



YATES COUNTY LEGISLATURE  
417 Liberty Street  
Penn Yan, New York 14527  
Phone 315-536-5150  
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Leslie Church  
Chairwoman  
Emilee D. Miller  
Clerk

**YATES COUNTY LEGISLATIVE AGENDA  
July 10, 2023 at 1:00 pm**

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

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- Call to Order & the Pledge of Allegiance
- Zoom Attendees
- Public Comment
- Approve Audit
- Committee Reports
- CDBG Application Public Hearing

**RESOLUTION**

Willson	316-23	Authorize Chairwoman to Sign Contract (William DiFabio)
	317-23	Authorize Sheriff and Chairperson to Sign MOU with Dundee Central School District for 2023-24 SRO Services
	318-23	Authorize Chairwoman to Sign Software Maintenance Agreement Renewal
Bronson	319-23	Authorize Director of Public Health to Create and Fill Full Time Position (Public Health Specialist or Public Health Nurse)
	320-23	Authorize Director of Public Health to Create and Fill Full Time Account Clerk Typist Position
	321-23	Authorize County Highway Superintendent to Fill Position (Working Supervisor)
	322-23	Authorize County Highway Superintendent to Fill Position (Heavy Equipment Operator)
	323-23	Authorize Commissioner of Social Services to Fill Account Clerk Typist Position
	324-23	Appoint Republican Election Commissioner (Burt)
	325-23	Requesting Veto of the Proposed Changes in the New York State Environmental Conservation Law
	326-23	Standard Work Day Resolution

	327-23	Authorize Chair of the Legislature to Sign Contract (Entre Computer Services, Rochester, NY)
	328-23	Authorize Sheriff to Fill Deputy Sheriff Sergeant Position
Chilson	329-23	Amend Resolution No. 287-23 (Authorize Contracts)
	330-23	Renew Contract with Canandaigua Driving School
	331-23	Renew Residential Services Contracts from July 1, 2023-June 30, 2025
	332-23	Authorize Contracts with the Following Agencies/Persons
	333-23	Authorize Contract for Client Transportation
	334-23	Authorize Chairwoman to Sign Contract (Solix Inc., Parsippany, NJ)
	335-23	Authorize Chairwoman to Sign Agreement with Dawn Martin, Speech Language Pathologist
	336-23	Authorize Chairwoman to Sign Agreement with Juventas Physical, Occupational, and Speech Therapy Services, PLLC
	337-23	Proclaiming August 4th, 2023 as U.S. Coast Guard Birthday in Yates County
	338-23	Proclaiming August 7th, 2023 as Purple Heart Day in Yates County
	339-23	Authorize Chairwoman to Sign Contract with Finger Lakes Addictions Counseling and Referral Agency
	340-23	Authorize Chairwoman to Sign Contract with the Penn Yan Central School District (Opioid Settlement)
	341-23	Sign Amendment #3 with the Trustees of Columbia University in the City of New York
Banach	342-23	Declare Surplus Equipment
	343-23	Highway/OES/PH Facility Allowance Allocation Authorization
Holgate	344-23	Set Date for Public Hearing on Proposed Local Law 1-2023 Entitled "A Local Law Increasing the Income Limits of the Tax Exemption for Persons 65 Years of age or Over"
	345-23	Resolution to Provide Notice of the Eight-Year Review of Agricultural District #1 and Subsequent 30 Day Public Review Period
	346-23	2023 Budget Transfers
	347-23	Appropriate Infrastructure Reserve Funds
	348-23	Authorized Workforce Development Budget Allocations (WFD)
	349-23	Amend Resolution. No. 304-23 Appropriate Additional Aid (YB)
	350-23	Authorize Chairwoman to Sign Extension Agreement for Auditing Services

- Public Comment

**Executive Session if needed**

**Resolution No. 316-23**  
**Motioned By: Willson**

**Date: 7/10/23**  
**Seconded By:**

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**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT  
(William DiFabio)**

BE IT RESOLVED, that after approval by the County Attorney, the Chairwoman of the Legislature is hereby authorized to sign the agreement contract with William DiFabio to serve as a Certified Instructor Coordinator and or Practical Evaluator for Emergency Medical Services Training, Sponsored by Yates County Emergency Services for calendar year 2023; and be it further

RESOLVED, that the liability insurance requirement is waived; and be it further

RESOLVED, that a copy of this resolution be given to the Director of the Office of Emergency Management and the Finance Officer.

**Resolution No. 317-23**  
**Motioned By: Willson**

**Date: 7/10/23**  
**Seconded By:**

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**AUTHORIZE SHERIFF/CHAIRPERSON TO SIGN MOU WITH  
DUNDEE SCHOOL FOR 2023-24 SRO SERVICES**

WHEREAS, the Sheriff provides a police/peace officer performing youth related School Resource Officer tasks assigned to, and for the Dundee Central School District whose services is reimbursed by the school district as agreed for 2023-24 in the amount of \$ 57,380.40, that includes wage, fringe, and insurances; and

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney that the Sheriff and Chairperson are authorized to sign the Memorandum of Understanding with the Dundee School Superintendent, and or representative for SRO services and liability insurance is waived; and

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

**Resolution No. 318-23**  
**Motioned By: Willson**

**Date: 7/10/23**  
**Seconded By:**

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**AUTHORIZE CHAIRWOMAN TO SIGN SOFTWARE MAINTENANCE AGREEMENT  
RENEWAL**

WHEREAS, the Yates County Probation Department operates the computer software program Caseload Explorer, owned by AutoMon Corporation and requires an annual agreement for software maintenance;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman is authorized to sign the AutoMon Corporation Software Maintenance Agreement renewal for one year beginning July 20, 2023 at a cost of \$7374.10; and be it further

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

**Resolution No. 319-23**

**Date: 7/10/23**

**Motioned By: Bronson**

**Seconded By:**

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**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO CREATE AND FILL FULL TIME POSITION**

**(Public Health Specialist or Public Health Nurse)**

WHEREAS, the Director of Public Health through the position review process has identified the need to create and fill a full time position and is requesting the position be filled with the most appropriate title based on the candidate's qualifications; and

WHEREAS, the estimated annual cost to fill a Public Health Specialist or Public Health Nurse position, including fringe, is \$69,823 to \$96,952, depending on health insurance; through the New York State Department of Health Public Health (NYSDOH) Strengthening Infrastructure, Workforce and Data Systems Grant, the County will receive 100% reimbursement for the salary and fringe, therefore the estimated annual cost to the County is \$0;

NOW, THEREFORE, BE IT RESOLVED, that effective July 10, 2023 the Director of Public Health is hereby authorized to create and fill a position with a candidate who meets the minimal qualifications for either Public Health Nurse or Public Health Specialist; and be it further

RESOLVED, the Director of Public Health is authorized to start the candidate at either STEP one (1) or STEP two (2) of the current CSEA CBA Salary Schedule, should the candidate meet the eligibility for a higher starting rate of pay; and be it further

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

**Resolution No. 320-23**

**Date: 7/10/23**

**Motioned By: Bronson**

**Seconded By:**

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**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO CREATE AND FILL FULL TIME ACCOUNT CLERK TYPIST POSITION**

WHEREAS, the Director of Public Health through the position review process has identified the need to create and fill a temporary full time Account Clerk Typist position and is therefore requesting the current part time position be increased to full time; and

WHEREAS, the estimated annual cost to fill the Account Clerk Typist position, including fringe, is \$43,408 to \$70,536; the County receives 100% reimbursement from State Aide, therefore the estimated annual cost to the County including fringe, is \$0;

NOW, THEREFORE, BE IT RESOLVED, that effective July 10, 2023 the Director of Public Health is hereby authorized to create and fill a full-time Account Clerk Typist position; and be it further

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

**Resolution No. 321-23**  
**Motioned By: Bronson**

**Date: 7/10/23**  
**Seconded By:**

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**AUTHORIZE COUNTY HIGHWAY SUPERINTENDENT TO FILL POSITION  
(WORKING SUPERVISOR)**

WHEREAS, a Working Supervisor vacancy was created effective June 22, 2023 as a result of a retirement; and

WHEREAS, the County Highway Superintendent through the vacancy review process has identified the continued need for the Working Supervisor position and is requesting that the vacancy be filled; and

WHEREAS, the estimated annual cost to fill the Working Supervisor position is \$62,951 to \$103,925, depending on health insurance and what particular "Step" an employee is at should a promotion occur within;

NOW, THEREFORE, BE IT RESOLVED, that effective July 10, 2023 the County Highway Superintendent is hereby authorized to fill a Working Supervisor position; and be it further

RESOLVED, that the County Highway Superintendent is also authorized to fill any subsequent vacancies that occur through promotion of an employee into the vacant position, if applicable; and be it further

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

**Resolution No. 322-23**  
**Motioned By: Bronson**

**Date: 7/10/23**  
**Seconded By:**

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**AUTHORIZE COUNTY HIGHWAY SUPERINTENDENT TO FILL POSITION  
(HEAVY EQUIPMENT OPERATOR)**

WHEREAS, a Heavy Equipment Operator vacancy was created effective June 29, 2023 as a result of a resignation; and

WHEREAS, the County Highway Superintendent through the vacancy review process has identified the continued need for the Heavy Equipment Operator position and is requesting that the vacancy be filled; and

WHEREAS, the estimated annual cost to fill the Heavy Equipment Operator position is \$57,907 to \$97,872, depending on health insurance and what particular "Step" an employee is at should a promotion occur within;

NOW, THEREFORE, BE IT RESOLVED, that effective July 10, 2023 the County Highway Superintendent is hereby authorized to fill the vacant Heavy Equipment Operator position; and be it further

RESOLVED, that the County Highway Superintendent is also authorized to fill any subsequent vacancies that occur through promotion of an employee into the vacant position, if applicable; and be it further

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

**Resolution No. 323-23**

**Date: 7/10/23**

**Motioned By: Bronson**

**Seconded By:**

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**AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL ACCOUNT CLERK  
TYPIST POSITION**

WHEREAS, an Account Clerk Typist position will become vacant as the result of a pending promotion of a current employee; and

WHEREAS, the Commissioner of Social Services through the vacancy review process has identified the need to refill the Account Clerk Typist position and is requesting that the position be filled; and

WHEREAS, the estimated cost to fill the position, including fringe, is \$43,408 to \$70,536, depending on health insurance; with the 80% reimbursement the cost to the County is \$8,682 to \$14,107;

NOW, THEREFORE, BE IT RESOLVED, effective July 10, 2023 the Commissioner of Social Services is hereby authorized to fill a full-time Account Clerk Typist position; and be it further

RESOLVED, that the Commissioner of Social Services is also authorized to fill any subsequent vacancy that will occur as the result of a promotion of an employee into the vacant Account Clerk Typist position; and be it further

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

**Resolution No. 324-23**

**Date: 7/10/23**

**Motioned By: Bronson**

**Seconded By:**

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**APPOINT REPUBLICAN ELECTION COMMISSIONER  
(Burt)**

WHEREAS, the Chair of the Yates County Republican Committee filed with this Legislature a certificate in accordance with Election Law, Section 31, certifying that the recommendation by majority of said committee that Sheila M. Burt residing at 242 Pre-Emption Road, Penn Yan, NY 14527 (Town of Benton) is suitable and qualified for appointment to the office of Commissioner of Elections and recommends such appointment be made; and

WHEREAS, the salary is as included in the salary schedule for non-represented employees;

NOW, THEREFORE, BE IT RESOLVED, that Sheila M. Burt is hereby appointed as Commissioner of Elections for Yates County for a term commencing January 1, 2024 through December 31, 2025, or such term length as determined by the County or State Legislative bodies (EL 3-202); and be it further

RESOLVED, that a copy of this resolution be provided to the County Administrator, Personnel Officer, County Clerk, Sheila M. Burt, Director of Finance, Yates County Republican Committee Chair and the Yates County Republican Committee Secretary.

**Resolution No. 325-23**

**Date: 7/10/23**

**Motioned By: Bronson**

**Seconded By:**

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**REQUESTING VETO OF THE PROPOSED CHANGES IN THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW**

WHEREAS, Bill 1725A was brought in front of the New York State Senate and introduced by Harkham, Fernandez and Hoylman-Sigal on January 13, 2023; and

WHEREAS, the proposed changes would now make an Article 15 permit through the New York Department of Environmental Conservation necessary for all streams classified C or higher, statewide; and

WHEREAS, while the believed intention of this bill is to counteract federal deregulation and to protect the pristine water quality in New York State, it will have negative impacts on habitat improvement, sediment and nutrient reduction through stabilization practice implementation, as well as public and private infrastructure through flooding impacts; and

WHEREAS, the Soil and Water Conservation Districts are already required to apply for Article 15 permits on C(t) and higher classified streams. These permits currently take anywhere from 4 to 12 months to be approved due to New York State Department of Environmental Conservation back log; and

WHEREAS, the new proposed regulations although well intended would create the need for permitting on over 40,000 miles of additional streams statewide. There are 52,000 intersections between Class C streams and public roads in New York State. This legislation would require a permit to change any of these culverts. This is more than 40 times the current number of applications going to the NYS DEC. Based on the current back log and time frame for permitting this would hold projects up 26 months at minimum; and

WHEREAS, the permit applications submitted by NYS Soil and Water Conservation Districts to NYS DEC have never changed the implementation or practices installed on the project through the permit process; and


WHEREAS, sediment and nutrient loading are creating health concerns and loss of recreation due to Harmful Algae Blooms; and

WHEREAS, climate change is creating devastating flooding impacts annually. NYS Soil and Water Conservation Districts have proven to be the lead agency heading recovery efforts and implementing thousands of projects annually to help mitigate future impacts.; and

WHEREAS, if this bill is passed, NYS Soil and Water Conservation Districts will be unable to implement programs and projects to combat these issues. Flooding impacts will increase exponentially and billions of dollars of public and private infrastructure will be lost;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature formally requests Governor Hochul veto this bill for a second time; and be it further

RESOLVED, that copies of this Resolution be provided to Governor Kathleen Hochul,

Office of the New York State Comptroller  
  
 New York State and Local Retirement System  
 110 State Street, Albany, New York 12244-0001  
 Please type or print clearly in blue or black ink

Employer Location Code  
1 0 0 5 7

Received Date

**Standard Work Day and Reporting Resolution for Elected and Appointed Officials**

**RS 2417-A**  
(Rev. 11/19)

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

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

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
<b>Elected Officials:</b>									
Jon Van Dermark			Coroner	1/1/23-12/31/26	7	3.40	<input type="checkbox"/>	Bi-Weekly	<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
<b>Appointed Officials:</b>									
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>

I, Emilee D. Miller, secretary/clerk of the governing board of the Yates County Legislature, of the State of New York,  
(Name of Secretary or Clerk) (Circle one) (Name of Employer)

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 10 day of July, 2023 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 on this 10 day of July, 2023.  
(Name of Employer)

\_\_\_\_\_  
(Signature of Secretary or Clerk)

**Affidavit of Posting:** I, Emilee D. Miller being duly sworn, deposes and says that the posting of the Resolution began on \_\_\_\_\_ and continued for at least 30 days. That the Resolution was available to the public on the: \_\_\_\_\_  
(Date)

Employer's website at: www.yatescounty.org

Official sign board at: \_\_\_\_\_

Main entrance Secretary or Clerk's office at: \_\_\_\_\_

(seal)

Page \_\_\_\_\_ of \_\_\_\_\_ (for additional rows, attach a RS 2417-B form.)

New York State Committee on Environmental Conservation, Senator Thomas O'Mara, Assemblyman Philip Palmesano, New York State Farm Bureau, New York State Soil and Water Conservation District Employees' Association, New York State Association of Conservation Districts, and the Yates County Highway Association.

**Resolution No. 326-23**  
**Motioned By: Bronson**

**Date: 7/10/23**  
**Seconded By:**

**Resolution No. 327-23**  
**Motioned By: Bronson**

**Date: 7/10/23**  
**Seconded By:**

**AUTHORIZE CHAIR OF THE LEGISLATURE TO SIGN CONTRACT  
 (Entre Computer Services, Rochester, NY)**



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

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to sign a contract with Entre Computer Services of Rochester, NY for computer technical assistance, effective July 1, 2023 through December 31, 2023 at a cost not to exceed \$23,200; and be it further

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

**Resolution No. 328-23**

**Date: 7/10/23**

**Motioned By: Bronson**

**Seconded By:**

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**AUTHORIZE SHERIFF TO FILL DEPUTY SHERIFF SERGEANT POSITION**

WHEREAS, a Deputy Sheriff Sergeant position will become vacant effective August 31, 2023; and

WHEREAS, the Sheriff through the vacancy review process has identified the need to refill the Deputy Sheriff Sergeant position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the Sergeant position, including fringe, is \$88,424 to \$115,552, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective August 31, 2023 the Sheriff is hereby authorized to fill a Deputy Sheriff Sergeant; 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 Sergeant Deputy Sheriff position; and be it further

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

**Resolution No. 329-23**

**Date: 7/10/23**

**Motioned By: Chilson**

**Seconded By:**

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**AMEND RESOLUTION NO. 287-23  
(Authorize Contracts)**

WHEREAS, Resolution 287-23 authorized the Chair of the Legislature to sign a contract with the Finger Lakes Workforce Investment Board for \$69,148 for Admin/Adult/Dislocated funding; and

WHEREAS, the amount in the resolution was incorrect;

NOW, THEREFORE, BE IT RESOLVED, that the cost of the contract will be \$74,148; and be it further

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

**Resolution No. 330-23**  
**Motioned By: Chilson**

**Date: 7/10/23**  
**Seconded By:**

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**RENEW CONTRACT WITH CANANDAIGUA DRIVING SCHOOL**

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

NOW, THEREFORE, BE IT RESOLVED, that after the approval of the County Attorney, the Chair 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, 2023-June 30, 2024, at the rate herein identified:

Driving Lessons

Pick up within 15 miles of the school	\$90.00
Pick up between 16-20 miles of the school	\$100.00
Pick up between 21-30 miles of the school	\$110.00

Road Test/90 Minute Lesson

Pick up within 15 miles of the school	\$125.00
Pick up between 16-20 miles of the school	\$135.00
Pick up between 21-30 miles of the school	\$145.00

and be it further

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

**Resolution No. 331-23**  
**Motioned By: Chilson**

**Date: 7/10/23**  
**Seconded By:**

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**RENEW RESIDENTIAL SERVICES CONTRACTS  
FROM JULY 1, 2023- JUNE 30, 2025**

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 Chair 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, 2023- June 30, 2025, at rates set by New York State:

St. Anne's Institute	HTP Institution	\$465.84
St. Catherine's Center for Children	Regular FBH	\$51.53
	Therapeutic FBH	\$76.70
House of the Good Shepherd	Emergency Institution	\$673.29
	HTP Institution	\$812.43
Northeast Parent and Child Society, Inc.	Regular GH	\$478.59

Cayuga Home for Children, Inc.	Therapeutic FBH	\$70.41
	Regular FBH	\$50.50
Pathways, Inc.	Therapeutic FBH	\$125.53
Children Awaiting Parents	Therapeutic FBH	\$100.64
Elmcrest Children's Center	Therapeutic FBH	\$80.73
Children's Home for Wyoming Conference	HTP Institution	\$590.93
	Regular FBH	\$81.32
Toomey Residential Services	Therapeutic FBH	\$81.32
	Regular FBH	\$18.21
William George Agency of Children's Services	Therapeutic FBH	\$67.43
Glove House, Inc.	HTP Girls Institution	\$718.57
	Regular FBH	\$39.95
Villa of Hope, Inc.	Therapeutic FBH	\$85.16
	HTP Institution	\$766.27
Venderhyden Hall	Regular GH	\$610.78
	Regular GH	\$317.05
Hillside Children's Center	Regular Institution	\$362.07
	Regular FBH	\$50.13
	Snell Farm Institution	\$468.32
	Therapeutic FBH	\$92.22

and be it further

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

**Resolution No. 332-23**

**Date: 7/10/23**

**Motioned By: Chilson**

**Seconded By:**

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**AUTHORIZE CONTRACTS WITH THE FOLLOWING AGENCIES/PERSONS**

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 July 6, 2023, through December 31, 2023;

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

- Steuben County Department of Social Services for the provision of non-secure detention at a cost not to exceed \$117,245

and be it further

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

**Resolution No. 333-23**

**Date: 7/10/23**

**Motioned By: Chilson**

**Seconded By:**

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**AUTHORIZE CONTRACT FOR CLIENT TRANSPORTATION**

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

WHEREAS, the term of these contracts is July 1, 2023, through December 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chair of the Yates County Legislature and Commissioner of Social Services are authorized to sign a contract with:

- Mike Smith, for client transportation, \$20.00 per hour waiving liability insurance

And be it further

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

**Resolution No. 334-23**

**Date: 7/10/23**

**Motioned By: Chilson**

**Seconded By:**

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is hereby authorized to execute a contract with Solix, Inc. for the Public Health Department to apply to the FCCRHC Program for discount of our broadband expenses for the term January 1, 2023 through December 31, 2026; and be it further

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

**Resolution No. 335-23**

**Date: 7/10/23**

**Motioned By: Chilson**

**Seconded By:**

**AUTHORIZE CHAIRWOMAN TO SIGN AGREEMENT  
WITH DAWN MARTIN, SPEECH LANGUAGE PATHOLOGIST**

WHEREAS, Yates County Public Health seeks to sign an agreement with Dawn Martin, Speech Language Pathologist, to provide services to children with developmental delays and disabilities in the Preschool Program;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the County Attorney, the Chairwoman of the Legislature be herby authorized to sign an agreement with Dawn Martin, Speech Language Pathologist at the following all-inclusive rates: \$67.00 in 2023, \$68.00 in 2024, \$69.00 in 2025, and \$70.00 in 2026, for the period 7/1/2023 to 12/31/2026; and be it further

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

**Resolution No. 336-23**  
**Motioned By: Chilson**

**Date: 7/10/23**  
**Seconded By:**

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**AUTHORIZE CHAIRWOMAN TO SIGN AGREEMENT WITH JUVENTAS  
PHYSICAL, OCCUPATIONAL, AND SPEECH THERAPY SERVICES, PLLC**

WHEREAS, Yates County Public Health seeks to sign an agreement with Juventas Physical, Occupational, and Speech Therapy Services, PLLC to provide services to children with developmental delays and disabilities in the Preschool Program;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the County Attorney, the Chairwoman of the Legislature be herby authorized to sign an agreement with Juventas Physical, Occupational, and Speech Therapy Services, PLLC at the following all-inclusive rates:

Speech Therapy - \$66.00 in 2023, \$67.00 in 2024, \$68.00 in 2025, \$69.00 in 2026;

Occupational Therapy - \$66.00 in 2023, \$67.00 in 2024, \$68.00 in 2025, \$69.00 in 2026;

Physical Therapy - \$66.00 in 2023, \$67.00 in 2024, \$68.00 in 2025, \$69.00 in 2026; and be it further

RESOLVED, that said contract will run from 8/1/2023 to 12/31/2026; and be it further

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

**Resolution No. 337-23**  
**Motioned By: Chilson**

**Date: 7/10/23**  
**Seconded By:**

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**PROCLAIMING AUGUST 4TH AS US COAST GUARD BIRTHDAY IN YATES  
COUNTY**

WHEREAS, the Coast Guard's history began on August 4<sup>th</sup>, 1790, when a resolution of the Continental Congress authorized the construction of ten vessels to enforce federal tariff and trade laws and to prevent smuggling. Known variously through the nineteenth and early twentieth centuries as the Revenue Marine and the Revenue Cutter Service, the Coast Guard expanded in size and responsibilities as the nation grew; and

WHEREAS, the service received its present name in 1915 under an act of Congress that merged the Revenue Cutter Service with the Life-Saving Service, thereby providing the nation with a single maritime service dedicated to saving life at sea and enforcing the nation's maritime laws. In 1946 Congress permanently transferred the Commerce Department's Bureau of Marine Inspection and Navigation to the Coast Guard, thereby placing merchant marine licensing and merchant vessel safety under their purview; and

WHEREAS, The Coast Guard is one of the oldest organizations of the federal government and until Congress established the Navy Department in 1798 they served as the nation's only armed force afloat. The Coast Guard protected the nation throughout their long history and served proudly in every one of the nation's conflicts. Their national defense responsibilities remain one of the most important functions even today; and

WHEREAS, 2023 is the US Coast Guard's 233<sup>rd</sup> Birthday and their motto is Semper Paratus "Always Ready";

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature extends its gratitude to all "Coasties", past and present, their families and loved ones, who continue to sacrifice for our liberty and freedoms, by proclaiming August 4, 2023 as "US Coast Guard Birthday" in Yates County, and be it further

RESOLVED, that copies of this resolution be given to the Veterans' Services Director and all Yates County Veteran organizations.

**Resolution No. 338-23**  
**Motioned By: Chilson**

**Date: 7/10/23**  
**Seconded By:**

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**PROCLAIMING AUGUST 7, 2023 AS NATIONAL PURPLE HEART DAY IN YATES COUNTY**

WHEREAS, on August 7, 1782, General George Washington issued an order establishing the Badge of Military Merit to honor merit, particularly among enlisted soldiers; and

WHEREAS, on February 22, 1932, the Badge of Merit was renamed the Purple Heart, which is awarded to any member of the United States Armed Forces wounded or killed in combat by a declared enemy of the United States; and

WHEREAS, many citizens of our community have been awarded the Purple Heart Medal as a result of their being wounded or killed while engaged in combat with an enemy force; and

WHEREAS, States, Counties, and Cities pause in recognition of the service and sacrifice of their local sons and daughters; and

WHEREAS, August 7, 2023, also known as National Purple Heart Day, has been officially designated as the day in Yates County to remember, recognize and honor the brave men and women who were either wounded on the battlefield or made the ultimate sacrifice by giving their lives in the defense of our Country; and

WHEREAS, the Yates County Legislature seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature proclaims Yates County as a Purple Heart Community, honoring the service and sacrifice of our Nation's men and women in uniform who were wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans; and be it further

RESOLVED, that the Yates County Legislature hereby declare August 7<sup>th</sup> as National Purple Heart Day in Yates County.

**Resolution No. 339-23**  
**Motioned By: Chilson**

**Date: 7/10/23**  
**Seconded By:**

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**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH THE PENN YAN  
CENTRAL SCHOOL DISTRICT (OPIOID SETTLEMENT)**

WHEREAS, Yates County Community Services wishes to enter into a contract with the Penn Yan Central School District to assist in substance abuse prevention education and prevention related activities for all youth; and

WHEREAS, the funds of \$6,011.04 were received from the 2022 Opioid settlement;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairperson of the Legislature is authorized to enter into an agreement with the Penn Yan Central School District; and be it further

RESOLVED, that said contract will run from 1/1/2023 to 12/31/2023; and be it further

RESOLVED, that a copy of this resolution be sent to Community Services, the Public Health office, Penn Yan Central School District, the Finance Director, and the Treasurer.

**Resolution No. 340-23**  
**Motioned By: Chilson**

**Date: 7/10/23**  
**Seconded By:**

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**SIGN AMENDMENT #3 WITH THE TRUSTEES OF COLUMBIA UNIVERSITY IN  
THE CITY OF NEW YORK**

WHEREAS, Yates County Community Services has received notice of the grant award for Year 5 with Columbia University in the amount of \$527,468.00; and

WHEREAS, said grant award will be for the period of April 1, 2023 – March 31, 2024;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Chairman is hereby authorized to sign an agreement with The Trustees of Columbia University in the City of New York for the period April 1, 2023 through March 31, 2024 for AMENDMENT #3; and be it further

RESOLVED, that a copy of this resolution be sent to the Community Services Office, Public Health office and the Finance Director.

**Resolution No. 341-23**  
**Motioned By: Chilson**

**Date: 7/10/23**  
**Seconded By:**

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**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH FINGER LAKES  
ADDICTIONS COUNSELING AND REFERRAL AGENCY**

WHEREAS, the County is desirous of engaging the services of Finger Lakes Addictions Counseling and Referral Agency to assist in county-wide project activities for the HEALing Communities grant through Columbia University as outlined in the Statement of Work; and

WHEREAS, the costs of such services are 100% funded through the awarded grant;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to enter into a contract with Finger Lakes Addictions Counseling and Referral Agency; and be it further

RESOLVED, that said contract will run from 04/01/2023 to 03/31/2024 for an amount not to exceed the allowable 95% of total grant funds which can be used to subcontract for the services of Project Manager and Data Surveillance Coordinator positions and associated costs and for Community Impact Dollars; and be it further

RESOLVED, that copies of this resolution be provided to Community Services Office, the Public Health office, the Finance Director and FLACRA.

**Resolution No. 342-23**  
**Motioned By: Banach**

**Date: 7/10/23**  
**Seconded By:**

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**DECLARE SURPLUS EQUIPMENT**

WHEREAS, the Yates County Highway Department has a vehicle that is or has been replaced and is no longer being used and should be sold, as is by the county; and

WHEREAS, the following equipment shall be declared surplus property;

<u>Unit:</u>	<u>Year/Make/Model:</u>	<u>Miles/Hrs.:</u>	<u>VIN #:</u>
CG-3	2020 Chevy Equinox	15,922 miles	2GNAXSEV3L6210837

NOW, THEREFORE, BE IT RESOLVED, to authorize the Yates County Highway Superintendent to sell the above equipment at auction or by any other appropriate method; and be it further

RESOLVED, that a copy of this resolution be provided to the Highway Superintendent, the County Administrator and the Director of Finance.

**Resolution No. 343-23**  
**Motioned By: Banach**

**Date: 7/10/23**  
**Seconded By:**

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**NEW HIGHWAY, OFFICE OF EMERGENCY SERVICES / PUBLIC HEALTH  
FACILITY ALLOWANCE ALLOCATION AUTHORIZATION**

WHEREAS, Resolution No. 502-22 and Resolution No.'s 196-23 through 201-23 authorized construction contracts with several companies for the Construction services associated with the New Yates County Highway, Office of Emergency Services and Public Health Facility Project; and



WHEREAS, each individual contract included an Allowance line item varying from twenty-thousand (\$20,000) to fifty-thousand (\$50,000) dollars for miscellaneous revisions to the construction documents; and

WHEREAS, the Legislature has provided the Highway Superintendent and Building Maintenance Supervisor authorization to expend the funds within the aforementioned allowance line items as deemed necessary; and

WHEREAS, the funds allocated and expended will not exceed the current contract value of each individual prime contract; and

WHEREAS, the Highway Superintendent and Building Maintenance Supervisor will review and coordinate all allocations with C&S Engineers and Watchdog Building Partners for their concurrence and acceptance;

NOW, THEREFORE, BE IT RESOLVED, that the Highway Superintendent and Building Maintenance Supervisor are authorized to proceed with the aforementioned allowance allocations; and be it further

RESOLVED, that copies of this resolution be provided to C & S Engineers, Inc., the Office of Emergency Services Director, the Highway Superintendent, the Director of Public Health, the Director of Finance, the Building Maintenance Supervisor, the County Administrator and Watchdog Building Partners.

**Resolution No. 344-23**

**Date: 7/10/23**

**Motioned By: Holgate**

**Seconded By:**

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**SET DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW 1-2023 ENTITLED  
“A LOCAL LAW INCREASING THE INCOME LIMITS OF THE TAX EXEMPTION  
FOR PERSONS 65 YEARS OF AGE OR OVER”**

BE IT RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed Local Law 1-2023 entitled “A LOCAL LAW INCREASING THE INCOME LIMITS OF THE TAX EXEMPTION FOR PERSONS 65 YEARS OF AGE OR OVER”, said proposed Local Law being set forth herein; and be it further

RESOLVED, that said public hearing shall be held August 14, 2023 at 1:10 p.m. in the Yates County Legislative Chambers, 417 Liberty Street, Penn Yan, NY.

**LOCAL LAW NO. 1 OF THE YEAR 2023**

**A LOCAL LAW INCREASING THE INCOME LIMITS OF THE TAX EXEMPTION  
FOR PERSONS 65 YEARS OF AGE OR OVER**

**BE IT ENACTED, by the County of Yates Legislature as follows:**

Local Law No. 3-73 Section 5(a) as last amended by Local Law 1-89, 3-08, Local Law 1-09 and Local Law 4-15 is hereby amended to read as follows:

**SECTION 5. Limitations on Exemption**

The amount of income to determine eligibility for tax exemption under section 467 of the Real Property Tax Law is increased to \$20,000.00.

The income eligibility sliding scale set forth under section 467(b)(1), (b)(2), and (b)(3) of the Real Property Tax Law shall continue for property owners exceeding the \$20,000.00 income eligibility level.

<u>Annual Gross Income</u>		<u>Percentage Assessed Valuation Exempt From Taxation</u>	
\$0	to	\$20,000.00	50%
\$20,000.01	to	\$20,999.99	45%
\$21,000.00	to	\$21,999.99	40%
\$22,000.00	to	\$22,999.99	35%
\$23,000.00	to	\$23,899.99	30%
\$23,900.00	to	\$24,799.99	25%
\$24,800.00	to	\$25,699.99	20%
\$25,700.00	to	\$26,599.99	15%
\$26,600.00	to	\$27,499.99	10%
\$27,500.00	to	\$28,399.99	5%
\$28,400.00	or more		0%

This local law shall take effect upon its filing with the Secretary of State, with the increased limits being applied initially to the 2024 assessment rolls.

**Resolution No. 345-23**  
**Motioned By: Holgate**

**Date: 7/10/23**  
**Seconded By:**

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**RESOLUTION TO PROVIDE NOTICE OF THE EIGHT-YEAR REVIEW OF AGRICULTURAL DISTRICT #1 AND SUBSEQUENT 30 DAY PUBLIC REVIEW PERIOD**

WHEREAS, in accordance with Article 25 AA Sec. 303-a of the New York State Agriculture and Markets law, this Legislature is required to conduct a review of Yates County’s Agricultural Districts every eight years; and

WHEREAS, the 146,784 acres that make up Yates County Agricultural District #1 are located in the Towns of Barrington, Benton, Italy, Jerusalem, Middlesex, Milo, Potter, Starkey, Torrey, and the Villages of Dresden, Dundee, Penn Yan, and Rushville; and

NOW, THEREFORE, BE IT RESOLVED, that the Legislature hereby schedules a 30 day public review period for Yates County Agricultural District #1, commencing July 10<sup>th</sup>, 2023 and ending August 9<sup>th</sup>, 2023, notice of which shall be published in newspapers in the county with general circulation; and be it further

RESOLVED, that said notice and a map of the existing district shall be posted and open to the public inspection at the Yates County’s Clerks Office, the Yates County Planning Dept, and the Yates County GIS Portal; and be it further

RESOLVED, that all municipalities and land owners within the district may propose a modification of the district by filing such a proposal with the County Planning Dept before the close of business August 9<sup>th</sup>, 2023; and be it further

RESOLVED, that the County Legislature hereby direct the Yates County Farmland Protection Board to review and prepare the reports and recommendations as required by law, and to submit them to the Legislature for review; and be it further

RESOLVED, that copies of this resolution be provided to the Clerk of the Legislature, the Yates County Planning Dept., the Yates County Farmland Protection Board, and the Commissioner of the Department of Agriculture and Markets.

**Resolution No. 346-23**  
**Motioned By: Holgate**

**Date: 7/10/23**  
**Seconded By:**

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**2023 BUDGET TRANSFERS**

BE IT RESOLVED, that the following transfers be made in the 2023 budget:

From:	To:	Amount:
CD6293.4A- WIOA Adult Op.	CD6293.1A- WIOA Adult Staff Wage	\$ 185.50
CD6293.4B- WIOA DW Op.	CD6293.1B- WIOA DW Staff Wage	\$ 289.50

And be it further

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

**Resolution No. 347-23**  
**Motioned By: Holgate**

**Date: 7/10/23**  
**Seconded By:**

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**APPROPRIATE INFRASTRUCTURE RESERVE FUNDS**

WHEREAS, reserve funds need to be appropriated from the Infrastructure Reserve to pay expenditures to date in regards to the public safety towers capital project; and

WHEREAS, these funds were agreed upon to be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED, said reserve funds will be appropriated from the Infrastructure Reserve Fund in the amount of \$36,917.50; and be it further

RESOLVED, that the following accounts be increased and tabulated below:

Revenue Account:	
A511.000 Appropriate Reserve (Infrastructure Reserve A878.I)	\$ 36,917.50
Appropriation Account:	
A3020.54230 SH- Main. Agree- Micro	\$ 15,982.26
A3020.54231 SH-Main. Agree- Radio	\$ 12,864.00
A3020.54968 SH- Leases TS Intermedia	\$ 8,071.24

And be it further

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

**Resolution No. 348-23**  
**Motioned By: Holgate**

**Date: 7/10/23**  
**Seconded By:**

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**AUTHORIZED WORKFORCE DEVELOPMENT BUDGET ALLOCATIONS**  
**(WFD)**

WHEREAS, Yates County received additional WIOA Youth funds to serve youth from 7/1/2023- 6/30/2023; and

NOW, THEREFORE, BE IT RESOLVED, that the following amounts be allocated to the 2023-2024 Workforce Budget:

Revenue:	
CD6293.44791 WIOA Revenue	\$ 154,725.91
Appropriation:	
CD6293.1A- WIOA Adult Staff Wage	\$ 23,872.00
CD6293.4A- WIOA Adult Operating	\$ 1,892.00
CD6293.8A- WIOA Adult Staff Fringe	\$ 7,489.00
CD6293.1B- WIOA DW Staff Wage	\$ 23,872.00
CD6293.4B- WIOA DW Operating	\$ 6,892.00
CD6293.8B- WIOA DW Staff Fringe	\$ 7,489.00
CD6293.1C- WIOA OSY Staff Wage	\$ 34,549.52
CD6293.4C- WIOA OSY Operating	\$ 5,590.00
CD6293.8C- WIOA OSY Staff Fringe	\$ 7,862.63
CD6293.11C- WIOA OSY Participant Wage	\$ 12,700.00
CD6293.81C- WIOA OSY Participant Fringe	\$ 1,500.00
CD6293.1D- WIOA Admin Operating	\$ 2,642.00
CD6293.1F- WIOA ISY Staff Wage	\$ 8,783.79
CD6293.41F- WIOA ISY Operating	\$ 2,593.00
CD6293.8F- WIOA ISY Staff Fringe	\$ 1,998.97
CD6293.11F- WIOA ISY Participant Wage	\$ 4,500.00
CD6293.81F- WIOA ISY Participant Fringe	\$ 500.00

And be it further

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

**Resolution No. 349-23**  
**Motioned By: Holgate**

**Date: 7/10/23**  
**Seconded By:**

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**AMEND RESOLUTION NO. 304-23**  
**APPROPRIATE ADDITIONAL AID**  
**(YB)**

WHEREAS, the Youth Bureau Department has received YDPP Funding and is allocating it to contracted programs; and

WHEREAS, Resolution No. # 304-23 that original appropriated these funds had an error. The correct object code for the allocation to YCRR should read A7310.54579 not .54379;

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

Revenue:		
A7310.43820 YB- Youth Bureau Revenue	\$	21,338.00
Appropriation		
A7310.54351 YB- Modeste Bedient Mem. Library	\$	2,000.00
A7310.54352 YB- CFRC	\$	1,000.00
A7310.54365 YB- Safe Harbors of the FL	\$	2,500.00
A7310.54356 YB- Rushville Summer Reading	\$	1,000.00
A7310.54368 YB- Summer Rec.	\$	6,000.00
A7310.54371 YB- Big Brother/Big Sisters	\$	1,250.00
A7310.54373 YB- Dundee Library	\$	1,400.00
A7310.54579 YB-YCRR	\$	6,188.00

And be it further

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

**Resolution No. 350-23**

**Date: 7/10/23**

**Motioned By: Holgate**

**Seconded By:**

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**AUTHORIZE CHAIRWOMAN TO SIGN EXTENSION AGREEMENT FOR AUDITING SERVICES**

WHEREAS, Yates County had a five year contract for financial auditing services through Drescher & Malecki for years 2017-2022; and

WHEREAS, the Director of Finance recommends the proposal submitted by Drescher & Malecki, LLP to extend our contract for another five years for years 2023-2027; and

WHEREAS, the services included in the costs below include the financial statement audit, single audit, and compilation of NYS financial audit report. The annual cost for these services not to exceed:

2023-	\$43,500
2024-	\$45,030
2025-	\$46,610
2026-	\$48,240
2027-	\$49,920

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Yates County Legislature, upon approval of the County Attorney, is authorized to sign the extension agreement for said accounting services with Drescher & Malecki, LLP; and be it further

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

RESOLVED, that a copy of this resolution be provided to Drescher & Malecki, Director of Finance, County Treasurer and Budget Officer.