure is reimbursable to the County from the federal CARES grant;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairman of the Legislature is authorized to sign a contract between R.L. Powers and Yates County for the purchase and installation of 4 Roberts Gordon 100,000 BTU Vantage II Radiant heaters at the Penn Yan Airport in the amount of \$17,500; and be it further

RESOLVED, that copies of this resolution be provided to the Airport Council, Passero Associates, County Buildings and Ground Supervisor and County Treasurer.

Resolution No. 220-22
Motioned By: Holgate

Date: 5/9/22
Seconded By:

RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF YATES ELECTING A CENTS PER GALLON RATE OF SALES AND COMPENSATING USE TAXES ON MOTOR FUEL AND DIESEL MOTOR FUEL, IN LIEU OF THE PERCENTAGE RATE OF SUCH TAXES, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

WHEREAS, Resolution No. 112-1967 adopted 3% County Wide Sales and Use Tax, in Yates County, effective March 1, 1968; and

WHEREAS, Resolution No. 241-2003 requesting home rule legislation be passed by the Assembly in bill A5417-A and the Senate by bill S2478-A to amend the tax law in relation to the imposition by the County of an additional 1% on the county portion of the sales tax rate in Yates County; and

WHEREAS, every three years a resolution must be passed by home rule enacting an extension of the additional 1% on the county portion of the sales tax rate in Yates County, the last one being Resolution No. 250-2020; and

WHEREAS, the County has the authority to elect a cents per gallon rate of sales and compensating use taxes on motor fuel and diesel motor fuel, in lieu of the percentage rate of such taxes, pursuant to the authority of Article 29 of the Tax Law of the State of New York; and

WHEREAS, The State Legislature recently passed Governor program bill S.8947/A.10079 that extends the certification period for local counties to elect to suspend certain taxes on motor fuel and diesel motor fuel and provide an expiration and repeal of such election;

NOW, THEREFORE, BE IT RESOLVED, notwithstanding any provision of this enactment to the contrary, in lieu of the percentage rate of sales and compensating use taxes imposed on receipts from the retail sale of and consideration given or contracted to be given for, or for the use of, motor fuel and diesel motor fuel, such taxes shall be imposed at a rate of cents per gallon of such motor fuel or diesel motor fuel, in the manner prescribed by subdivision (m) of section 1111 of the New York Tax Law, provided that, for the purposes of calculating the cents per gallon rate of tax, such receipts or consideration shall be limited to TWO (\$2.00) dollars per gallon of either such fuel. Provided that, if the average price of such fuels changes as described in such subdivision (m) of section 1111 of the Tax Law, the Commissioner of Taxation and Finance shall adjust the cents per gallon tax rate on such fuels in the manner prescribed in such subdivision (m) of section 1111 of the Tax Law; and be it further

RESOLVED, this resolution shall take effect June 1, 2022 and shall expire or be deemed repealed as of January 1, 2023 or the end of a sales tax quarter; and be it further

RESOLVED, that the Clerk of the Legislature is directed to transmit a certified copy of this resolution as adopted bearing the County's raised seal to Deborah Liebman, the Secretary of State, the State Comptroller, and the Yates County Clerk, within five days of enactment, pursuant to section 1210(e) of the Tax Law.