

## REGULAR SESSION – MONDAY, JANUARY 14, 2019

The Yates County Legislature met in regular session, Monday, January 14, 2019 in the Legislative Chambers with Chairman Paddock presiding and Legislators Holgate and Percy absent.

Chairman Paddock, Personnel Officer Kerry Brennan, Sheriff Ron Spike and Personnel Assistant Karen Bradley conducted the annual employee recognition ceremony.

Chairman Paddock made the following comments:

Each year at this time, we recognize members of our Yates County team that have reached certain milestones in their tenure with us.

The essentials of county government are:

- provide for the public safety,
- establish and maintain public infrastructure,
- support and improve our quality of life and
- act as a partner with the State of NY in delivering certain services.

The 39 people today being recognizing are representatives of Yates County Staff who do all these things and more. They represent a combined 545 years of service to the citizens of the county.

There are times that their jobs are neither easy nor comfortable. But they undertake these situations with professionalism. All the citizens of Yates County depend on them whatever the circumstances may be.

To the recipients: Each and every one of you has gone beyond the exact expectations of your position and delivered outstanding service. You represent the resiliency and compassion of Yates County's citizens. You are a part of us. Thank you for all you do.

Acting County Administrator Nonie Flynn made the following comments:

Congratulation on reaching an important service milestone. You are a valued member of our team and your continued contributions, dedication, loyalty, hard work and service are vital for Yates County to continue to be successful in meeting our mission, vision and values. All of our County's achievements are possible because of your individual efforts. Again, thank you and we look forward to more good years to come.

The following people were recognized.

### 5 Years

Cindy	Povoski	Senior Account Clerk Typist	Treasurer	02/04/201 3
Jennifer	Craig	Corrections Officer	Jail	02/20/201 3
Megan	Morehouse	Deputy Sheriff	Sheriff	08/26/201 3

Edda	Garcia	Corrections Officer Pt	Jail	09/04/201 3
Erica	Putnam	Director Of Ch/Fam Svc	Social Services	09/23/201 3
Gregory	Shoff	Caseworker	Social Services	11/21/201 3

**10 Years**

Patrick	Mc Knight	Corrections Officer Pt	Court Security	01/09/200 8
Daniel	Scott	Corrections Officer	Jail	01/13/200 8
Elaine	Lewis	Grade B Supervisor	Social Services	01/28/200 8
Amy	Daines	Elections Commissioner	Elections	02/05/200 8
Amy	Miller	Commissioner Of Social Service	Social Services	04/14/200 8
Amy	Cramer	Principal Social Welfare Examr	Social Services	04/28/200 8
Leslie	Mc Innis	Grade B Supervisor	Social Services	06/23/200 8
James	Adams	Heo	County Road	06/30/200 8
Christeen	Freeland	Support Investigator	Social Services	08/05/200 8
Tanya	Hubbard	Probation Officer	Probation	09/02/200 8
Tera	Brand	Caseworker	Social Services	09/03/200 8
Thomas	Morris	Animal Control Officer	Control Of Dogs	10/06/200 8
Richard	Lafler	Animal Control Officer	Control Of Dogs	12/11/200 8

**15 Years**

Robert	Quayle	Corrections Officer	Jail	03/30/200 3
Gale	Jensen	Secretary To County Attorney	County Attorney	04/14/200 3
James	Palmer	Corrections Officer	Jail	08/11/200 3
David	Smith	Corrections Sergeant	Jail	08/12/200 3
Lynda	Rossi	Probation Supervisor	Probation	08/18/200 3
Lois	Hall	County Clerk	County Clerk	09/22/200 3

William	Bacher	Correction Officer/Ct Security	Court Security	11/08/200 3
Cynthia	Kuhner	Corrections Officer	Jail	11/19/200 3
<b>20 Years</b>				
David	Hartman	County Highway Superintendent	County Road	01/12/199 8
Diane	Caves	Deputy Director Of Emer Mgmt	Oem	01/26/199 8
Susan	Delaire	Senior Account Clerk Typist	Social Services	03/02/199 8
Andy	Siwak	Sr. Communications Mechanic	Communications	05/13/199 8
Kevin	Crofoot	Deputy Sheriff	Sheriff	07/20/199 8
<b>25 Years</b>				
Jeffrey	Snyder	Probation Officer	Probation	02/01/199 3
Christine	Di Risio	Corrections Officer Pt	Jail	03/08/199 3
Scott	Backer	Deputy Sheriff Lieutenant	Sheriff	03/27/199 3
Charles	Ryder	Heo	County Road	04/22/199 3
<b>30 Years</b>				
Nicholas	Di Risio	Corrections Officer Pt	Jail	01/04/198 8
Phyllis	Hamm	Cook Pt	Jail	06/13/198 8

Minutes of the December 10<sup>th</sup> and December 28<sup>th</sup> meetings were approved as presented.

Chairman Paddock asked for a report of the auditing committees. The audit was approved as presented.

	<u>2018</u>	<u>2019</u>
Airport Fund	\$ 17,841.40	554.08
Finance	\$ 6,081.50	49,675.25
Flint Creek	\$ -0-	-0-
Government Operations	\$ 68,984.85	111,772.68
Human Services	\$ 166,470.38	40,568.67
Prior to Audit	\$ 17,942.66	16,838.27
Public Safety	\$ 5,422.25	-0-
Public Works	\$ 104,445.45	8,534.07
Total	\$ 615,151.51	\$227,943.02

COMMITTEE REPORTS:

Dr. Dennis reported the Audit Committee met today at noon. This was the opening meeting with the auditors as they prepare to perform the audit for the 2018 year.

Mr. Button reported he attended the audit committee, and also Flint Creek held their semiannual meeting on January 2<sup>nd</sup>. They are committed to soil and water conservation in the county.

Mr. Willson reported on February 13<sup>th</sup> the Town of Milo Ag. Committee will be hosting a Soils Workshop at the Produce Auction facility.

Mr. Banach reported he attended the Fish and Wildlife Management Board meeting. The deer harvest was up 15% this year and the bear harvest was down 12%.

Mr. Gleason reported he attended the Board of Elections annual meeting which he found very interesting. He also attended the Commission of Jurors annual meeting.

Ms. Chilson reported she attended the Village of Penn Yan Board meeting. They thanked the County for the grant for Red Jacket Park. She also attended the Youth Board meeting. They are looking for nominations for the Distinguished Youth Award. Ms. Chilson also attended the Community Information night for kids that have been exploited by the internet. This was not well attended but was very informative.

Mr. Bronson reported he attended the ProAction Board meeting where they were updated on head start.

Mr. Cutler reported he attended the Genesee Regional Planning Council meeting. The census is moving along. There is growing concern that people are not going to fill out the census forms.

#### PUBLIC COMMENT:

Mrs. Brechko stated she is glad that STN is here today and hopes the presentation will be in open session. Mrs. Brechko addressed the Legislature on the need for high speed internet in Yates County.

Ms. Ann Kiefer also addressed the Legislature on the need for high speed internet along with Ms. Tracy Mitrano.

Mr. Jack Wilber addressed the Legislature regarding the lack of a way for Yates County residents to dispose of Hazardous materials.

Dr. Dennis commented on the Broadband comments, our elected Governor did put out a series of large grants to give broadband to rural areas. That program has come to a close. The Governor has declared victory. He has declared that broadband is available throughout the State and he is our newly elected Governor. His definition of victory is if one home within a census block has access to broadband that is a victory. So according to the State this is not a problem. We know better, and it's a serious problem and this Legislature is engaged and we are trying to figure out where to go. Yates County has benefited particularly from the last round of the Governor's grants. There has been a fair amount of fiber optic cable put in place in a couple of towns and hopefully it will soon be available, but it doesn't cover the rest of the county.

Chairman Paddock echoed what Dr. Dennis said and stated that it is the intent of the Legislature to go further to bring broadband into more homes.

Mr. Jim Wilson supports the comments regarding broadband. He also stated that he was disappointed and frustrated at the Human Services meeting with regards to executive session. Mr. Wilson stated that he sat through the meeting waiting for the discussion on the possible closing of the mental health facility at S&S, only to have that discussion go into executive session. Mr. Wilson feels there needs to be more transparency.

Chairman Paddock stated we always examine the causes and or reasons for entering into executive session. We are very cognizant of being open and transparent.

### **RESOLUTION NO. 1-19**

Mr. Bronson offered the following resolution and moved its adoption, seconded by Mr. Gleason.

#### **REQUESTING OUR STATE LEGISLATORS TO PROVIDE FUNDING FOR THE ESTABLISHMENT OF THE PFC JOSEPH DWYER PEER-TO-PEER SUPPORT PROGRAM FOR YATES COUNTY**

WHEREAS, Yates County Community Services is requesting the establishment of the PFC Joseph Dwyer Peer-to-Peer Support Program; and

WHEREAS, the Dwyer Program brings returning veterans together with other veterans in establishing a secure, anonymous setting in order to help one another to cope with the effects of Post-Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI); and

WHEREAS, the purpose of the program was to design and implement a peer – based program with the following goals: (1) Pursue outreach and education; (2) Provide peer support; (3) Build resiliency among peers; (4) Encourage a connection among family, friends, and community; (5) Provide access to suicide prevention/intervention initiatives; (6) Foster hope; and

WHEREAS, the PFC Joseph Dwyer Peer-to-Peer program is funded through New York State and administered on the County level through the local Community Services Office; and

WHEREAS, this County Legislature recognizes the honorable services and sacrifices rendered by the Veterans and families in Yates County;

NOW, THEREFORE, BE IT RESOLVED, that the County of Yates Legislature hereby requests funding for the PFC Joseph Dwyer Peer-to-Peer program be placed in New York State budget; and be it further

RESOLVED, that the Clerk of this Legislature shall forward this resolution to Senator Tom O'Mara, Assemblyman Phil Palmesano, and all others deemed necessary and appropriate.  
VOTE: Unanimous

### **RESOLUTION NO. 2-19**

Mr. Bronson offered the following the resolution and moved its adoption, seconded by Ms. Chilson.

**APPOINT EARLY INTERVENTION OFFICIAL DESIGNEE**

WHEREAS, it is a responsibility of the municipality to attend all Individual Family Service Plan meetings through its Early Intervention Official or through a designee;

NOW, THEREFORE, BE IT RESOLVED, that Sara Christensen, Deputy Director of Public Health, be appointed to serve as a designee to represent the Yates County Early Intervention Official at Individual Family Service Plan meetings; and be it further

RESOLVED, that copies of this resolution be provided to the Public Health office, Sara Christensen and the New York State Department of Health Bureau of Early Intervention.

VOTE: Unanimous

**RESOLUTION NO. 3-19**

Mr. Bronson offered the following resolution and moved its adoption, seconded by Mrs. Church.

**AUTHORIZE CONTRACT RENEWALS WITH THE FOLLOWING AGENCIES/PERSONS:**

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

WHEREAS, the term of these agreements is January 1, 2019 through December 31, 2019;

NOW, THEREFORE BE IT RESOLVED, that after review by the County Attorney, the Chairman of the Yates County Legislature and Director of Community Services are authorized to sign renewal agreements with the following agencies/persons:

NAME	SERVICE	RATE
ARC of Yates	School Based Counselor	\$5,000
ARC of Yates	Developmental Disability Vocational Services	\$246,581
AspireHopeNY	Family Support	\$48,673
Connie L. Baughman <i>* Certificate of Liability Insurance Waived</i>	Parent Advocacy Services	\$15/hour
Big Brothers/ Big Sisters	Mentoring & Advocacy Services	\$44,301

Catholic Charities- Steuben/Kinship Family and Youth Services	Home Based Intervention	\$246,392
	Recreational Program	\$38,227
		Total \$284,619
Council on Addiction of the Finger Lakes	Community Based & School Based Prevention & Education	\$243,613
Dundee Central School District	Advocacy Services to Students	\$45,100
Finger Lakes Area Counseling & Recovery Agency	Addiction Treatment Services	\$89,212
Carol Fiorilla * <i>Certificate of Liability Insurance Waived</i>	Respite Services	Up to \$30,240
Roberta Fisher	Fiscal Consultant	\$82/hour
Richard Hoyt, PhD * <i>Certificate of Liability Insurance Waived</i>	Psychological Consultation Services	\$125/hour
Lakeview Health Services	Outreach	\$56,554
	Adult SPOA	\$8,574
	Residential	\$103,891
	Drop In Center	\$25,044
	Psychosocial Club	\$60,785
		Total \$254,848
Penn Yan Central School District	Educational Supports to Students	\$6,380
Mark Reynolds, PhD * <i>Certificate of Liability Insurance Waived</i>	Psychological Consultation Services	\$125/hour
Safe Harbors of the Finger Lakes	Advocacy Services for At Risk Youth	\$29,529
Sexual Behaviors Outreach Consultants	Individual and Group Treatment	\$200/Group as needed and \$150/assessment Not to exceed \$5,000
Soldiers & Sailors Memorial Hospital	Clinic	\$164,233
	Crisis Intervention	\$23,899
	Health Homes Care Management Adult	\$19,884
	Health Home Services Dollars Adult	\$3,749

		Total \$211,765
Yates County Public Health	Principle Account Clerk & Account Clerk Services up to 14 hrs/week	Current Hourly Rate plus Fringe
Yates County Sheriff's Office	Chemical Dependency Services at the Jail	\$3,352
Yates County Workforce Development	Vocational & Work Readiness Activities to Adults	\$3,014
	Youth	\$7,218
		Total \$10,232

And, be it further

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

VOTE: Unanimous

**RESOLUTION NO. 4-19**

Mr. Bronson offered the following resolution and moved its adoption, seconded by Mrs. Church.

**AMENDMENT TO RESOLUTIONS NO. 351-18, 352-18 AND 353-18**

WHEREAS, Resolutions 351-18, 352-18 and 353-18 authorized signature of agreements for training eligible individuals for the purposes of preparing them for Emergency Medical Services by Richard Harper, Jason Johnson and Joseph Axtell; and

WHEREAS, the General Liability Insurance requirement has been waived in previous agreements for this training;

NOW, THEREFORE, BE IT RESOLVED, Resolutions 351-18, 352-18 and 353-18 be amended to state that the requirement for General Liability Insurance be waived; and be it further

RESOLVED, that copies of this resolution be provided to the Public Health office, and Yates County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 5-19**

Mr. Bronson offered the following resolution and moved is adoption, seconded by Ms. Chilson.

**APPOINT DIRECTOR OF PUBLIC HEALTH AS THE ENFORCEMENT OFFICER FOR THE USE OF TOBACCO, NICOTINE OR OTHER LIKE SUBSTANCE ON COUNTY PROPERTY**

WHEREAS, the Yates County Legislature passed Local Law 1-18 entitled Prohibiting The Use Of Tobacco, Nicotine, Or other like substances Upon Real Property & Vehicles Owned or Leased By the County Of Yates; and



WHEREAS, said law has the enforcement officer listed as the Yates County Legislature or its designee;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature hereby designates the Director of Public Health as the enforcement officer; and be it further

RESOLVED, that in the absence of the Director of Public Health, the Deputy Director of Public Health is designated as the enforcement officer; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 6-19**

Mr. Bronson offered the following resolution and moved its adoption, seconded by Mr. Button.

**APPROPRIATE FUNDING FOR WORKFORCE DEVELOPMENT BUDGET**

WHEREAS, Workforce Development will receive funding from Yates County Community Services for the 2019 Budget year for the KKP-Adult & KKP-Youth Programs:

Revenue	
CD4794.0 Kaleidoscope – Adult	\$3,014.00
CD4794.Y Kaleidoscope – Youth	\$7,218.00

NOW, THEREFORE, BE IT RESOLVED, that appropriations of KKP funds be made in these accounts:

Adult Program Operating	CD6292 41L	\$3,014
Youth Program Operating	CD6292 41E	\$1,500
Youth Participant Wage	CD6292 11E	\$5,118
Youth Participant Fringe	CD6292 81E	\$600

And, be it further;

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

VOTE: Unanimous

**RESOLUTION NO. 7-19**

Mr. Bronson offered the following resolution and moved its adoption, seconded by Ms. Chilson.

**AUTHORIZE CONTRACT WITH SAFE HARBORS**

BE IT RESOLVED, that after review by the County Attorney, the Youth Bureau Director and the Chairman of the Legislature be authorized to sign contracts with the following agency for approved Youth Bureau funding for the time frame 1/1/2019-12/31/2019:

<u>Agency/Organization</u>	<u>Program</u>	<u>Amount</u>
Safe Harbors of the Finger Lakes -	Sexually Exploited Youth Programming	\$26,000.00

And, be it further;

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

VOTE: Unanimous

**RESOLUTION NO. 8-19**

Mr. Bronson offered the following resolution and moved its adoption, seconded by Ms. Chilson.

**AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING FOR LIFEGUARD SERVICES**

WHEREAS, funding has been appropriated in the 2019 Yates County Budget for the following municipalities

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

NOW, THEREFORE IT BE RESOLVED, that after review by the County Attorney, the Chairman of the Yates County Legislature and the Youth Bureau Director are hereby authorized to sign said memorandums of understanding for the allocation for these funds; and it be further

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

VOTE: Unanimous

**RESOLUTION NO. 9-19**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Cutler.

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

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

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

- a. Original transcript and one condensed copy of transcript produced at a rate of \$3.75 per page;
- b. There will be NO cost for an email PDF version of said transcripts upon request of the County;
- c. There will be NO appearance fees or expediting costs except a fee of \$60.00 for hearing under General Municipal Law 50-h; and

- d. There will be a charge of \$10.00 for shipping and handling, unless hand delivery of transcripts is practicable.

And,

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

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

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

VOTE: Unanimous

**RESOLUTION NO. 10-19**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**AUTHORIZE 2019 STOP DWI SERVICES AGREEMENT WITH FLACRA**

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Sheriff and the Chairman are authorized to renew the contract with Finger Lakes Addictions and Counseling Referral Agency for the year 2019 for rehabilitative and counseling services for DWI related offenders at \$7,800; and be it further

RESOLVED, that a copy of this resolution be provided to the Sheriff/STOP DWI Coordinator.

VOTE: Unanimous

**RESOLUTION NO. 11-19**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**AUTHORIZE SHERIFF AND CHAIRMAN TO SIGN  
JAIL PHYSICIAN SERVICES 2019 MOU**

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Sheriff and Chairman are authorized to sign an agreement with Dr. Eleanor H. De Witt and Finger Lakes Health Medical, P.C. in conjunction with a Nurse Practitioner Patsy Ballard for Yates County Jail Physician medical services in compliance with state law effective January 1, 2019 through December 31, 2019, at the budgeted \$34,560 amount; and be it further

RESOLVED, that a copy of medical professional insurance certificate is required and a copy of any general insurance certificate is not required; and be it further

RESOLVED that copies of this resolution be provided the Sheriff, and the Director of Public Health.

VOTE: Unanimous

**RESOLUTION NO. 12-19**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**AUTHORIZE 2019 AGREEMENT WITH PENN YAN AREA  
VOL. AMBULANCE CORPS FOR INMATE MEDICAL TRANSPORTATION**

NOW, THEREFORE, BE IT RESOLVED, that the Vice Chairman and Sheriff may execute an agreement for the year 2019 with the Penn Yan Area Volunteer Ambulance Corps for transportation costs for an inmate with medical needs of hospitalization at a cost of \$300 plus \$12 fuel charge from the jail to the hospital, and that insurances are herein waived; and be it further

RESOLVED, that the Sheriff shall be provided a copy of this resolution.  
VOTE: Unanimous with Mr. Paddock abstaining.

**RESOLUTION NO. 13-19**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**AUTHORIZE SHERIFF AND CHAIRMAN TO RENEW INMATE MEDICAL  
SERVICES AGREEMENT WITH S&S MEMORIAL HOSPITAL - 2019**

WHEREAS, Resolution #62-15 as approved by the County Attorney and Legislature authorized the Sheriff to enter into a 2016 letter of agreement with Soldiers and Sailors Memorial Hospital administered by FLH, Geneva, NY for inmate medical services to be charged at the Medicaid rate for efficiency of budget;

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff and Chairman are authorized to renew the letter of agreement for related hospital billing effective January 1, 2019 through December 31, 2019; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff.  
VOTE: Unanimous

**RESOLUTION NO. 14-19**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**AUTHORIZE SHERIFF AND CHAIRMAN TO CONTRACT POLYGRAPH SERVICES**

WHEREAS, occasionally the Sheriff's Office requires the services of a qualified polygraph operator for processing candidates for employment positions;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval by the County Attorney the Sheriff and the Chairman are authorized to sign a 2019 contract for the professional services of Robert Prezioso, of Olympic Security Services, Inc., Clarence, NY who will come to the Yates County Public Safety Building and perform services for \$250 each; and be it further

RESOLVED, that the Sheriff and Treasurer shall be provided a copy of this resolution.  
VOTE: Unanimous

**RESOLUTION NO. 15-19**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**AUTHORIZE SHERIFF AND CHAIRMAN TO SIGN 2019 JAIL DRUG SERVICES AGREEMENT**

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Sheriff and the Chairman are authorized to renew a formal agreement for 2019 at the Yates County jail for Health Direct Institutional Pharmacy Services (HDIPS) of Gouverneur, New York owned by Kinney Drugs to provide prescription drugs and other related medications and health products for inmates at the agreed renewed pricing and services; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff.

VOTE: Unanimous

**RESOLUTION NO. 16-19**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**AUTHORIZE SHERIFF AND THE CHAIRMAN TO RENEW FIREARMS RANGE CONTRACT**

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Sheriff and the Chairman are authorized to renew the contract for 2019 firearms range usage with the Seneca Lake Duck Hunter's Club at \$100 annual; and be it further

RESOLVED, that a copy of this resolution be provided the Treasurer and Sheriff.

VOTE: Unanimous

**RESOLUTION NO. 17-19**

Mr. Banach offered the following resolution and moved its adoption, seconded by Mr. Gleason.

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH ABUNDANT SOLAR POWER INC.**

WHEREAS, there has been discussion for some time if hosting a commercial-scale solar array is possible at the closed, County-owned Torrey Landfill on Long Point Road, and

WHEREAS, the County would like to gain more information about the feasibility to connect a commercial-scale array at this location to the adjacent NYSEG power lines; and

WHEREAS, the Yates County Legislature would like to use Abundant Solar Power Inc. to complete an application for interconnection with NYSEG to gain the above information; and

WHEREAS, Abundant Solar Power Inc. has agreed to prepare the application at no cost to the County;

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 Abundant Solar Power Inc. to prepare an application for interconnection with NYSEG on behalf of the County; and be it further

RESOLVED, that said contract will be at no cost to the County and will run from 1/14/19 to 12/1/19; and be it further

RESOLVED, that the requirement for General Liability Insurance be waived; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 18-19**

Mr. Banach offered the following resolution and moved its adoption, seconded by Mr. Button.

#### **AUTHORIZE APPLICATION FOR INTERCONNECTION TO NYSEG**

WHEREAS, there has been discussion for some time if hosting a commercial-scale solar array is possible at the closed, County-owned Torrey Landfill on Long Point Road, and

WHEREAS, the County would like to gain more information about the feasibility to connect a commercial-scale array at this location to the adjacent NYSEG power lines; and

WHEREAS, the Legislature has authorized a contract with Abundant Solar Power Inc. to complete an application for interconnection with NYSEG to gain the above information;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to sign an application for interconnection with NYSEG prepared by Abundant Solar Power Inc. on behalf of the County; and be it further

RESOLVED, that the fee accompanying said application will not exceed \$750.00; and be it further

RESOLVED, that the County Treasurer is authorized to issue a check for the fee so that it may accompany the application; and be it further

RESOLVED, that the Supervisor of Buildings and Grounds is authorized to submit said application to NYSEG; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 19-19**

Mr. Banach offered the following resolution and moved its adoption, seconded by Mr. Bronson.

#### **ACCEPT AIRPORT DRIVE AS A COUNTY ROAD**

BE IT HEREBY RESOLVED, the County of Yates is accepting the below listed road as a County road and acknowledges that the County of Yates maintains the road including all repairs and capital maintenance, that the County of Yates accepts all legal responsibility for the

road which includes liability in case of lawsuits, and that the roadway is fully open to the public at all times (excepting construction and short term weather-related issues); and be it further

RESOLVED, that Airport Drive will be numbered CR20 and will run from the east edge of the pavement on CR17 (Bath Road) easterly for a total distance of 0.35 Miles; and be it further

RESOLVED, the Yates County Legislature hereby resolves by the following vote that Airport Drive is now a Yates County Road,

	<u>YEA / NAY</u>		<u>YEA / NAY</u>
Douglas Paddock, Chairperson	<u>  x  </u> / <u>      </u>	Daniel Banach, Legislator	<u>  x  </u> / <u>      </u>
Edward A. Bronson, Legislator	<u>  x  </u> / <u>      </u>	Carlie Chilson, Legislator	<u>  x  </u> / <u>      </u>
Timothy Cutler, Legislator	<u>  x  </u> / <u>      </u>	Leslie Church, Legislator	<u>  x  </u> / <u>      </u>
Elden Morrison, Legislator	<u>  x  </u> / <u>      </u>	P. Earle Gleason, Legislator	<u>  x  </u> / <u>      </u>
Terry L. Button, Legislator	<u>  x  </u> / <u>      </u>	James P. Multer, Legislator	<u>  x  </u> / <u>      </u>
Timothy J. Dennis, Legislator	<u>  x  </u> / <u>      </u>	William R. Holgate, Legislator	<u>      </u> / <u>  absent  </u>
Richard Willson, Legislator	<u>  x  </u> / <u>      </u>	Bonnie L. Percy, Legislator	<u>      </u> / <u>  absent  </u>

MOTION:       x       (Approved)                    (Denied)

NOW, THEREFORE, BE IT RESOLVED, that Resolution 399-18 is hereby rescinded; and be it further

RESOLVED, that copies of this resolution be provided to the County Highway Superintendent, the New York State Department of Transportation, and anyone else deemed necessary.

VOTE: Roll Call – Unanimous

#### **RESOLUTION NO. 20-19**

Mr. Banach offered the following resolution and moved its adoption, seconded by Mr. Button.

#### **AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH THE MAP SOURCE, INC.**

WHEREAS, Resolution Number 401-18 awarded the bid for new Yates County maps to The Map Source, Inc for the total bid amount of \$5,793.00 for 1600 maps;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Yates County Legislature is authorized to sign the purchase agreement with The Map Source, Inc.; and be it further

RESOLVED, that a copy of this resolution be forward to the Yates County Treasurer, the Yates County Highway Superintendent, and The Map Source, Inc.

VOTE: Unanimous

#### **RESOLUTION NO. 21-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**SET DATE FOR PUBLIC HEARING SEEKING APPROVAL OF FUNDING FOR THE CATHOLIC CHARITIES COMMUNITY SERVICES EXPANSION**

WHEREAS, Catholic Charities Community Services is committed to providing services that support, advocate for, and enhance the independence and individuality of persons with significant health challenges and disabilities; and

WHEREAS, Catholic Charities needs assistance to fund renovations to proposed new office space to accommodate anticipated employment growth and development of programs geared to serve those in need; and

WHEREAS, as part of the expansion Catholic Charities anticipates creating a minimum of three new jobs to be available to low and moderate-income persons; and

WHEREAS, the FLEDC would like to assist Catholic Charities in the proposed expansion by seeking approval from the NYS Office of Community Renewal to use Community Development Block Grant Program Income to assist with the expansion;

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature is authorized to advertise a public hearing to be held on February 11, 2019 at 1:05 p.m. in the Legislative Chambers; and be it further

RESOLVED, that copies of this resolution be given to Steve Griffin and Mike Lipari of the FLEDC.

VOTE: Unanimous with Mr. Button and Mr. Morrison abstaining.

**RESOLUTION NO. 22-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Willson.

**AUTHORIZING YATES COUNTY TO SUBMIT AN APPLICATION TO NEW YORK STATE AGRICULTURE AND MARKETS FOR A FARMLAND PROTECTION PLANNING GRANT ON BEHALF OF YATES COUNTY**

WHEREAS, Yates County is an eligible applicant for the New York Agriculture and Markets Farmland Protection Planning Grant Program and will be applying for funding associated with updating the existing Farmland Protection Plan developed in 2004; and

WHEREAS, the said Farmland Protection Plan update activities are an eligible expenditure of the Ag and Market Grant funds; and

WHEREAS, under the Farmland Protection Plan Grant Program, Yates County is permitted to contract with Shepstone Management Company of Honesdale, PA to provide said plan update;

NOW, THEREFORE, BE IT RESOLVED, that Yates County is hereby authorized to submit an application to New York Agriculture and Markets for a Farmland Protection Planning Grant to provide funding for the update of the existing plan; and be it further

RESOLVED, the Chairman of the Yates County Legislature is hereby authorized to sign the application; and be it further



RESOLVED, that should said grant be awarded to Yates County, the County Treasurer is hereby authorized to deposit said grant in the appropriate line item in the Yates County Budget; and be it further

RESOLVED, that the Chairman of the Yates County Legislature is hereby authorized to sign all appropriate and necessary documents to apply for and implement said grant, subject to the approval of the Yates County Attorney; and be it further

RESOLVED, a copy of this resolution shall be forwarded to Shepstone Management Company, 100 Fourth Street, Honesdale, PA, the Yates Farmland Protection Board, Cornell Cooperative Extension, the County Treasurer and the County Planner.

VOTE: Unanimous

#### **RESOLUTION NO. 23-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Button.

#### **APPOINT MEMBERS TO THE YATES COUNTY PLANNING BOARD (Edwin Moberg, Town of Potter)**

WHEREAS, Edwin Moberg (4279 Voorhees Road, Middlesex), had been previously appointed to be an At-Large representative on the Yates County Planning Board; and

WHEREAS, there is a vacancy on the Planning Board for a representative from the Town of Potter with the resignation of Wilson Simmons in August of 2018;

NOW, THEREFORE, BE IT RESOLVED, that Edwin Moberg is hereby appointed as a member of the Yates County Planning Board, as the representative for Potter, to a term to expire on February 12, 2020; and be it further

RESOLVED, that copies of this resolution be given Edwin Moberg, the County Planner, and a copy filed with the County Clerk.

VOTE: Unanimous

#### **RESOLUTION NO. 24-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Gleason.

#### **APPOINT MEMBER TO THE YATES COUNTY PLANNING BOARD (Jamie Sisson, Town of Jerusalem)**

WHEREAS, Jamie Sisson (287 West Lake Road, Penn Yan), has been recommended by his respective municipality to be their representative on the Yates County Planning Board;

NOW, THEREFORE, BE IT RESOLVED, that Jamie Sisson is hereby appointed as a member of the Yates County Planning Board, representing the Town of Jerusalem, to a term to expire on January 9, 2021; and be it further

RESOLVED, that copies of this resolution be given to Jamie Sisson, the County Planner, the Town of Jerusalem, and a copy filed with the County Clerk.

VOTE: Unanimous

#### **RESOLUTION NO. 25-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Bronson.

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

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

Gene Pierce, 164 N. Glenora Road, Dundee, NY 14837 Term: 1/1/19 to 12/31/20

Rita Gow, 785 E. Lake Road, Penn Yan, NY 14527 Term: 1/1/19 to 12/31/20

And, be it further

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

VOTE: Unanimous

**RESOLUTION NO. 26-19**

Dr. Dennis offered resolutions 26, 27 and 28-19 and moved their adoption, seconded by Mr. Bronson.

**APPROPRIATE PUBLIC HEALTH STATE AID (PH)**

WHEREAS, the Public Health Director has received COLA money from the Department of Health; and

WHEREAS, these funds are not part of the 2018 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$41.00:

Revenue:

A4010.43401 PH-NYS Aid \$ 41.00

Appropriation:

A4010.54153 PH-Education \$ 41.00

And, be it further

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

VOTE: Unanimous

**RESOLUTION NO. 27-19**

**APPROPRIATE ADDITIONAL REVENUE (VET SVC)**

WHEREAS, the Director of Veteran Services has received additional revenue; and

WHEREAS, these funds are not part of the 2018 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$25.00:

Revenue:

A6510.43710 VET-Veteran Svc Revenue \$ 25.00

Appropriation:

A6510.54653 VET-Gasoline \$ 25.00

And, be it further

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

VOTE: Unanimous

**RESOLUTION NO. 28-19**

**APPROPRIATE ADDITIONAL STATE REVENUE (VET SVC)**

WHEREAS, the Director of Veteran Services has received additional state revenue; and

WHEREAS, these funds are not part of the 2018 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 2,000.00:

Revenue:

A6510.43710 VET-Veteran Svc Revenue \$ 2,000.00

Appropriation:

A6510.54924 VET-Burial Expense \$ 2,000.00

And, be it further;

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

VOTE: Unanimous

**RESOLUTION NO. 29-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Bronson.

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

RESOLVED, that Jeff Eckert, an urban, suburban, non-farm representative, is appointed to the Yates County Soil and Water Conservation District Board of Directors commencing January 1, 2019 for a term ending December 31, 2019; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 30-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Ms. Chilson.

### **CHANGE DATE OF OCTOBER AND NOVEMBER LEGISLATIVE MEETINGS**

WHEREAS, Columbus Day falls on October 14<sup>th</sup>, 2019 and Veterans Day falls on November 11<sup>th</sup>, 2019; and

WHEREAS, October 14<sup>th</sup> and November 11<sup>th</sup> would be the dates for the October and November Legislative meetings;

NOW, THEREFORE, BE IT RESOLVED, that the October Legislative Board meetings will be held on October 15<sup>th</sup>, 2019 and the November Legislative Board meeting will be held on November 12<sup>th</sup>, 2019 at 1:00 p.m. in the Legislative Chambers; and be it further

RESOLVED, that all departments receive a copy of this resolution.

VOTE: Unanimous

### **RESOLUTION NO. 31-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Willson.

### **SUPPORT FOR FUNDING FROM THE NYS CONSOLIDATED FUNDING FOR SHARED SERVICES**

WHEREAS, Yates County intends to apply for a Local Government Records Management Improvement Fund Grant (LGRMIF) from the NYS Archives, through the New York State Department of Education, for monies to continue its efforts to increase efficiencies in delivery of local services and through shared services and support related to records management systems; and

WHEREAS, Yates County, in pursuing funding through LGRMIF is looking forward to sharing services and intermunicipal cooperation with the Town of Milo which will result in savings and improved records availability for its constituents;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby supports the pursuit and application for funding for shared services with the Town of Milo through a Local Government Records Management Improvement Fund Grant and authorizes the Chairman to sign the application and letter of intent; and be it further

RESOLVED, that copies of this resolution be given to the Town of Milo, County Treasurer, Clerk of the Legislature and the Records Management Officer,

VOTE: Unanimous

## **RESOLUTION NO. 32-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Gleason.

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

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

NOW THEREFORE BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman is authorized to sign an MOU agreement with Cornell Cooperative Extensions; and be it further

RESOLVED, that copies of this resolution be given to Cornell Cooperative Extension.  
VOTE: Unanimous

## **RESOLUTION NO. 33-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Banach

### **AWARD OFFICE SUPPLY BID (Longs')**

WHEREAS, with the expiration of the office supply bid it was necessary to re-bid the purchasing of office supplies for the Yates County offices; and

WHEREAS, the following bids were received:

- Office Max/Office Depot, Boca Raton, FL
- School Specialty, Lancaster, PA
- Tera Consulting, Hicksville, NY
- Longs' Cards and Books, Penn Yan, NY

And,

WHEREAS, Office Max/Office Depot did not bid but gave an alternative, School Specialty charged shipping and cannot meet the "Over-The-Counter" requirement and Tera Consulting did not bid on all items and altered the bid thereby making their bids unacceptable;

NOW, THEREFORE, BE IT RESOLVED, that bids received from Office Max/Office Depot, School Specialty and Tera Consulting are hereby rejected; and be it further

RESOLVED the office supply bid be awarded to Longs' Cards and Books for a term of 1/1/2019 to 1/1/2023; and be it further

RESOLVED, that copies of this resolution be provide to all bidders, the County Departments, the Villages and Towns.

VOTE: Unanimous

**RESOLUTION NO. 34-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Gleason.

**AUTHORIZE SHERIFF TO FILL TWO POSITIONS  
(CORRECTION OFFICER)**

WHEREAS, two Correction Officer vacancies were recently created on December 28th, 2018, as the result of retirements;

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

WHEREAS, the estimated annual cost to fill one position is \$64,387 which includes fringe benefits;

WHEREAS, the estimated total cost to the County to fill the two positions is \$128,774;

NOW, THEREFORE, BE IT RESOLVED, that effective January 14<sup>th</sup>, 2019 the Sheriff is hereby approved to fill two Correction Officer positions; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 35-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Willson.

**AUTHORIZE CLERK OF THE LEGISLATURE TO FILL POSITION  
(HISTORIAN)**

WHEREAS, the Historian position became vacant November 2016;

WHEREAS, efforts to fill the position failed in 2017 due to the lack of candidate pool;

WHEREAS, the Clerk of the Legislature through the vacancy review process has identified the continued need for the Historian position and is requesting the position be filled;

WHEREAS, Resolution 427-18 authorized the Personnel Officer to start recruiting for the position;

WHEREAS, the estimated annual cost to the County to fill the position on a part time basis, working 20 hours a week, is \$28,229 which includes fringe benefits; and

NOW, THEREFORE, BE IT RESOLVED, that effective January 14<sup>th</sup>, 2019 the Clerk of the Legislature is hereby approved to fill the part time Historian position; and be it further

RESOLVED, that copies of this Resolution be given to the Clerk of the Legislature, Personnel Officer and County Administrator.

VOTE: Unanimous

**RESOLUTION NO. 36-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Bronson.

**AUTHORIZE COMMISSIONER OF DSS TO FILL POSITION  
(SUPPORT INVESTIGATOR)**

WHEREAS, a Support Investigator vacancy will be created effective January 29<sup>th</sup>, 2019 as a result of a resignation; and

WHEREAS, the DSS Commissioner through the vacancy review process has identified the continued need for the Support Investigator position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position is \$50,655 which includes fringe benefits; with the 80% reimbursement rate the total cost to the County will be \$10,131; and

WHEREAS, per Article 5, Section 3 of the CSEA CBA if an employee has prior experience in similar work he/she may be hired at the step one rate of pay as opposed to the start rate; and

WHEREAS, if applicable the DSS Commissioner is authorized to offer the position at the step one rate of pay at an estimated annual cost of \$51,806 which includes fringe benefits; with the 80% reimbursement rate the total cost to the County will be \$10,361;

NOW, THEREFORE, BE IT RESOLVED, that effective January 29<sup>th</sup>, 2019 the Commissioner of Social Service is hereby approved to fill a Support Investigator position; and be it further

RESOLVED, that the DSS Commissioner 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 Commissioner of Social Services, Personnel Officer, Acting County Administrator and Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 37-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**AUTHORIZE COUNTY TREASURER TO CREATE AND FILL POSITION  
(SENIOR ACCOUNT CLERK TYPIST)**

WHEREAS, the County Treasurer through the position review process has identified the need for a Senior Account Clerk Typist in the Treasurer's Office and is requesting that a position be created and filled; and

WHEREAS, the estimated annual cost to the County to fill the position is \$24,000 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective January 14<sup>th</sup>, 2019 the County Treasurer is hereby approved to create and fill a part time Senior Account Clerk Typist position; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 38-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT  
(Systems Management/Planning Inc., Rochester, NY)**

WHEREAS, Yates County has budgeted for computer technical services and support to include installation and configuration of three (3) HPE VMware Server hosts including hardware & software, migration of the new virtual infrastructure, vSphere vCenter software upgrade, vSphere vRealize Operations Manager deployment and the creation of as built documentation for the new vCenter and host hardware.

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Systems Management/Planning Inc. of Rochester, NY for computer technical assistance, effective January 1, 2019 through December 31, 2019 at a cost not to exceed \$9,101; and be it further

RESOLVED, that a copy of this resolution be given to Systems Management/Planning Inc. and to the IT Director.

VOTE: Unanimous

**RESOLUTION NO. 39-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Cutler.

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

WHEREAS, Yates County has budgeted for computer technical services and support to include network and system engineering, Datto backup system, active directory upgrade & Exchange email support.

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Entre Computer Services of Rochester, NY for computer technical assistance, effective January 1, 2019 through December 31, 2019 at a cost not to exceed \$17,600; and be it further



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

VOTE: Unanimous

**RESOLUTION NO. 40-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Bronson.

**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO FILL POSITION  
(PUBLIC HEALTH PROGRAM COORDINATOR)**

WHEREAS, the Emergency Preparedness Coordinator has resigned effective November 30<sup>th</sup>, 2018; and

WHEREAS, the Director of Public Health through the vacancy review process has identified the continued need for the position and has requested to fill a Part Time Public Health Program Coordinator position that will replace the full time Emergency Services Coordinator position; and

WHEREAS, the Emergency Preparedness Coordinator position previously known as the Emergency Services Coordinator has historically been a shared position between the Office of Emergency Management and Public Health; and

WHEREAS, the OEM Director and Public Health Director have decided that sharing the position is not efficient for either department and collectively both Department Heads have recommended that the position no longer be shared; and

WHEREAS, the estimated annual cost to fill the position on a part time basis as opposed to full time is approximately \$24,228 which includes fringe benefits; with the 100% reimbursement rate the total cost to the County will be \$0; and

NOW THEREFORE, BE IT RESOLVED, that effective January 14<sup>th</sup>, 2019 the Public Health Director is authorized to fill the Part Time Public Health Program Coordinator position; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 41-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Gleason.

**ADOPT 2019 NON-UNION SALARY SCHEDULE**

WHEREAS, the Deputy County Treasurer has taken on additional responsibilities as a result of the County Treasurer being dually appointed as the Acting County Administrator; and

WHEREAS, the Yates County Legislature recognizes the additional responsibility; and

WHEREAS, the Deputy County Treasurer will receive the additional annual amount stated in the table below as “Deputy County Treasurer Add-On”; and

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

NOW THEREFORE BE IT RESOLVED, the Yates County Legislature hereby adopts the following non-union hourly salary schedule effective January 1, 2019; and be it further

RESOLVED, that copies of this resolution be given to all non-union employees affected by this resolution.

**Elected Officials**

	<b><u>Annual</u></b>
County Clerk	\$67,555
County Treasurer	\$76,064
District Attorney	\$197,600
Legislators (14 at \$8,183 each)	\$114,562
Legislature Chairman	\$8,183
Sheriff	\$99,288

**Full-Time/Part-Time**

	<b><u>Annual</u></b>
Acting County Administrator	\$26,100
Assistant District Attorney (MT)	\$39,023
Assistant District Attorney (AS)	\$82,000
Assistant Public Defender (DM)	\$43,764
Assistant Public Defender (GB)	\$35,896
Budget Officer	\$13,069
Building Maintenance Supervisor	\$60,899
Chief Corrections Officer	\$65,867
Clerk, County Legislature	\$56,627
Commissioner of Social Services	\$69,600
Confidential Assistant to Sheriff	\$44,080
Conflict Defender	\$49,189
County Administrator	\$100,000
County Attorney	\$97,097
Deputy County Clerk	\$39,651
Deputy County Treasurer	\$48,224
Deputy County Treasurer – Add-On \$6,000	\$6,000
Deputy Director of Public Health	\$67,615
Deputy Director of Public Health – Schuyler Add-On	\$2,500
Deputy Highway Superintendent	\$65,961
Director of Children and Family Services	\$61,481
Director of Community Services	\$76,515
Director of Emergency Management	\$68,440

Director of Income Maintenance & Child Support	\$61,481
Director of Public Health	\$74,135
Director of Public Health – Schuyler Add-On	\$20,000
Director of Real Property Tax Services	\$62,013
Director of Veteran Services Agency	\$50,172
Election Commissioner (D)	\$43,541
Election Commissioner (R)	\$43,541
Highway Superintendent	\$85,050
Information Technology Director	\$76,909
Personnel Assistant	\$39,351
Personnel Officer	\$69,657
Planner	\$59,690
Probation Director	\$65,870
Public Defender	\$73,288
Secretary to District Attorney	\$37,837
Secretary to Sheriff	\$37,790
Secretary to Public Defender	\$37,837
Social Services Attorney	\$69,722
Undersheriff	\$77,943
VOTE: Unanimous	

**RESOLUTION NO. 42-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Banach.

**ADOPT 2019 HOURLY SALARY SCHEDULE**

WHEREAS, the Director of Public Health received authorization to fill a Part Time Public Health Program Coordinator position; and

WHEREAS, the position of Public Health Program Coordinator (part time) shall be added to the hourly non-union salary schedule; and

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

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature hereby adopts the following non-union hourly salary schedule effective January 1, 2019; and be it further

**Schedule II – Hourly Positions**

	<u>Start Rate</u>	<u>After 12 Months</u>	<u>After 3 Years</u>
Account Clerk Typist ( <i>Sheriff's Office</i> )	\$14.59	\$14.84	\$15.35
Animal Control Officer ( <i>Part Time</i> )	\$15.38		
Clerk ( <i>Historian/Records Management Office/Sheriff</i> )	\$14.65		
Correction Officer	\$18.13	\$19.20	
Correction Officer/ Court Security	\$18.13	\$19.20	
Coroner	\$100.00/case		
County Code Enforcement Officer	\$20.91		

Crime Analyst	\$40.68					
County Historian ( <i>Part Time</i> )	\$25.16					
Deputy Sheriff ( <i>Experience 80% CO82 LE contract for appropriate step</i> )	\$18.36					
Deputy Election Commissioner	\$15.54					
Election Coordinator	\$17.85					
Election Inspector	\$12.24					
Election Inspector ( <i>Traveling</i> )	\$13.26					
Election Inspector ( <i>Chair</i> )	\$15.30					
Election Inspector ( <i>Chair-Traveling</i> )	\$16.32					
Election Machine Technician	\$25.50					
Emergency Services Dispatcher	\$15.12	\$15.57				
Examination Monitor	\$15.16					
		<b><u>Year 1</u></b>		<b><u>After 12 Months</u></b>		<b><u>After 3 Years</u></b>
		<b><u>Start Rate</u></b>	<b><u>Premium</u></b>	<b><u>Rate</u></b>	<b><u>Premium</u></b>	<b><u>Rate</u></b> <b><u>Premium</u></b>
Jail Cook	\$11.43	\$13.52		\$12.14	\$13.79	\$12.64   \$14.05
Laborer ( <i>Seasonal- Highway Department</i> ) ( <i>80% CSEA Contract rate</i> )	\$12.60					
		<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>		
Marine Patrol Officer ( <i>Seasonal</i> )	\$15.46	\$16.06		\$16.73		
Motor Equipment Operator ( <i>YC Stop- SMART</i> )	\$14.38					
Motor Vehicle Supervisor	\$24.63					
Public Health Program Coordinator ( <i>Part Time</i> )	\$26.52					
Records Management Officer	\$18.48					
Registered Nurse	\$32.58					
Secretary to County Attorney	\$32.94					
SPOA Coordinator	\$55.88					
Youth Bureau Director	\$24.06					

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

VOTE: Unanimous

### **RESOLUTION NO. 43-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Button.

#### **ADOPT EMPLOYEE BENEFITS FOR NON-UNION PERSONNEL**

WHEREAS, Yates County offers health insurance and other benefits for non-union personnel;

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 2019, the Yates County Legislature adopts the following health insurance and other benefit options for non-union personnel;

#### **Part Time Temporary Non-Union Employees**

Eligible Participants:

Temporary employees not listed elsewhere (per Res. #76-96)

**Benefits:**

New York State and Local Retirement System membership, to the extent required by law. (*Enrollment is optional*).

New York State Voluntary Defined Contribution Program: The VDC Program is a voluntary alternative retirement program to the New York State Employees' Retirement System that became effective on July 1, 2013. The legislation that created the VDC program states that it is mandatory for and must be offered to employees who meet the necessary criteria.

Deferred Compensation: Employees may elect to participate in the County sponsored deferred compensation 457C plan that is a tax deferred retirement plan that allows employees to save money toward retirement. Employee contributions will be withheld from paychecks as a pre-tax deduction according to the IRS Section 125 rules. This is separate from the NYS Retirement Pension program.

**Part Time Regularly Scheduled Non-Union Employees****Eligible Participants:**

Part time non-union employees not listed elsewhere (per Res. #76-96) and County Legislators; whose projected annual salary at the time of hire or at the beginning of each calendar year who can adequately fund 100% of the premium cost through payroll deductions.

**Benefits:**

New York State and Local Retirement System membership, to the extent required by law. (*Enrollment is optional*).

New York State Voluntary Defined Contribution Program: The VDC Program is a voluntary alternative retirement program to the New York State Employees' Retirement System that became effective on July 1, 2013. The legislation that created the VDC program states that it is mandatory for and must be offered to employees who meet the necessary criteria.

Health Insurance: Employees who meet the criteria specified above may elect to participate in any County sponsored health insurance plan that is offered for which they are eligible to enroll. Employee pays 100% of the premium cost.

Dental Insurance: Excellus Dental Blue Plans: Core or Buy-Up. Employee pays 100% of the premium cost. (*Coverage is subject to certain plan limitations and restrictions as applicable*).

Health Flexible Spending Account (FSA): maximum election \$2,650 (per law).

Dependent Care Flexible Spending Account: maximum election \$5,000 (per law).

Deferred Compensation: Employees may elect to participate in the County sponsored deferred compensation 457C plan that is a tax deferred retirement plan that allows employees to save money toward retirement. Employee contributions will be withheld from paychecks as a pre-tax deduction according to the IRS Section 125 rules. This is separate from the NYS Retirement Pension program.

**Full-Time Non-Union Employees****Eligible Participants:**

Full-time Elected and Appointed Officials and all other full-time non-union employees (not including temporary employees).

**Benefits:**

New York State and Local Retirement System (mandatory participation for full-time employees).

New York State Voluntary Defined Contribution Program: The VDC Program is a voluntary alternative retirement program to the New York State Employees' Retirement System that became effective on July 1, 2013. The legislation that created the VDC program states that it is mandatory for and must be offered to employees who meet the necessary criteria.

Health Insurance: Employees may elect to participate in any County sponsored health insurance plan that is offered for which they are eligible to enroll. Employee premium contribution rates are subject to change during the duration of employment.

- Employees hired prior to January 1, 2013, contribute 15% of the premium cost.
- Employees hired after January 1, 2013 contribute 25% of the premium cost for a period of one (1) year, after which their contribution will be 20%.
- Employees may elect to participate in any health plan option being offered by the County. In maintaining the fiscal responsibility to the County, effective January 1, 2015 the County's portion of the premium cost will only reflect that of the most inexpensive health plan being offered. Therefore, should the employee decide to go with a more expensive plan, he/she will be responsible for the difference in the health plan premium to be considered as the "buy-up".

Health Insurance "Buy-Out": Each employee covered by this Agreement who elects in advance in writing during the annual enrollment period to discontinue his/her active coverage in the County's health insurance program for the next succeeding calendar year, and who has been covered in said program for at least one (1) year immediately preceding such election, will receive an annual stipend of twenty percent (20%) of the County's share of the health plan premium, based on the particular coverage level that the employee had at the time of his/her election, which would be paid by the County if the employee chose to continue such insurance coverage, payable in equal installments throughout the year of election, provided the employee provides written proof of alternate health insurance coverage from another source. Such payments shall be subject to the County's Internal Revenue Code Section 125 plan.

Health Insurance "Opt-Out": Employees who have NOT been active participants in the County's health insurance program for a period of at least one (1) year throughout the course of their employment are not eligible to receive the Health Insurance "Buy-Out".

Dental Insurance: Excellus Dental Blue Plans: Core or Buy-Up. Employee pays 100% of the premium cost. (*Coverage is subject to certain plan limitations and restrictions as applicable*).

Health Flexible Spending Account (FSA): maximum election \$2,650 (per law).

Dependent Care Flexible Spending Account: maximum election \$5,000 (per law).

Health Reimbursement Account (HRA): The County will fund an HRA account for benefit eligible employees that enroll in the SimplyBlue HDHP. The HRA account will be funded at \$1,300 for single employees and \$2,600 for employee/spouse, employee/child(ren) and family to a level not to exceed \$6,000. (*HRA use is subject to certain terms, conditions, and restrictions*).

Paid Leave: Full-time non-union employees with the exception of Elected Officials.

RESOLVED, that the benefits stated in this resolution will be in effect until otherwise changed or removed by resolution of the County Legislature; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 44-19**

Mr. Banach offered the following resolution and moved its adoption, seconded by Mr. Gleason.

**DESIGNATE HIGHWAY SUPERINTENDENT AS THE RESPONSIBLE LOCAL OFFICIAL (RLO) FOR THE BRIDGE NY PROJECT KNOWN AS EAST SHERMAN HOLLOW OVER SUGAR CREEK (PIN 6755.34)**

WHEREAS, the NYSDOT requires the project sponsor (Yates County) to name a Responsible Local Official (RLO); and

WHEREAS, the RLO must sign the Initial Project Proposal, Smart Growth and Complete Streets documents, monitor the Equitable Business Opportunities (EBO) system for the duration of the project, sign Right-of-Way documents, ensure construction is completed in compliance with the project plans and specifications and sign the Final Acceptance certificate;

NOW, THEREFORE, BE IT RESOLVED, to designate the Yates County Highway Superintendent to be the RLO for PIN 6755.34; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 45-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**APPOINT FAIR HOUSING OFFICER (PLANNER)**

WHEREAS, the previous Planner, Shawna (Armitage) Bonshak, had been appointed the Fair Housing Officer under Resolution 107-08; and

WHEREAS, Resolution 107-08 specifically named the aforementioned person as the Fair Housing Officer; and

WHEREAS, a new Planner (Long) had been appointed under Resolution 105-17; and

WHEREAS, the Planner, when one has been appointed, shall also serve as the Fair Housing Officer;

NOW, THEREFORE, BE IT RESOLVED, that Resolution 107-08 is hereby rescinded; and be it further

RESOLVED, that the Planner is hereby appointed as the County's Fair Housing Officer; and be it further

RESOLVED, that copies of this resolution be given to the Planner, the County Administrator and Keuka Housing.

VOTE: Unanimous

Steve Manning from the Southern Tier Network and Andy Lukasiewicz from ECC gave a presentation on Yates County's Broadband and how it came to be and what was the next step.

Mrs. Church moved to enter executive sessions to discuss the following:

1. the financial history of a particular corporation or of particular corporations with the Acting County Administrator, Sheriff, County Attorney, County Planner, IT Director and representatives of STN and ECC present,
2. collective bargaining negotiations with Council 82 Law Enforcement with the Acting County Administrator and Sheriff present,
3. the proposed acquisition or sale of real property where publicity would substantially affect the value thereof with the Acting County Administrator and Sheriff present and
4. the employment history of a particular person or persons with the Acting County Administrator present.

The first session will be held in the Legislature Chambers and the remainder will be held in the Executive Session Room. There may or may not be resolutions forthcoming.

The Legislature came back into open session at 5:10 p.m. and the following action was taken.

#### **RESOLUTION NO. 46-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Banach.

#### **AUTHORIZE CHAIRMAN TO SIGN DEED**

WHEREAS, Yates County has received a grant from the New York State Department of Transportation (NYSDOT) to pay 90% of the allowable costs incurred in accomplishing the Airport Sanitary Sewer Extension Project (NYSDOT PIN: 6906.87) at Penn Yan – Yates County Airport; and

WHEREAS, it appears to be in the best interests of the County to combine two lots located at said Airport into one;

NOW, THEREFORE, BE IT RESOLVED that the Chairman is authorized to execute the deed and all other necessary documents on behalf of Yates County to combine Tax Map No. 61.04-1-8.111 (2261 Airport Drive) and Tax Map No. 61.04-1-8.2 (Airport Drive) into one parcel; and be it further

RESOLVED, that copies of this resolution be sent to the County Attorney, the Airport Council and Passero Associates; and be it further

RESOLVED, that this resolution shall take effect immediately  
VOTE: Unanimous with Mrs. Church abstaining.

#### **RESOLUTION NO. 47-19**

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Button.

#### **AUTHORIZE CHAIRMAN TO SIGN AGREEMENT FOR BROADBAND STRATEGY CONSULTING SERVICES**



WHEREAS, Yates County has partnered with Southern Tier Network, Inc. (STN) to install and manage a dark fiber network in order to enhance broadband access for its citizens; and

WHEREAS, the business model of STN is to provide “middle mile” dark fiber and not “last mile” fiber to the home, relying on private Internet Service Providers (ISPs) to connect individual customers; and

WHEREAS, despite marketing efforts on the part of STN and their marketing contractor, ECC Technologies, Inc. (ECC), many Yates County residents remain unable to acquire broadband internet connections; and

WHEREAS, ECC has submitted a proposal to explore high-level broadband deployment models and estimated costs to provide high capacity reliable broadband services to residents who have expressed interest in receiving such services; and

WHEREAS, the cost for conducting said exploration is \$4500 and is defined as “Task 2” in the aforementioned proposal;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to sign an agreement with ECC Technologies for Broadband Strategy Consulting Services; and be it further

RESOLVED, that copies of this resolution be provided to ECC Technologies, Inc., Southern Tier Network, Inc., the Sheriff, County Planner, Information Technology Director and Acting County Administrator.

VOTE: Unanimous

Meeting adjourned at 5:15 p.m.