

REGULAR SESSION – MONDAY, JANUARY 11, 2021

The Yates County Legislature convened in regular session, Monday, January 11, 2021 with Chairman Paddock presiding and Legislator Chilson attending by Zoom.

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.

I think we can all agree that 2020 was an especially challenging year, with the release of vaccines, there is a lot of hope for 2021.

It is with dedication such as that demonstrated by our co-workers being recognized today for achieving milestones in their employment careers that Yates County will emerge from this pandemic. We will not be unscathed, but will be stronger and better prepared for adversity in the future.

The 33 representatives of Yates County Staff have a combined 515 years of service to the county, an average of more than 15 years per person. They provide the essentials, and more, of county government:

- providing for the public safety,
- establishing and maintaining public infrastructure,
- supporting and improving our quality of life and
- acting as partners with the State of NY in delivering certain activities.

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. Thank you for all you do.

County Administrator Nonie Flynn made the following comments:

Congratulations to our employees on reaching an important milestone. You are a valued member of our Yates County team and your continued contributions, dedication, loyalty, hard work and service are vital for Yates County to continue to be successful in serving our residents and 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.

Kerry Brennan, Personnel Officer conducted the ceremony and the following individuals were recognized.

30 YEARS				
MINOR	DEBORAH	PUBLIC HEALTH	DIRECTOR PATIENT SERVICE/P.H.	02/06/1990
NOLAN	GERALD	COUNTY ROAD	HEO	05/14/1990
HINES	TERESA	COUNTY CLERK	MOTOR VEHICLE SUPERVISOR	06/18/1990
MURPHY	ANN	PUBLIC HEALTH	LICENSED PRACTICAL NURSE	07/09/1990
25 YEARS				
TALLEY	ADAM	JAIL	CORRECTIONS OFFICER PT	02/06/1995
TOMION	BRIAN	JAIL	CORRECTIONS OFFICER PT	02/13/1995
RYAN	FRANCIS	SHERIFF	DEPUTY SHERIFF(SGT)	03/02/1995
DEKAY	DIANA	COURT SECURITY	SERGEANT-CORR OFFR/CT SECURITY	09/04/1995
GELDER	AMY	PROBATION	PROBATION OFFICER	09/11/1995
20 YEARS				
JENSEN	BRANDON	SHERIFF	DEPUTY SHERIFF	01/02/2000
HAWLEY	BRIAN	COUNTY ROAD	WORKING SUPERVISOR	01/31/2000
BATES	KAREN	JAIL	CORRECTIONS OFFICER	02/15/2000
GRIDLEY	ANTONIA	JAIL	CORRECTIONS SERGEANT	02/16/2000
CHRISTENSEN	GARY	COUNTY ROAD	MEO L	05/01/2000
WILLIAMS	LISA	E911 DISPATCH	EMERGENCY SERVICES DISPATCHER	05/22/2000
15 YEARS				
RIDER	JEFFREY	SHERIFF	DEPUTY SHERIFF (SGT)	05/05/2005
CHRISTENSEN	SARA	PUBLIC HEALTH	DEPUTY DIRECTOR PUBLIC HEALTH	08/01/2005
ORR	JANELLE	SOCIAL SERVICES	SENIOR SUPPORT INVESTIGATOR	11/07/2005
10 YEARS				
PANZIK	JEREMY	JAIL	CORRECTIONS OFFICER	01/19/2010
MILLER	ROBERT	JAIL	JAIL COOK - MANAGER	04/26/2010
YONGE	CHRISTINE	SOCIAL SERVICES	EMPLOYMENT AND TRAINING COUNSELOR	06/15/2010
GROTH	TIMOTHY	CENTRAL DATA PROCESSING	IT DIRECTOR	07/01/2010
RUSSELL-ORR	ELIZABETH	SOCIAL SERVICES	DIR OF INCOME MAINT/CHILD SUPP	07/12/2010
LOHNES	JUANITA	SHERIFF	TYPIST	09/14/2010
5 YEARS				
ADAMS	FRANK	CENTRAL DATA PROCESSING	NETWORK ADMINISTRATOR	01/05/2015
GRACIOSO	JOSE	COUNTY ROAD	MEO L	01/05/2015
ROUIN	PHILIP	VETERAN SERVICE	DIRECTOR VETERANS' SERVICE AGY	01/20/2015
DAGGETT	CHAD	SHERIFF	DEPUTY SHERIFF (SGT)	02/06/2015
BERRY	ROBERT	CENTRAL DATA PROCESSING	COMPUTER TECHNICAL SPECIALIST	03/16/2015
ROETS	GEORGE	COMMUNITY SERVICES	DIRECTOR COMMUNITY SERVICES PT	09/28/2015
SCHREINER	CAROL	COMMUNITY SERVICES	SPOA COORDINATOR	09/29/2015
WRIGHT	LINDA	SHERIFF	SECRETARY TO THE SHERIFF	11/23/2015
CRAMER	CHRISTOPHER	JAIL	CORRECTIONS OFFICER PT	12/07/2015

Deb Minor, Director of Public Health gave the following update on COVID-19 in the community. Deb reported since the last report there have been 33 new cases testing positive and 17 new cases that were received today. There have been 2 additional deaths and there are over 700 individuals in isolation or quarantine. This is keeping staff very busy, but we now have the COVID vaccine. This is a good thing and it is what we have been waiting for but it is not coming without challenges, as everybody wants to get the vaccine now. Public Health is inundated with phone calls, emails and there have even been people coming in person asking for the vaccine. Deb is asking people to please be patient. Right now, Public Health doesn't have any vaccine in their refrigerator; they have administered everything that was received last week. The vaccine is being rolled out in phases there is the 1A phase, which are still a priority and those are essentially health care workers, EMS workers, nursing home residents, staff at nursing homes, coroners and funeral workers. Unbeknownst to Public Health, on Friday, the Governor announced that we would be going forward with 1B. As soon as people heard that, they started calling to register for vaccinations. The individuals that are eligible in 1B is a lengthy list of individuals. That is good thing, we want people to be vaccinated, but people need to understand that this going to take weeks. The Governor has said that for 1B it will take 14 weeks for entities to get the vaccine to all of those individuals. That group includes everyone who is 75 years of age and older, all of the first responders and support staff, which includes fire police, 911

communications, court officers, correction officers; it includes all of the individuals who work in pre-school through grade 12, that includes school facility and staff. It includes licensed and registered childcare providers, a long list of public transit, individuals who live in or work in a homeless shelter, any public facing grocery store workers and in-person college instructors.

The state has told Public Health who they should be focusing on in group 1B. For individuals who are 75 and older, it is the pharmacies and the provider offices that need to focus on those individuals. If you go to the State’s website it will list pharmacies where you can get vaccinated, but they don’t have vaccine yet, so please don’t call them as yet even though the state is publishing their phone numbers, it’s too early to call. Deb stated it will be available at some of the Rite Aid pharmacies, Tops, Walgreens, Wegmans, and Kinney Drugs but Deb doesn’t know which ones or when they will receive their vaccine yet. Provider offices will also receive vaccine but again Deb encourages people not to call their provider offices yet, because the vaccine has not even been shipped to them. The local health departments are tasked with focusing on the public employees.

Deb stated she learned this morning that New York State is setting up vaccine clinics which are supposed to start this week. The only one that Deb has heard the location of so far is in Broome County. Deb anticipates at some time a clinic will be set up in Monroe County. Because New York State and the NYS Health Department are setting up these vaccination clinics, some vaccine that has been pre-booked by the hospitals, the Federal Qualified Health Centers, and the local health departments is being diverted and is not coming to them. It is going to the state vaccine clinics instead. Even though Public Health pre-books vaccine, that is not a guarantee that Public Health will receive that. Again this morning, Public Health has been instructed by the state that they are not allowed to start scheduling their appointments until they have the vaccine in hand. Although Public Health has plans as to when the clinics will be held next week, they cannot let people start signing up until they have the vaccine. Next week there is a holiday, so even though Public Health normally receives their vaccine on Tuesdays it is likely that they may not receive vaccine until Wednesday. This is leaving a short window for people to go in and register for their vaccine. Deb stated that the registration system is causing a lot of challenges.

Deb again asked people to be patient. The vaccine that they have been waiting for is starting to arrive but it is arriving in small increments and they do not have control of it. Deb encouraged everyone to get vaccinated when they are able to. The vaccine is safe and it is what is needed to get through the pandemic.

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

	December 2020	January 2021
Airport Fund	\$ 24,958.42	\$
Finance	\$ 38,785.27	\$ 48,333.14
Flint Creek	\$0-	\$ -0-
Government Operations	\$ 68,575.22	\$ 54,152.50
Human Services	\$118,332.30	\$ 27,650.23
Prior to Audit	\$ 14,716.52	\$ -0-
Public Safety	\$ 38,484.50	\$ 29,488.34
Public Works	\$ 81,648.77	\$ 66,710.00
Total	\$385,501.00	\$227,334.21

Grand Total: \$612,835.21

COMMITTEE REPORTS

Mrs. Percy reported there has been some discussion and concerns regarding an appointment to the WIB Board. Amy Miller, Commissioner of Social Services, presented information on the requirements of the Board's make up.

Mr. Button reported there was a meeting of the Flint Creek Administrative Board last Wednesday. The next meeting will be held in July.

Mr. Cutler reported he attended the Annual Finger Lakes Watershed Alliance meeting. Also, the GTC [Genesee Transportation Council] met late last week and discussed the need for a transportation plan that needs to be done by April 1st.

Mr Cutler further reported that the Criminal Justice Coordinating Council (CJCC) will meet this Thursday to discuss the completion of a Law Enforcement Collaborative plan. This plan also needs to be completed by April 1st.

Chairman Paddock explained that the Sheriff has put together a presentation which will be reviewed by the CJCC and asked if the Legislature would like to view the presentation privately or at a public meeting. The consensus of the Legislature was to view it in a public meeting.

Mr. Banach reported the DEC has set up a platform to open up discussion on trout stream regulations. The DEC would like input from the public. You can go their website to comment.

PUBLIC COMMENT

James Bobreski addressed the Legislature regarding the proposed Vineyard Hill Project on Court Street. Mr. Bobreski would like the Legislature to make a rule or law that those that are going to be affected by a project be notified earlier in the planning process rather than later after funds have been spent on drawings and such.

Chairman Paddock explained that Mr. Bobreski needs to discuss this matter with the Town of Milo and possibly the Town of Jerusalem as the County has little or no say in what occurs. However, Chairman Paddock did refer the matter to the Government Operations Committee to research the possibility of a law.

RESOLUTION NO. 1-21

Mr. Bronson offered resolutions 1 and 2-21 and moved their adoption, seconded by Mrs. Percy.

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

WHEREAS, a risk assessment performed by Grant Thornton on behalf of the NYS Board of Elections and the Yates County Board of Elections Department identified various risk factors; and

WHEREAS, it has been determined that a block of technical support hours will be required to remediate the risks identified; and

WHEREAS, grant funding has been provided by the NYS Board of Elections to cover the cost of the required remediation;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Chairman is hereby authorized to sign a contract with Entre Computer Services of Rochester, NY in the amount of \$12,900 for said services; and be it further

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

RESOLUTION NO. 2-21

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

WHEREAS, a risk assessment performed by Grant Thornton on behalf of the NYS Board of Elections and the Yates County Board of Elections Department identified various risk factors; and

WHEREAS, it has been determined that ongoing Internal/External Vulnerability Scans on a quarterly basis will be required as part of the risk remediation process; and

WHEREAS, grant funding has been provided by the NYS Board of Elections to cover the cost of the required remediation;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of County Attorney the Chairman is hereby authorized to sign a contract with Entre Computer Services of Rochester, NY to include four (4) Quarterly scans & remediation plan development in the amount of \$16,750 for said services; and be it further

RESOLVED, that a copy of this resolution be given to Entre and to the IT Director.
VOTE: Unanimous

RESOLUTION NO. 3-21

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

AUTHORIZED EXCEPTIONS TO THE PROCUREMENT POLICY

WHEREAS, the Yates County Procurement Policy section three, sub-section (E) ALL Other Instances, states; The procurement procedures set forth herein encompass all other situations where procurement by the competitive bidding process is not required, either because the monetary thresholds have not been met or the monetary thresholds have been met but an exception not previously enumerated in this Section applies. Such purchases of goods and services must be procured in a manner so as to assure the prudent and economical use of public moneys in the best interests of the taxpayers of the County, with such acquisitions being of maximum quality at the lowest possible cost under the circumstances;

NOW, THEREFORE BE IT RESOLVED, that all County departments will be permitted to purchase from the following contracts per the Yates County Procurement Policy, effective January 1, 2021 through December 31, 2021.

- General Services Administration (GSA)
- National Intergovernmental Purchasing Alliance (NIPA)
- National Cooperative Purchasing Alliance (NCPA)
- National Joint Powers Alliance (NJPA)

- The Cooperative Purchasing Network
- Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP)
- 340B Drug Pricing Program
- Municipal Electric and Gas Alliance (MEGA)
- OMNIA Partners (formerly U.S. Communities)

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 4-21

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

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

RESOLVED, that the following individuals are hereby appointed to the Yates County Soil and Water Conservation District Board of Directors commencing January 1, 2021 for a term ending December 31, 2023:

- Dale Hallings, 2836 State Route 14A, Penn Yan, NY 14527
- Larry Lewis, 3764 Tinney Road, Penn Yan, NY 14527
- Mark Martin, 2721 Himrod Road, Penn Yan, NY 14527

And be it further

RESOLVED, that copies of this resolution be forwarded to Dale Hallings, Larry Lewis, Mark Martin and to the Yates County Soil and Water Conservation District.

VOTE: Unanimous

RESOLUTION NO. 5-21

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

**AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL VACANCY
(CASEWORKER)**

WHEREAS, a Caseworker position became vacant effective December 11, 2020 as the result of a resignation; and

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

WHEREAS, the estimated annual cost to fill the position is \$68,673 which includes fringe benefits; with the 80% reimbursement the total cost to the County will be \$13,734 to refill this position;

NOW, THEREFORE, BE IT RESOLVED, that effective January 11, 2021 the Commissioner of Social Services is hereby authorized to fill a full-time Caseworker position; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 6-21

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

AUTHORIZE CHAIRMAN TO SIGN CONTRACT RENEWAL (Jay Hollister)

WHEREAS, in accordance with Civil Service Law §58, and New York State Executive Law §840, each municipal civil service agency is required to administer physical fitness screening tests prescribed by the Municipal Police Training Council, to deputy sheriff and police officer candidates; and

WHEREAS, the County wishes to renew the contract with Jay Hollister, a qualified trainer, to conduct the aforementioned physical screening tests;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Chairman of the Legislature is hereby authorized to sign a contract renewal with Jay Hollister of 826 Rock Haven Rd., Penn Yan, New York, to conduct physical fitness screening tests at a rate of fifteen dollars (\$15.00) per candidate tested, for the period of January 1, 2021 through December, 31, 2023; and be it further

RESOLVED, that the Liability Insurance is waived; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 7-21

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

AUTHORIZE CHAIRMAN TO SIGN CONTRACT AGREEMENT WITH ESI EMPLOYEE ASSISTANCE GROUP FOR CSEA AND NON-UNION EAP SERVICES

WHEREAS, the Chairman is authorized to sign an agreement with ESI Employee Assistance Group for the CSEA and Non-Union Employee Assistance Program (EAP) for the period of January 1, 2021 through December 31, 2021; and

WHEREAS, the County agrees to pay a total of \$3,831 for the EAP services;

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 2021, contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign an agreement with ESI Employee Assistance Group; and be it further

RESOLVED, that a copy of this resolution be provided to ESI Employee Assistance Group, County Department Heads, the Personnel Officer, County Administrator and County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 8-21

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

AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH HEALTHWORKS FOR PRE-EMPLOYMENT DRUG SCREENING

WHEREAS, Yates County desires to contract with Healthworks to conduct pre-employment drug testing; and

WHEREAS, the cost for such services will be \$35 per drug screen, per person for all drug screening, however, if additional testing is required as a result of the drug screening testing positive the cost for the entire screening will be \$55;

NOW, THEREFORE, BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign the agreement with Healthworks for the period of January 1, 2021 to December 31, 2021; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 9-21

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

ADOPT TRANSITIONAL DUTY POLICY

WHEREAS, the Personnel Officer has recommended for adoption and implementation the included Transitional Duty Policy;

NOW, THEREFORE, BE IT RESOLVED, that the Transitional Duty Policy is hereby adopted and shall be added to the Yates County Employee Handbook; and be it further

RESOLVED, that a copy of this resolution be forwarded to the County Administrator and all Department Heads.

YATES COUNTY

TRANSITIONAL DUTY POLICY



Yates County Transitional Duty Policy

Revision Record

Revision	Date	Paragraph(s)	Description
0	January 11, 2021	All	Original issue.

Yates County Transitional Duty Policy

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100 INTRODUCTION

101 *Definitions*

For purposes of this policy, the following terms shall be defined as indicated. The definition provided for each of these terms applies only within the context of this policy.

1. **Compensable (Work-Related) Disability Injury/Illness** – A disabling injury/illness arising from the employment and in the course of the employee’s work.
2. **Non-Compensable (Non-Work-Related) Disability Injury/Illness** – A disabling injury/illness arising from a non-work-related activity.
3. **Temporary Total Disability** – A disability that leads to the injured worker’s wage-earning capacity being lost totally, but only on a temporary basis.
4. **Temporary Partial Disability** – A disability that leads to the injured worker’s wage-earning capacity being lost only partially, and on a temporary basis.
5. **Transitional Duty** – Employment that allows an injured worker to return to duty in the employee’s original department or another department with pre-approved transitional assignments where he/she may perform modified duties, while under physical limitations/restrictions, as set forth by the treating physician, until he/she is capable of returning to full duty. This transitional duty is temporary, and does not develop into a permanent position, and is intended to return the employee to regular full-duty as soon as possible.

102 *The Purpose of the Transitional Duty Policy*

1. **Statement of Purpose** – The purpose of this policy is to create an environment that will facilitate employee recovery from an injury/illness and enable the continuation of operational productivity of Yates County.
2. **Collective Bargaining Agreements** – In the event an expressed and explicit provision set forth in a collective bargaining agreement between Yates County and an employee organization as defined by the Public Employees’ Fair Employment Act (Taylor Law) should conflict with the Transitional Duty Policy, the expressed and explicit provision of the collective bargaining agreement will dictate what is practiced. However, in certain instances where the policy covers an issue that is not the subject of bargaining, this policy will govern.
3. **Sheriff’s Office** – For the purposes this policy, the Yates County Sheriff’s Office is a separate entity that has the authority to promulgate its own policies and procedures. If this policy differs from a rule, regulation or policy established by the Sheriff’s Office, the latter shall supersede.
4. **Questions** – Any questions regarding any topic covered in this policy should be directed to the appropriate Department Head/Supervising Authority.
5. **Related Document** – [Public Employees’ Fair Employment Act \(Taylor Law\)](#)

200 TRANSITIONAL DUTY

201 *Policy Statement*

1. It is the policy of Yates County that, whenever possible, transitional duty will be made available to injured/ill workers to minimize or eliminate lost time from work. Yates County is under no obligation to offer, create or encumber any specific position for purposes of offering placement to a transitional duty position.

Yates County strives to assist employees to return to work at the earliest possible date following an injury/illness. However, this policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA).

2. **Related Documents –**

- A. [Americans with Disabilities Act](#)
- B. [Employee Handbook](#)
 - a. § 508 Family and Medical Leave Policy
 - b. § 714 Workers' Compensation Benefits
- C. [Family and Medical Leave Act Website](#)

202 *Eligibility*

1. **Transitional Duty Eligibility** – This policy applies to regular full-time and part-time Yates County employees who have a serious health condition/disability that temporarily prevents them from performing their regular job duties. A serious health condition/disability may derive from either a compensable or non-compensable injury/illness. In order to be considered for transitional duty, employees are subject to the following guidelines:
 - A. The serious health condition/disability caused by an injury/illness must be a temporary condition.
 - B. The employee shall be able to have transitional duty capability as determined by his/her treating physician.
 - C. The treating physician may recommend such an employee for a transitional duty assignment consistent with his/her physical abilities and any limitations/restrictions imposed.
 - D. The Personnel Officer and Department Head/Supervising Authority will re-evaluate each case at a minimum, every six (6) weeks.
 - E. The transitional duty assignment shall not normally last more than ninety (90) days, but may be extended not to exceed twelve (12) months.
2. **Individualized Assessment** – The establishment of a transitional assignment position requires an individualized assessment of the employee's medical condition and his/her work limitations, and the other job duties under consideration. Based on this individualized assessment as a whole, potential exemptions to the transitional duty program may apply.
3. **NYS Disability** – Yates County employees are not eligible for the short-term statutory non-occupational disability benefits covered under the Disability Benefits Law Article 9 of the Workers' Compensation Law.

4. Related Documents

- A. [Employee Handbook](#)
 - a. § 508 Family and Medical Leave Policy
 - b. § 714 Workers' Compensation Benefits

203 *Transitional Duty Procedure*

1. Transitional Duty Assignment Guidelines

- A. The employee's Department Head/Supervising Authority shall attempt to locate or design a work assignment within the limitations/restrictions described by the treating physician within the department.
- B. If no suitable temporary assignment is available within the department, the Personnel Officer shall be contacted in order to consider other alternatives. The Personnel Officer will attempt, when feasible, to coordinate a temporary re-assignment of the employee on an inter-departmental basis.
- C. The department in which the employee is normally assigned will provide the source of wage payments for those hours assigned under this transitional program.
- D. An employee working a transitional duty assignment shall accrue the same benefits and seniority as when working in a normal capacity position.
- E. An employee working a transitional duty assignment shall be paid at his/her normal hourly rate of pay for all hours worked in the transitional duty assignment.
- F. If an employee has been assigned transitional duty as a result of a compensable disability and is unable to work due to a condition unrelated to the Workers' Compensation injury/illness then the payment or nonpayment of the lost work time would be based on the availability of the employee's accrued leave time.
- G. An employee has the right to decline a transitional duty assignment, however such declination may result in his/her Workers' Compensation benefits ceasing, if the serious health condition/disability is the result of a compensable injury/illness.
- H. An employee whose serious health condition/disability is the result of a non-compensable injury/illness and who declines a transitional duty assignment with the County may be terminated, subject to the relevant provisions of the Civil Service Law.
- I. If an employee, based on medical documentation, fails to show improvement within the transitional duty assignment, then such duty will be discontinued until such time as the treating physician approves a new transitional duty assignment, if any.
- J. Upon release to regular work without limitations/restrictions, the employee shall be returned to his/her regular position.

2. Procedures –

A. Notification Requirements

- a. In accordance with the Yates County Employee Handbook, an employee, or the responsible party acting on his/her behalf, is expected to maintain contact with the employee's Department Head/Supervising Authority to continually update the employee's status as it relates to eligibility.
- b. At the same time the Personnel Officer sends the employee the FMLA Designation paperwork, a copy of the Yates County Health and Safety Evaluation Form and a copy of his/her job description will also be provided.
- c. Prior to sending the evaluation form, the Department Head/Supervising Authority will update the form to reflect the essential work-related physical and physiological demands, working conditions and, if applicable, any protective equipment the employee is required to use while at work.
- d. The employee is responsible to provide his/her treating physician with the Yates County Health and Safety Evaluation Form as well as a copy of his/her job description at every medical appointment.
- e. The treating physician shall be requested to complete the form and provide it to the employee at the time of the appointment.
- f. Upon receipt of the completed Yates County Health and Safety Evaluation Form, the employee is responsible to notify his/her Department Head/Supervising Authority as soon as practicable, but no later than two (2) business days after the employee's scheduled appointment, of the outcome of his/her appointment and provide the Department Head/Supervising Authority with the completed form.
- g. The Department Head/Supervising Authority will notify and provide the medical documentation to the Personnel Officer for review.

B. Transitional Duty Assignment

- a. The Department Head/Supervising Authority will consult with the Personnel Officer to address the prescribed limitations/restrictions, in accordance with applicable law, and to ascertain whether a reasonable accommodation can be made and if a transitional duty assignment is appropriate.
- b. The Department Head/Supervising Authority shall be responsible for completing a Transitional Duty Job Description Form which will outline the transitional duty job responsibilities and prepare a work schedule as needed.
- c. Once the form is completed, the Department Head/Supervising Authority will review it with the Personnel Officer.
- d. Once the Transitional Duty Job Description is finalized, the Department Head/Supervising Authority will review it with the employee and obtain his/her signature.

C. Follow-up Procedure

- a. An employee is required to have his/her treating physician complete a new Health and Safety Evaluation Form at each scheduled appointment.
- b. In cases where the employee's injury/illness is related to a compensable disability, the employee may be required under Workers' Compensation Law to be reevaluated by the treating physician every thirty (30) days.
- c. The Department Head/Supervising Authority and the Personnel Officer will review the employee's progress and make any necessary changes to the Transitional Duty Job Description Form, until such time as the employee is able to return to full duty status.

3. Related Documents

- A. [Employee Handbook § 508 Family and Medical Leave](#)
- B. Employee Health and Safety Evaluation Form
- C. Transitional Duty Job Description Form Template

VOTE: Unanimous

RESOLUTION NO. 10-21

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

ADOPT 2021 NON-UNION NON-EXEMPT EMPLOYEE WAGE SCHEDULE AND RESCIND RESOLUTION 450-20

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

WHEREAS, the NYS minimum hourly wage rate increased to \$12.50 effective December 31, 2020, impacting the rates of pay for Jail Cook and Poll Inspector for 2021; and

WHEREAS, the Board of Elections sets the rate of pay for Poll Inspectors (Traveling) at \$1.00 more than Poll Inspector causing the hourly rate for Poll Inspector (Traveling) to be increased to \$13.50; and

WHEREAS, Resolution 450-20 that originally adopted the wage schedule had within it errors and omissions that need to be corrected;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature hereby adopts the following Non-Union Non-Exempt Employee Wage Schedule effective January 1, 2021: and be it further

RESOLVED, that Resolution 450-20 is hereby rescinded; and be it further

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

	<u>Start Rate</u>	<u>After 12 Months</u>	<u>After 3 Years</u>
Account Clerk Typist (<i>Sheriff's Office</i>)	\$15.18	\$15.44	\$15.97
Animal Control Officer (<i>Part Time</i>)	\$16.00		
Chief Equipment Custodian	\$19.23		
Deputy Election Commissioner	\$24.41		
Elections Machine Technician I	\$23.37		
Election Operation Assistant	\$15.61		
Electronic Machine Technician II	\$26.01		
Equipment Custodian	\$18.01		
Polling Site Coordinator	\$16.65		
Poll Inspector	\$12.50		
Poll Inspector (<i>traveling</i>)	\$13.50		
Polling Site Chairperson/Electronic Poll Book Team Leader	\$15.61		

Polling Site Chairperson/Electronic Poll Book Team Leader (<i>traveling</i>)	\$16.65				
Clerk (<i>Historian/Records Management Office/Sheriff</i>)	\$15.24				
Correction Officer	\$18.86	\$19.95			
Correction Officer/ Court Security	\$18.86	\$19.95			
Coroner	\$100.00/case				
County Code Enforcement Officer	\$21.76				
County Historian (<i>Part Time</i>)	\$26.17				
Deputy Sheriff (<i>Experience 80% CO82 LE contract for appropriate step</i>)	\$19.28				
Deputy Sheriff (<i>90% as above, if duty requires special instructor or certification</i>)	\$21.70				
	<u>Start Rate</u>	<u>After 12 Months</u>			
Emergency Services Dispatcher	\$15.73	\$16.20			
Examination Monitor	\$15.77				
	<u>Year 1</u>		<u>After 12 Months</u>		<u>After 3 Years</u>
	<u>Start Rate</u>	<u>Premium</u>	<u>Rate</u>	<u>Premium</u>	<u>Rate</u> <u>Premium</u>
Jail Cook	\$12.50	\$14.50	\$12.96	\$14.77	\$13.47 \$15.04
Laborer (<i>Seasonal- Highway Department</i>) (<i>80% CSEA Contract rate</i>)	\$13.11				
Law Enforcement Liaison	\$23.36				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>		
Marine Patrol Officer (<i>Seasonal</i>)	\$16.08	\$16.71	\$17.40		
Motor Equipment Operator (<i>YC Stop- SMART</i>)	\$14.67				
Motor Vehicle Supervisor	\$26.19				
Personnel Assistant	\$22.32				
Public Health Program Coordinator (<i>Part Time</i>)	\$27.59				
Records Management Officer	\$19.23				
Registered Nurse	\$33.89				
Secretary to County Attorney	\$34.40				
Secretary to District Attorney	\$21.04				
Secretary to Public Defender	\$21.46				
Secretary to Sheriff	\$21.43				
Senior Account Clerk Typist (<i>Public Health</i>)	\$18.73				
Senior Account Clerk Typist (<i>Treasurer</i>)	\$25.50				
SPOA Coordinator	\$57.00				
Youth Bureau Director	\$25.61				

VOTE: Unanimous

RESOLUTION NO. 11-21

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

**REAPPOINT MEMBER TO THE YATES COUNTY MENTAL HEALTH
SUBCOMMITTEE**

WHEREAS, John Dean, residing at 102 Benham St. #1, Penn Yan, New York 14527 has been recommended for reappointment to a second term on the Yates County Mental Health Subcommittee;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature reappoint John Dean, to the Yates County Mental Health Subcommittee for a term ending 12/31/24; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 12-21

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

**REAPPOINT MEMBER TO THE YATES COUNTY DEVELOPMENTAL
DISABILITIES SUBCOMMITTEE**

WHEREAS, Sara K. Hansen has been recommended for reappointment to serve a second term on the Yates County Developmental Disabilities Subcommittee;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature reappoints Sara K. Hansen to the Yates County Community Services Developmental Disabilities Subcommittee for a term ending 12/31/24; and be it further

RESOLVED, that a copy of this resolution be provided to Sara K. Hansen and to the Yates County Department of Community Services.

VOTE: Unanimous

RESOLUTION NO. 13-21

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

**REAPPOINT MEMBER TO THE YATES COUNTY DEVELOPMENTAL
DISABILITIES SUBCOMMITTEE**

WHEREAS, Lauren R. Snyder, 118 Ogden St., Penn Yan, New York, 14527 has been recommended for reappointment to serve a second term on the Yates County Developmental Disabilities Subcommittee;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature reappoint Lauren R. Snyder to the Yates County Developmental Disabilities Subcommittee for a term ending 12/31/24; and be it further

RESOLVED, that copies of this resolution be provided to Lauren R. Snyder and the Yates County Department of Community Services.

VOTE: Unanimous

RESOLUTION NO. 14-21

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

SIGN AGREEMENT WITH RHONDA RELYEA, SPEECH LANGUAGE PATHOLOGIST

WHEREAS, Yates County Public Health seeks to sign an agreement with Rhonda Relyea, 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 Chairman of the Legislature be hereby authorized to sign an agreement with Rhonda Relyea, Speech Language Pathologist, at the following all-inclusive rates: \$64.00 in 2021, \$65.00 in 2022, \$66.00 in 2023, \$67.00 in 2024, and \$68.00 in 2025, for the period 1/1/2021 to 12/31/2025; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 15-21

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

DISCUSSION:

Mr. Killen feels the County should seriously consider purchasing our own tanks so that we can have more leeway in negotiating propane prices going forward, with the understanding that within the next several years there may be something done with the buildings and changing the heating structure. Mr. Killen still feels it would be worth purchasing our own tanks so that we wouldn't be tied to a particular company.

Mr. Banach stated that it has been referred to Committee and Craig will be reporting on it next month.

Mr. Button questioned if the legislature wanted to wait until next month or move this forward now.

Mr. Banach stated that he would like to wait until discussion could be had in Committee as Mr. Harper has some information that needs to be looked into and Mr. Banach does not feel this is the appropriate time to bring this up. Mr. Banach feels we should sign the agreement and keep the gas flowing.

Mr. Harper stated that one of the other things that needs to be done is to talk with our insurance carrier to see if they will even allow us owning propane cylinders. Some insurance carriers will refuse to have people do that because it is an additional liability.

Chairman Paddock stated that the general consensus in Committee was to go forward with this and ask Craig to review the bid and rebid with these options in August. This agreement would only go through August.

Mr. Willson confirmed that between now and August that all the issues that have been discussed as far as ownership of tanks, maintenance and all that will be looked at. Dan confirmed that Craig was asked to report on that.

**AMEND RESOLUTION 306-20
(Award Bid for Propane Gas)**

WHEREAS, bids were requested for Propane Gas and received on July 23, 2020 at 10:00 a.m. and two firms submitted a bid to the Yates County Highway Department as tabulated below;

Bidder	Price Per Gallon Over Selkirk
Ferrellgas LP	\$0.27
Phelps Sungas	\$0.30

And

WHEREAS, resolution 306-20 awarded the bid for propane gas to Ferrellgas LP; and

WHEREAS, Ferrellgas LP's services have been unreliable, unresponsive, and not in accordance with the bid specifications; and

WHEREAS, the County Attorney has approved the amendment to the resolution and has initiated a letter to Ferrellgas LP cancelling the contract;

NOW, THEREFORE, BE IT RESOLVED, that Resolution 306-20 is hereby amended to award the bid for propane gas to the alternate bidder Phelps Sungas, for \$0.30 per gallon over Selkirk pricing; and be it further

RESOLVED, that copies of the resolution be forwarded to all bidders and the Yates County Highway Department.

VOTE: Unanimous

RESOLUTION NO. 16-21

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

**AMEND RESOLUTION 406-20
(AUTHORIZE YATES COUNTY TO ACQUIRE A PERMANENT EASEMENT
AND COMPENSATE OWNERS FOR LAND REQUIRED FOR THE
RECONSTRUCTION OF THE EAST SHERMAN HOLLOW OVER SUGAR
CREEK BRIDGE (PIN 6755.34))**

WHEREAS, resolution number 406-20 authorized the Yates County Treasurer to issue payment to land owners for permanent easements for land adjacent to the East Sherman Hollow Road over Sugar Creek bridge in order to successfully complete the reconstruction project; and

WHEREAS, a payment of \$200.00 was authorized to Sharon L. McMillen, 2067 Guyanoga Road, Tax Map #47.04-1-18 to acquire a permanent easement of 657 square feet of land; and

WHEREAS, the land needed for the permanent easement has been reduced to 317 square feet; and

WHEREAS, it has been deemed necessary to decrease the payment to \$100.00;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Treasurer is authorized to issue payment to Sharon McMillan for the amount of \$100.00; and be it further

RESOLVED, to forward a copy of this resolution to the Yates County Administrator, the Yates County Treasurer, and the Yates County Highway Superintendent.

VOTE: Unanimous

RESOLUTION NO. 17-21

Mr. Holgate offered resolutions 17, 18 and 19-21 and moved their adoption, seconded by Mr. Bronson.

APPROPRIATE FEDERAL AID (PUBLIC HEALTH)

WHEREAS, Public Health has been awarded additional federal aid for the COVID19 Response Grant in the amount of \$95,373.00; and

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

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

Revenue:		
A4010.44489 PH-Disaster Planning		\$ 95,373.00
Appropriation		
A4010.51506 PH-Phone Work		\$ 17,330.00
A4010.51508 PH-35-40 Overtime		\$ 18,330.00
A4010.51504 PH-On-Call		\$ 5,000.00
A4010.51502 PH-Holiday Overtime		\$ 17,330.00
A4010.51505 PH-Overtime		\$ 17,383.00
A4010.54320 PH-Disaster Planning		\$ 15,000.00
A4010.54470 PH-Office Supplies		\$ 2,000.00
A4010.54515 PH-Postage		\$ 500.00
A4010.54516 PH-Printing		\$ 500.00
A4010.54654 PH-Mileage		\$ 2,000.00

And be it further

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

RESOLUTION NO. 18-21

**APPROPRIATE FEDERAL AID
(PUBLIC HEALTH)**

WHEREAS, Public Health has been awarded additional federal aid for the Epidemiology and Laboratory Capacity (ELC) COVID19 Grant in the amount of \$201,799.00; and

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

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

Revenue:		
A4010.44487 PH-ELC COVID19		\$ 201,799.00
Appropriation		
A4010.51305 PH-PH Nurse FT		\$ 130,000.00
A4010.51502 PH-Holiday Overtime		\$ 1,000.00
A4010.51505 PH-Overtime		\$ 2,000.00
A4010.51506 PH-Phone Work		\$ 4,500.00
A4010.51508 PH-35-40 Overtime		\$ 1,799.00
A4010.52516 PH-Equipment		\$
5,000.00		
A4010.58100 PH-FICA/Medicare		\$ 50,000.00
A4010.54470 PH-Office Supplies		\$ 2,500.00
A4010.54516 PH-Printing		\$ 500.00
A4010.54654 PH-Mileage		\$ 1,500.00
A4010.54682 PH-Phone		\$ 3,000.00

And be it further

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

RESOLUTION NO. 19-21

**APPROPRIATE FEDERAL AID
(SOCIAL SERVICES)**

WHEREAS, the Department of Social Services has received additional revenue over the 2020 budgeted amount along with corresponding expenditures for federal emergency aid; and

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

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

Revenue:		
A6010.44960 DSS-FEMA		\$ 27,897.00
Appropriation		
A6010.54320 DSS-Emergency Expenditures		\$ 27,897.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 20-21

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

**APPROPRIATE ADDITIONAL REVENUE
(VETERAN SERVICES)**

WHEREAS, Veteran Services anticipates receiving additional revenue over the 2020 budgeted amount along with corresponding expenditures; and

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

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

Revenue:

A6510.43710 VET-Veteran Services \$ 2,000.00

Appropriation

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

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 21-21

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

**AUTHORIZATION PERTAINING TO A SUPPLEMENT TO MEMORANDUM OF
AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION**

WHEREAS, Yates County (hereinafter the "County") and the Federal Aviation Administration (hereinafter referred to as the "FAA") have previously entered into a memorandum of agreement concerning the Penn Yan-Yates County Airport, permitting the establishment, construction, operation and maintaining of FAA owned or controlled air traffic control, navigation, communication and weather aids for the support of air traffic operations thereon (said agreement hereinafter referred to as the "Memorandum of Agreement"); and

WHEREAS, in furtherance of the Memorandum of Agreement, the FAA is now requiring that a supplemental memorandum of agreement be executed, to be entitled "Supplement Number 1", to incorporate newly required security clauses (said supplemental memorandum of agreement hereinafter referred to as "Supplement Agreement No. 1");

NOW, THEREFORE, BE IT RESOLVED, that the County is authorized to enter into Supplement Agreement No. 1; and to this end, be it further

RESOLVED, that the Chairman of the Yates County Legislature, upon the approval of the County Attorney, is hereby authorized on behalf of Yates County to execute and deliver, as many counterparts, respectively, as shall be deemed advisable, said Supplement Agreement No. 1 and any other ancillary documentation related to Supplement Agreement No. 1 as may be required by the Federal Aviation Administration; and be it further

RESOLVED, that copies of this resolution be given to the County Administrator and Federal Aviation Administration.

VOTE: Unanimous

RESOLUTION NO. 22-21

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

ENTER INTO A POLE ATTACHMENT AGREEMENT WITH NEW YORK STATE ELECTRIC & GAS CORPORATION

WHEREAS, the County of Yates (hereinafter referred to as the "County") wishes to license for its own use, the right to attach and maintain its telecommunications cables, equipment, facilities and attachments with necessary guys and appurtenances on poles owned by New York State Electric & Gas Corporation (hereinafter referred to as "NYSEG"); and

WHEREAS, NYSEG is willing to permit, to the extent it may lawfully do so, the placement of said cables, equipment, facilities and attachments on NYSEG poles; and

WHEREAS, to this end, NYSEG requires the County to enter into a Pole Attachment Agreement with it, concerning the licensing of the use of NYSEG poles by the County for the purposes set forth above;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to execute on behalf of Yates County a Pole Attachment Agreement with NYSEG concerning the County's right, by way of license, to attach and maintain its telecommunications cables, equipment, facilities and attachments with necessary guys and appurtenances on poles owned by NYSEG; and be it further

RESOLVED, that copies of this resolution be provided to the Yates County Administrator, Yates County Planner and New York State Electric & Gas Corporation

VOTE: Unanimous

RESOLUTION NO. 23-21

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

AUTHORIZE CONTRACT FOR FRAUD INVESTIGATION SERVICES

WHEREAS, The Yates County Department of Social Services requires investigation services for public assistance fraud;

NOW, THEREFORE, BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Legislature and the Commissioner of Social Services be

authorized to sign a contract between the Yates County Department of Social Services and the Yates County Sheriff's Office for the provision of fraud investigation services to the Department of Social Services for the period of January 1, 2021 to December 31, 2021 at a cost not to exceed \$57,305; and be it further;

RESOLVED, that a copy of this resolution be forwarded to the Yates County Treasurer, Yates County Sheriff's Office, and the Yates County Department of Social Services.

VOTE: Unanimous

RESOLUTION NO. 24-21

Mrs. Church offered resolutions 24 and 25-21 and moved their adoption, seconded by Mr. Harper.

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 January 1, 2021 through December 31, 2021;

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

- America Homecare for fiscal intermediary services, no cost
- G.A.T.E. Counseling Services, various rates
- Keuka Counseling-A Healing Journey, for counseling services, various rates
- Keuka Housing Council, for housing, various rates

And, be it further;

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

RESOLUTION NO. 25-21

AUTHORIZE CONTRACT WITH THE FOLLOWING AGENCY

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

WHEREAS, the term of these contracts is December 1, 2020 through November 30, 2021;

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

- Family Counseling of the Finger Lakes for co-located behavioral health services, \$50,000

And, be it further;

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

VOTE: Unanimous

RESOLUTION NO. 26-21

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

AUTHORIZE COMMISSIONER TO SIGN MEMORANDUM OF UNDERSTANDING WITH LOCAL WORKFORCE INVESTMENT BOARD

WHEREAS, under the federal Workforce Innovation and Opportunity Act (WIOA), TANF is a required partner in the New York State (NYS) Career Center System. As part of this partnership, and as a statutory requirement under WIOA, social services districts (districts) must enter into a local Memorandum of Understanding (MOU) with their respective Local Workforce Development Board (LWDB) relating to the provision of services through the Career Center System and the funding of infrastructure costs for Career Center; and

WHEREAS, the timeframe for the most current memorandum of understanding is July 1, 2020 until June 30, 2023 and the Commissioner of Social Services is a required signatory;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Commissioner of Social Services is authorized to sign the memorandum of understanding for the period of July 1, 2020 – June 30, 2023;

And be it further;

RESOLVED, that certified copies of this resolution be sent to Yates County Department of Social Services, the Finger Lakes Workforce Investment Board and the New York State Department of Labor.

VOTE: Unanimous

RESOLUTION NO. 27-21

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

DISCUSSION:

Ms. Chilson stated she would like more information and will be voting “No” on this.

Mr. Cutler stated the person that was nominated does not appear to meet some of the basic qualifications. Mr. Cutler is inclined to vote against the appointment as well.

Mr. Willson stated he agrees with what has been said. Mr. Willson pointed out the board that we are being asked to appoint this individual to includes Ontario, Wayne, Seneca and Yates, which are the local counties. Mr. Willson feels we have a responsibility to live with our people here and to sustain the values of our people. Mr. Willson will be voting “No.”

Mr. Button stated he appreciates all the information that has been given. Mr. Button would like to see everyone on the same page working toward the betterment of these counties and the people that they are trying to help in Workforce.

Chairman Paddock stated if you were to ask Mr. O'Malley that is what he would say he is doing – working toward the betterment of all people especially the restaurant workers.

APPOINTMENT TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD

WHEREAS, this Legislature, by Resolution #334-99, has authorized the creation of the Finger Lakes Workforce Investment Board for the Counties of Yates, Ontario, Seneca and Wayne in compliance with the Workforce Investment and Opportunity Act (WIOA) of 2017; and

WHEREAS, the Workforce Investment Board members must be appointed by the respective Legislative Boards; and

WHEREAS, the Executive Director has solicited nominations in accordance with the Law; and

WHEREAS, the Finger Lakes Workforce Investment Board By-Laws state voting members shall be appointed for terms of three (3) years, and that terms shall be staggered,

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby appoint the following representative to the Finger Lakes Workforce Investment Board to replace the vacancy left by outgoing representative Maria Fisher and to fulfill the vacated term through 6/30/22.

Colin O'Malley
Chief of Staff
Rochester and Genesee Valley Area Labor Federation
30 North Union Street, Suite 204
Rochester, NY 14607

And be it further

RESOLVED, that certified copies of this resolution be sent to Wayne, Ontario and Seneca Counties, Yates County Department of Social Services, the Finger Lakes Workforce Investment Board and to the aforementioned appointee.

VOTE: Roll Call – Multer, Percy, Harper, Button, Willson, Paddock, Killen, Cutler, Bronson, Chilson, Gleason, Church, Banach voting “No”; Holgate abstaining. Motion lost.

Meeting adjourned at 2:15 p.m.