

REGULAR SESSION – MONDAY, MARCH 8, 2021

The Yates County Legislature met in regular session, Monday, March 8, 2021 with Chairman Paddock presiding and Legislator Holgate attending by Zoom.

RESOLUTION NO. 82-21

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

RECOGNIZE YATES COUNTY DISTINGUISHED YOUTH AWARD RECIPIENT

WHEREAS, the Yates County Youth Board selected Laura Bagley for recognition as a Yates County Distinguished Youth of 2020, acknowledging her outstanding service to her community;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature take recognition of this honor bestowed upon Laura Bagley by the Yates County Youth Board on March 8, 2021 in Penn Yan, NY, and thank her for her dedicated service to the community of Penn Yan and to the citizens of Yates County; and be it further

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

VOTE: Unanimous

Alicia Avellaneda, Youth Bureau Director, presented Laura Bagley with the 2020 Distinguished Youth Award.

Annamarie Flanagan, Director of Public Health, updated the Legislature on COVID-19. As of Monday morning there were 11 active cases with 2 new cases since Friday and there is 1 individual in the hospital. Annmarie reported that 21.5% of the County population has received their first shot and 2,340 individuals have had their second shot. Annmarie expects to receive 200 doses of the Johnson & Johnson vaccine this week.

Lisa Minns, Yates Transit Service updated the Legislature on 4th quarter activity and reported that all routes are now back up and running.

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

Airport Fund	\$ 12,131.54
Finance	\$ 130,028.94
Flint Creek	\$ -0-
Government Operations	\$6,666.38
Human Services	\$ 352,255.31
Prior to Audit	\$ 225,457.47
Public Safety	\$ 52,080.15
Public Works	\$ 175,178.26
Total	\$ 993,798.05

COMMITTEE REPORTS

Mr. Banach reported there are a lot of people utilizing the lake for ice fishing and warned that with the warming weather to be careful going out on the ice.

Ms. Chilson reported she attended two programs through the virtual NYSAC conference. One topic was Climate Programs for Your County and the other was Legalization of Marijuana.

Mr. Cutler reported the Genesee Finger Lakes Regional Planning Council is now fully staffed and is working on a strategic plan along with a work plan.

County Administrator Flynn reported that both the House and the Senate passed the American Rescue Plan providing 1.9 trillion dollars of appropriation to municipalities throughout the country. This means over \$4.8 million for Yates County. The County will need to certify that we need the federal assistance and we will need to let the Federal Government know that we will use these funds for designated purposes defined under the bill.

Minutes of the February meeting were approved as presented.

PUBLIC COMMENT

Mark Morris reported the 9 Element Plan is coming along. The next major milestone is the Project Advisory Committee meeting that will be held on May 18th from 11:00 to 1:00. Legislators Tim Cutler, Rick Willson, and Terry Button are members. This meeting will be followed in November with the next public outreach. Mark explained that the group hopes to have the plan done within the next 18 months.

RESOLUTION NO. 83-21

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

AUTHORIZE CHAIRMAN TO SIGN EMS TRAINING AGREEMENTS

BE IT RESOLVED, that after the review by the County Attorney the Chairman is hereby authorized to sign an agreement with Jason Johnson and Joseph Axtell for the period January 1, 2021 through December 31, 2021 at the following rates:

- | | |
|------------------------------------|--------------|
| • Certified Instructor Coordinator | \$25.30/Hr |
| • Other Lectures (CPR, etc.) | \$17.31/Hr |
| • Certified Lab Instructor | \$20.00/Hr |
| • Practical Skills Evaluator | \$12.50/Hr |
| • Victims/Patients | MINIMUM WAGE |

And be it further

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

RESOLVED, that a copy of this resolution be sent to the Office of Emergency Management and the Personnel Department.

VOTE: Unanimous

RESOLUTION NO. 84-21

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

APPROVING MEMORANDUM OF UNDERSTANDING WITH CSEA CONCERNING ALTERING THE WORK HOURS FOR AN OFFICE OF EMERGENCY MANAGEMENT EMPLOYEE

WHEREAS, the Director of Emergency Management has recommended that the work hours for the Emergency Services Coordinator position in his office be set at forty (40) hours per week;

NOW, THEREFORE, BE IT RESOLVED, that this County Legislature hereby approves said alteration of the work hours for the position; and be it further

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

RESOLVED, that the Chairman of the County Legislature and the County Administrator are hereby authorized to execute said Memorandum of Understanding on behalf of the County.
VOTE: Unanimous

RESOLUTION NO. 85-21

Mr. Cutler offered resolutions 85 and 86-21 and moved their adoption, seconded by Mr. Harper.

AMEND RESOLUTION NO. 433-20 (Jail Physician Services 2021)

WHEREAS, jail physicians services with Finger Lakes Health will now cease at their request effective June 1, 2021;

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 433-20 be amended to read the contract period be January 1, 2021 through May 31, 2021 in the amount of \$14,400; and be it further

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

RESOLVED, that a copy of this resolution be provided to the Sheriff and the Director of Public Health.

RESOLUTION NO. 86-21

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

WHEREAS, Resolution No. 62-15 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 Finger Lakes Health, Geneva, NY for inmate medical services to be charged at the Medicaid rate for efficiency of budget; and

WHEREAS, letters of renewal have been an agreement since 2016 to date;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Sheriff and the Chairman are hereby authorized to renew the letter of agreement for related hospital billing effective March 1, 2021 through February 28, 2022; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 87-21

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

ASSIGN APPROPRIATE PERSONS TO SECURITY ROLES IN THE USDA'S ONLINE FINANCIAL REPORTING AND COMPLIANCE SYSTEM

WHEREAS, Yates County signed a Grant and Security Agreement with the United States of America regarding the receipt of a Grant pursuant to the USDA's Reconnect Program; and

WHEREAS, the Agreement includes required routine reporting through the USDA's Online Financial Reporting and Compliance System (hereinafter referred to as the "System"); and

WHEREAS, the System requires assignment of a Representative-Signature-Certifier security role, who shall be responsible for authorizing certifications, entering/updating compliance reports, submitting compliance reports, and assigning access to new users of the System; and

WHEREAS, the System requires assignment of Administrator(s) security role, who shall be responsible for assigning access to new users and entering/updating compliance reports in the System;

NOW, THEREFORE, BE IT RESOLVED, that Winona Flynn, County Administrator/Treasurer be assigned in the Representative-Signature-Certifier security role and Dan Long, County Planner and Marian Walrath, Grant Specialist both be assigned in the Administrator security role and that they shall comply fully with all security procedures and policies of the System; and be it further

RESOLVED, that copies of this resolution be provided to the USDA, County Administrator, Planner and Grant Specialist

VOTE: Unanimous

RESOLUTION NO. 88-21

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

2020 BUDGET TRANSFERS

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

From:	To:	Amount:
A1165.58305 DA-Med Ins NU	A9060.58306 Med Ins Retirees	\$ 20,732.77
A1230.58305 ADM-Med Ins NU	A9060.58306 Med Ins Retirees	\$ 13,500.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 89-21

Mr. Cutler offered resolutions 89 and 90-21 and moved their adoption, seconded by Mr. Banach.

**ACCEPT AND APPROPRIATE FEDERAL 2020 SLETPP GRANT
(SHERIFF)**

WHEREAS, the Office of Sheriff has been awarded a SLETPP grant managed by the NYS Division of Homeland Security and Emergency Services (DHSES) for the year 2020; and

WHEREAS, these funds are not part of the 2021 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$10,000.00;

Revenue:		
A3110.44312 SH-SLETPP FY20		\$ 10,000.00

Appropriation		
A3110.52963 SH- SLETPP FY20		\$ 10,000.00

And be it further

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

RESOLUTION NO. 90-21

**APPROPRIATE CARRYOVER OF FEDERAL SHSP GRANTS AND RESCIND
RESOLUTION 63-21 (EMERGENCY MANAGEMENT)**

WHEREAS, the Office of Emergency Management received a Homeland Security SHSP grant for the years 2018 and 2019; and

WHEREAS, a balance of \$20,578.77 remained at the end of 2020; and

WHEREAS, these funds are not part of the 2021 budget and can be carried over to the 2021 fiscal year;

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

Revenue:		
A3645.44302 OEM-SHSP FY18		\$ 3,139.17
A3645.44304 OEM-SHSP FY19		\$ 17,439.60

Appropriation		
A3645.52955 OEM-SHSP FY18		\$ 3,139.17
A3645.52962 OEM-SHSP FY19		\$ 17,439.60

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 91-21

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

**ACCEPT AND APPROPRIATE FEDERAL 2020 SHSP GRANT
(EMERGENCY MANAGEMENT)**

WHEREAS, the Office of Emergency Management has been awarded a Homeland Security SHSP grant for the year 2020; and

WHEREAS, these funds are not part of the 2021 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$28,185.00;

Revenue:		
A3645.44313 OEM-SHSP FY20	\$	28,185.00
Appropriation		
A3645.52946 OEM-SHSP FY20	\$	28,185.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 92-21

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

**APPROPRIATE ADDITIONAL CODE BLUE STATE AID
(SOCIAL SERVICES)**

WHEREAS, the Department of Social Services has been awarded additional state aid for Code Blue in the amount of \$20,000.00; and

WHEREAS, these additional funds are not part of the 2021 budget; and

WHEREAS, it should be noted that these funds could be subject to a 5% state reduction;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$20,000.00:

Revenue:		
A6010.43610 DSS-Social Services Administration	\$	20,000.00
Appropriation		
A6010.54027 DSS-Misc. Contractual Expenses	\$	20,000.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 93-21

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

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

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

WHEREAS, these funds are not part of the 2021 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$26,173.00;

Revenue:		
A6010.44610	DSS-Social Service Admin	\$ 26,173.00
Appropriation		
A6010 54135	DSS- Non Cust Emp Program	\$ 26,173.00

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. 94-21

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

APPROPRIATE FUNDING FOR WORKFORCE DEVELOPMENT BUDGET

WHEREAS, Workforce Development will receive funding from Yates County Community Services and the Department of Social Services for the 2021 Budget year for the KKP-Adult & KKP-Youth Programs:

NOW, THEREFORE BE IT RESOLVED, that the following amounts be allocated to the 2021 Workforce Development Budget

Revenue		
CD6292.42803	Kaleidoscope – Adult	\$3,014
CD6292.42804	Kaleidoscope – Youth	\$7,218
CD6292.42802	DSS Workforce	\$13,600
Expenditures		
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
DSS Works Staff Wage:	CD6292 1G	\$5,000
DSS Works Staff Fringe:	CD6292 8G	\$3,400
DSS Works Operating:	CD6292 4G	\$5,200

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. 95-21

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

CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO REDUCE STATE FUNDING CUTS TO COUNTIES FOR SFY 2021 AND FIND ALTERNATIVES, RATHER THAN STATE AID CUTS TO COUNTIES, TO CLOSE OUT YEAR STATE BUDGET GAPS

WHEREAS, the state's finances were severely damaged by the pandemic, and the adopted 2021 state budget allowed the Executive to cut Aid to Localities spending as necessary to achieve balance, which was originally estimated as an \$8 billion (20 percent) cut to localities by the Governor, with \$640 million targeted to counties outside of New York City in state fiscal year 2021 based on NYSAC estimates; and

WHEREAS, these cuts appear to be significantly mitigated as part of the Governor's SFY 2022 budget recommendation which calls on cuts of about five percent in state reimbursement for SFY 2021, rather than 20 percent; and

WHEREAS, counties applaud the Governor's efforts to reduce current year cuts to localities as he indicated was possible if federal assistance or state revenues came in higher than expected; and

WHEREAS, the Governor's SFY 2022 budget includes an across-the-board cut of five percent of state aid to all localities, a vast improvement from the possible 20 percent permanent reduction that could have occurred; and

WHEREAS, county revenues have been devastated by the pandemic as well, with local non-property tax revenue losses for the counties outside of New York City estimated at \$400 million in 2020 (equal to 7 percent of the statewide county property tax levy); and

WHEREAS, while the state has not yet received the unrestricted federal aid they had hoped for, it has been awarded a significant amount of federal funding that is flexible enough to effectively provide over \$9 billion in state spending relief by NYSAC estimates, including \$2.2 billion in enhanced Medicaid matching funds (eFMAP) not yet included in the state financial plan, \$5.8 billion in federal education aid, and at least \$1 billion in additional federal FEMA matching fund relief; and

WHEREAS, the State also received \$5.2 billion in Federal CARES Act funding that can be used to pay for direct COVID expenses not covered by FEMA reimbursement which can include current year salaries of state workers and other operating expenses, in addition to \$800 million in federal revenue for vaccine distribution and contact tracing efforts in SFY 2021 and beyond; and

WHEREAS, the most recent cash report from the State Comptroller indicates that, while state revenues are behind what they were in the prior year, they are several billion higher than originally projected by the Governor, which was confirmed in the Governor's proposed SFY 2022 budget;

NOW, THEREFORE, BE IT RESOLVED,

1. That, in light of the federal assistance provided so far and improved revenue

- outlook, Yates County supports efforts by the Governor and State Legislature to prioritize the elimination of the proposed state aid cut to localities in SFY 2021 and 2022 as conditions allow; and
2. That state elected leaders implement other options to close the fiscal gap in SFY 2022 and beyond to ensure highly desired local services are maintained and pressure on local property tax increases is minimized; and
 3. That these additional measures by the state should include utilizing temporary state revenue and borrowing options over the short term, as well as implementing programmatic reforms to state programs to lower their cost and make them fiscally sustainable over the long term even in an economic downturn, rather than shifting more costs to local taxpayers to pay for state programs; and be it further

RESOLVED, that copies of this resolution be provided to Governor Andrew M. Cuomo, Lieutenant Governor Kathy Hochul, State Senator Thomas F. O'Mara, State Assemblyman Philip A. Palmesano, the New York State Legislature, U.S. Congressman Tom Reed, U.S. Senator Chuck Schumer, U.S. Senator Kirsten Gillibrand, NYSAC and Inter-County Association of Western New York.

VOTE: Unanimous

RESOLUTION NO. 96-21

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

CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO PERMANENTLY EXTEND ALL EXISTING LOCAL SALES TAX RATES, AND ALLOW ALL COUNTIES TO SET THEIR LOCAL RATE UP TO FOUR PERCENT UNDER LOCAL LAW

WHEREAS, for many years, counties have faced significant challenges in balancing their budgets and providing local services, while also meeting the goals of the property tax cap and state requirements to pay for and administer a wide variety of state programs; and

WHEREAS, numerous state actions have fundamentally altered the home rule authority granted to counties in the state constitution and further supplemented in state law, resulting in county elected leaders losing control and authority over the ability to generate and determine the use of locally raised revenues for local purposes; and

WHEREAS, these state actions include:

- Expanding existing state programs and creating new ones that counties must pay for and administer with limited or no state resources to support higher costs,
- Reducing the state's funding in support of their own programs and requiring local taxpayers to pay more,
- Withholding hundreds of millions of dollars of federal Medicaid funds owed to counties for years,
- Diverting, and redirecting the use of, local sales tax for state spending purposes, now approaching \$500 million annually, and
- Authorizing the state to cut hundreds of millions of dollars in state reimbursements to counties when the state finds itself in financial trouble due to overspending or a recession, even in the midst of a pandemic; and

WHEREAS, these actions over many decades now require counties to administer and pay for more than 40 state programs that can consume up to 80 percent of a county's entire budget; and

WHEREAS, local elected officials rely on their home rule authority to determine what

mix of local taxes is the least burdensome in their community; and

WHEREAS, county elected officials should not have to wait months, or years, for the State Legislature to convene and finally approve a local home rule revenue request to raise necessary resources to respond to critical community needs, especially in the middle of a national emergency; and

WHEREAS, the loss of these revenues causes fiscal stress and budget uncertainty for counties, while increasing pressure on property tax rates; and

WHEREAS, in the case of sales tax, counties often share the revenues with cities, towns, and villages to help pay for services delivered by these municipalities, or to directly lower the amount of property taxes levied in these jurisdictions; and

WHEREAS, the pass-through of local sales tax revenue from counties to cities, towns, and villages was \$2 billion in 2019; and

WHEREAS, many counties have found their local home rule revenue requests and renewals held hostage by the state elected officials as political bargaining chips; and

WHEREAS, New York City was granted permanent local authority over their sales tax rate of 4.5 percent more than a decade ago, while county requests for the same authority have been repeatedly denied; and

WHEREAS, the Governor's proposed state fiscal year 2022 budget includes a provision that would make all existing county sales tax rates permanent and allow all counties to set their local tax rate up to four percent under local law; and

WHEREAS, granting this authority will provide more budget certainty and stability; while reducing administrative expense and duplication of effort to process the necessary paperwork, forms, legislative hearings, filings and notices, resulting in improved government operations and fiscal savings at both the state and local levels;

NOW, THEREFORE, BE IT RESOLVED,

1. That Yates County supports the Governor's state fiscal year 2022 budget that would provide parity with New York City by granting permanent home rule sales tax authority to counties at their current rate or up to four percent; and
2. That we urge legislative leaders to reform the home rule process so it works as efficiently as possible for local taxpayers, eliminates unnecessary and duplicative legislative activity at the state and local level, while retaining appropriate state legislative review; and
3. That counties be authorized to control the establishment, and rate setting level, for other local home rule revenue options without the need for state legislative action including mortgage recording tax, occupancy taxes, real estate transfer taxes as long as they do not exceed the average rate charged by counties that have such taxes; and be it further

RESOLVED, that copies of this resolution be provided to Governor Andrew M. Cuomo, Lieutenant Governor Kathy Hochul, State Senator Thomas F. O'Mara, State Assemblyman Philip A. Palmesano, the New York State Legislature, U.S. Congressman Tom Reed, U.S. Senator Chuck Schumer, U.S. Senator Kirsten Gillibrand, NYSAC and Inter-County Association of Western New York.

VOTE: Unanimous

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

**CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO PROVIDE MORE
OPTIONS FOR LOCAL GOVERNMENTS TO INVEST THEIR CASH**

WHEREAS, local governments in New York are restricted under state law to a very short list of investment options for cash management purposes; and

WHEREAS, the lack of investment options hinders local government's ability to safely manage their liquidity, while maximizing interest income; and

WHEREAS, a recent State Comptroller cash-management audit recommended that municipalities across New York take more proactive steps to maximize their interest income; and

WHEREAS, there are many very safe financial instruments available in the marketplace beyond what are currently allowed for municipalities under state law; and

WHEREAS, many states provide more options for their local governments to safely invest their cash resources; and

WHEREAS, New York City has been granted temporary authority to expand its investment portfolio beyond what counties and other localities can invest in; and

WHEREAS, the Governor's SFY 2021-22 budget recommendation proposes to expand the enhanced investment authority granted to New York City to other municipalities, which allows for investments such as;

- General obligation bonds and notes of any state other than New York, provided that such bonds receive the highest rating of at least one independent rating agency,
- Obligations of any corporation organized under the laws of any state, provided that such obligations received the highest rating of two independent rating services and that no more than \$250 million is invested in any one corporation,
- Bankers' acceptances maturing within 270 days which are eligible for purchase in the open market by federal reserve banks,
- Obligations of, or instruments issued by, any agency or instrument of the USA, including federal home loans banks, the Tennessee Valley Authority, the Federal National Mortgage Association, Federal Home Loan Mortgage Association, and the United States Postal Service, provided that no more than \$250 million is invested in any one agency, and
- No load money market mutual funds, provided that such funds are limited to investments in obligations of agencies or instrumentalities of the USA, where payment is guaranteed by the USA; and

WHEREAS, when combined with a comprehensive liquidity management program, a broader array of safe investment options for municipalities can play an important role in strengthening a municipality's credit rating and providing the opportunity for lower borrowing costs, while stretching the value of local tax dollars;

NOW, THEREFORE, BE IT RESOLVED, that Yates County calls upon the State Legislature to support the Governor's budget proposal to expand the investment options provided to New York City to other municipalities; and be it further

RESOLVED, that copies of this resolution be provided to Governor Andrew M. Cuomo,

Lieutenant Governor Kathy Hochul, State Senator Thomas F. O'Mara, State Assemblyman Philip A. Palmesano, the New York State Legislature, U.S. Congressman Tom Reed, U.S. Senator Chuck Schumer, U.S. Senator Kirsten Gillibrand, NYSAC and Inter-County Association of Western New York.

VOTE: Unanimous

RESOLUTION NO. 98-21

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

CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO RESTORE REDUCTIONS TO COUNTIES' SALES TAX

WHEREAS, counties in New York State operate in a fiscally responsible manner; and

WHEREAS, the COVID-19 Pandemic has placed a fiscal burden on counties as well as the State of New York; and

WHEREAS, sales tax revenue is an important and vital funding stream for counties and assists in keeping property taxes at a minimum; and

WHEREAS, a portion of the internet sales tax payments due to counties have been diverted by the State of New York in 2019 and 2020 and there are plans to divert even more in 2021. These diverted payments will be used by the State of New York for AIM funding which is the responsibility of the State; and

WHEREAS, New York State plans on diverting more of county sales tax in 2021 in order to provide funding assistance to distressed hospitals; and

WHEREAS, counties have no recourse in this matter; and

WHEREAS, the loss of these revenues have caused significant fiscal stress and budget uncertainty for counties which increases the need to raise property taxes to balance county budgets;

NOW, THEREFORE, BE IT RESOLVED, that Yates County calls upon the Governor and State Legislature to put a stop to the diversion of county sales tax, both regular and internet sales, and return all diverted sales tax revenue to counties; and be it further

RESOLVED, that copies of this resolution be provided to Governor Andrew M. Cuomo, Lieutenant Governor Kathy Hochul, State Senator Thomas F. O'Mara, State Assemblyman Philip A. Palmesano, the New York State Legislature, U.S. Congressman Tom Reed, U.S. Senator Chuck Schumer, U.S. Senator Kirsten Gillibrand, NYSAC and Inter-County Association of Western New York

VOTE: Unanimous

RESOLUTION NO. 99-21

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

NATURAL AND RECREATIONAL RESOURCE PROTECTION GRANT- SELECTION OF GRANT AWARDEES AND FUNDING AMOUNTS FOR 2021

WHEREAS, the Yates County Legislature has created a Natural and Recreational Resources Protection Fund for use in awarding certain parties grants to assist in promoting such resources in Yates County; and

WHEREAS, applicants have submitted requests for funding of their prospective programs, projects and efforts that meet the criteria set forth in the Natural and Recreational Resources Protection Grant Guidelines adopted by Yates County; and

WHEREAS, the Finance Committee, County Administrator and the Planner have reviewed and evaluated such applicants for eligibility and other criteria set forth in said Guidelines;

NOW, THEREFORE, BE IT RESOLVED, on recommendation of the Finance Committee, County Administrator and the Planner, that grants be awarded to the following applicants for the stated projects in the amounts indicated:

- 1) *Finger Lakes Museum and Aquarium, Creekside Program and Community Center, \$20,500;*
- 2) *HWS, Friends of the Outlet, Yates Soil and Water, Outlet Trail Improvements, \$19,600;*
- 3) *Town of Torrey, Beach and Accessibility Improvements, \$9,300;*
- 4) *NY Wine and Grape Foundation, Sustainable Vineyard Certification Program, \$13,300;*
- 5) *Izaak Walton League/ FL Museum, Public Access to Sugar Creek, \$9,300.*

And be it further

RESOLVED, that upon notification and intent to accept on the part of the awardees that each party shall enter into a contractual phase to formalize the details and obligations of both parties and the Chairman is authorized to sign such contracts after approval by the County Attorney.

VOTE: Unanimous

RESOLUTION NO. 100-21

Mr. Cutler offered the following resolution and moved its adoption with a change. The name Byron Glick needs to be changed to Myron Glick, seconded by Ms. Chilson.

APPOINT/REAPPOINT TOURISM ADVISORY COMMITTEE (TAC) MEMBERS

WHEREAS, by Resolution No. 204-17, a Tourism Funding Procedure was adopted by the Yates County Legislature; and

WHEREAS, Resolution Nos. 41-2020 and 58-21 appointed or reappointed membership of a Tourism Advisory Committee (TAC); and

WHEREAS, Resolution No. 58-21 misstated the expiration of the end of a member's term;

NOW, THEREFORE, BE IT RESOLVED, that the following individuals are hereby appointed or reappointed to the TAC for terms ending as stated.

<u>Name</u>	<u>Business Name</u>	<u>Representing</u>	<u>Term Expires</u>
Brian Zerges	Finger Lakes Premier Properties	Hotel/Motel	12/31/21
Myron Glick	Linger Hospitality	Vacation Rentals	12/31/22

And be it further

RESOLVED, that copies of this resolution be sent to all persons stated above.
VOTE: Unanimous

RESOLUTION NO. 101-21

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

FILE COUNTY OFFICERS ANNUAL REPORTS WITH CLERK OF LEGISLATURE

RESOLVED, that all County Officers' reports be filed with the Clerk of the Legislature by April 1, 2021 and that said copies will be in the form of **electronic and hard copy**; and be it further

RESOLVED, that copies of this resolution be forwarded to all County Departments.
VOTE: Unanimous

RESOLUTION NO. 102-21

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

AUTHORIZE COUNTY HIGHWAY SUPERINTENDENT TO FILL AUTOMOTIVE MECHANIC VACANCY

WHEREAS, an Automotive Mechanic vacancy was created on February 4, 2021 as the result of a resignation; and

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

WHEREAS, the estimated annual cost to fill the position is \$63,141 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective March 8, 2021 the County Highway Superintendent is hereby approved to fill the Automotive Mechanic position; and be it further

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

RESOLVED, that copies of this Resolution be given to the County Highway Superintendent, Personnel Officer, County Administrator and County Treasurer.
VOTE: Unanimous

RESOLUTION NO. 103-21

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

Mr. Button moved to amend section 503.4 by putting a period after the word "reason", and eliminate the rest of that sentence. Mr. Willson seconded it.

Mr. Harper stated that by doing that you would not be able to access your county email.

Mr. Button questioned what the software is and how it is going to work. Mr. Button stated that we are passing something that we don't know what or how it will entail.

Tim Groth, Director of Information Technology, explained the purpose of the MDM solution is to protect not only county devices, but if there is a requirement where someone owns their own equipment, the MDM solution has the capability of adding a small partition to their device not affecting any of their own applications. It is a small protected space on their device having no access or ability to deal with anything else on their device, only the little partition that is dealing with County applications. If an individual is using the OWA to access their email, they do not have to have the MDM.

Kerry Brennan, Personnel Officer asked Tim to verify whether or not the MDM comment was on the security assessment that was done. Tim did verify that the MDM was a recommendation of the security assessment.

VOTE on the amendment Roll Call: Killen, Cutler, Bronson, Chilson, Gleason, Church, Banach, Holgate, Multer, Percy, Harper, Willson, Paddock voting "No"; Button voting "Yes". Motion lost.

ADOPT PANDEMIC CONTINUITY OF OPERATIONS PLAN

WHEREAS, in accordance with amended New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), public employers are required to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease;

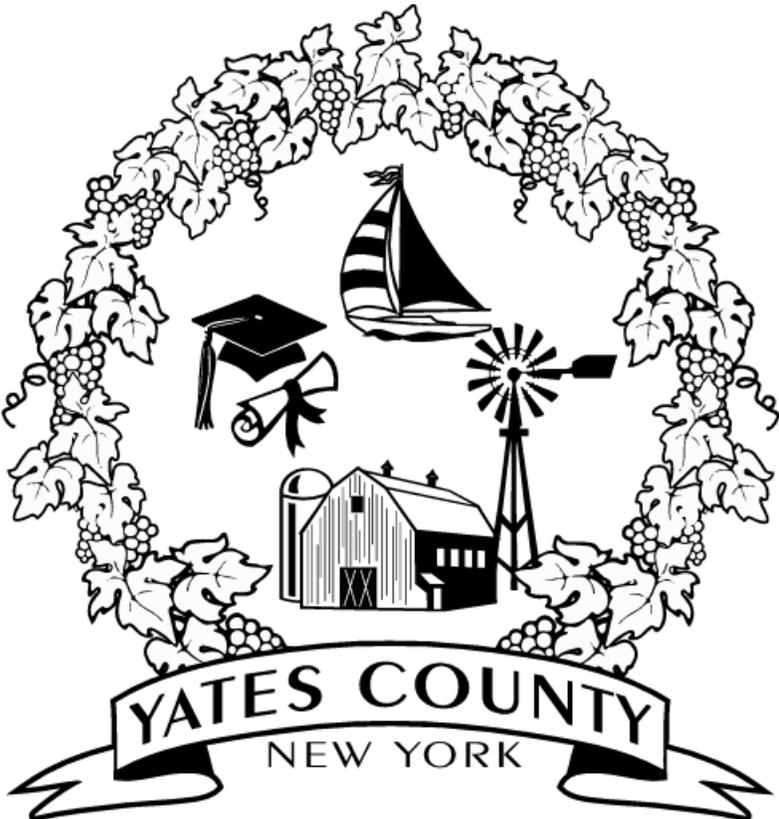
NOW, THEREFORE BE IT RESOLVED, that the Pandemic Continuity of Operations Plan is hereby adopted and shall be added to the Yates County Employee Handbook; and be it further

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

VOTE: Unanimous with Mr. Button abstaining.

YATES COUNTY

PANDEMIC CONTINUITY OF OPERATIONS PLAN



**Yates County
Pandemic Continuity of Operations Plan**

Revision	Date	Paragraph(s)	Description
0	March 8, 2021	All	Original issue.

Yates County
Pandemic Continuity of Operations Plan
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100 INTRODUCTION

101 *Definitions*

For purposes of this Plan, the following terms shall be defined as indicated.

1. **Acceptable Face Covering / Cloth Face Covering** – An acceptable face covering or cloth face covering can be fashioned from household items or made at home from common materials. The cloth face coverings recommended are not surgical masks or N-95 respirators. Those are critical supplies that must continue to be reserved for healthcare workers and other medical first responders.
2. **Asymptomatic** – A disease is considered “asymptomatic” if a patient is a carrier for a disease or infection but experiences no symptoms. A condition might be asymptomatic if it fails to show the noticeable symptoms with which it is usually associated.
3. **Close Contact** – A person who is in the presence of (within six (6) feet), and is exposed to, a confirmed communicable disease case that is the subject of the public health emergency for a prolonged period of time.
4. **Commonly used** – A location or material object belonging to and/or shared by two (2) or more individuals and/or things and/or by all members of a group.
5. **Communicable Disease** – An illness caused by an infectious agent or its toxins that occurs through the direct or indirect transmission of the infectious agent or its products from an infected individual or via an animal, or the inanimate environment to a susceptible animal or human host.
6. **Contact Tracer** – A properly trained person who works with a patient to help them recall everyone with whom they have had close contact during the timeframe they may have been infectious.
7. **Contact Tracing** – The process of identification of persons who may have come into contact with an infected person (“contacts”) and subsequent collection of further information about these contacts. By tracing the contacts of infected individuals, testing them for infection, treating the infected and tracing their contacts in turn, Public Health aims to reduce infections in the population.
8. **Contractor** – Persons who are independent or affiliated with a contracted firm, assigned to work on County owned and operated property are not classified as employees, and as such are not provided with paid leave time, unless required by law.
9. **Critical Service** – A service that, if disrupted, would result in a high or very high degree of injury to the health, safety, security or economic well-being of residents of Yates County, or to the effective functioning of the local government.
10. **Employee** – A person employed by the County, including, but not limited to, an elected official, an appointed official, an appointed member of a board or commission, municipal officer, Department Head, managerial employee, confidential employee, Supervising Authority employee, provisional employee, probationary employee, temporary employee, seasonal employee, trainee, or student intern. This term shall also include contractors wherein employment matters are concerned, with the exception of leave benefits, refer to term “contractor”.
11. **Epidemic** – The rapid spread of disease to a large number of people in a given population within a short period of time.
12. **Essential Employee** – Per S8617B/A10832, “essential employee” is defined as a public employee or contractor that is required to be physically present at a work site to perform his/her job.
13. **Member of the Public** – Means any person other than a County employee. A member of the public may be a client, customer, visitor, vendor, etc.

14. **Non-Essential Employee** – Per S8617B/A10832, “non-essential employee” is defined as a public employee or contractor that is not required to be physically present at a work site to perform his/her job.
15. **Novel Coronavirus** – A new coronavirus that has not been previously identified. The virus causing coronavirus disease 2019 (COVID-19), is not the same as the coronaviruses that commonly circulate among humans and cause mild illness, like the common cold.
16. **Personal Protective Equipment (PPE)** – Personal Protective Equipment (PPE) refers to protective clothing, gloves, face shields, goggles, facemasks and/or respirators or other equipment designed to protect the wearer from injury or the spread of infection or illness.
17. **Pandemic** – An epidemic of an infectious disease that has spread across a large region, for instance multiple continents or worldwide, affecting a substantial number of people.
18. **Remote Access** – Remote access is the ability for an authorized person to access a computer, files, or a network from a geographical distance through a secure network connection. Remote access enables users to connect to the systems they need when they are physically far away.
19. **Retaliatory Action** – The discharge, suspension, demotion, penalization, or discrimination against any employee, or other adverse employment action taken against an employee in the terms and conditions of employment.
20. **Shift Work** – Shift work refers to a work schedule that is performed in rotations. For example, while some employees might fill a role during the day, others might work night or early morning shifts. This means the County operates for 24 hours each day. For the purposes of policy, shift work shall be referred to as shift or shifts.
21. **Social Distancing** – Social distancing, also called “physical distancing,” means keeping space between yourself and other people outside of your home. To practice social or physical distancing:
 - A. Stay at least 6 feet (about 2 arms’ length) from other people
 - B. Do not gather in groups
 - C. Stay out of crowded places and avoid mass gatherings.
22. **Symptomatic** – Showing symptoms, or it may concern a specific symptom. Symptoms are signs of disease or injury. They are noticed by the person. Many conditions and diseases have symptoms.
23. **Transmission** – Occurs when an infected person touches or exchanges body fluids with someone else.

102 The Purpose of this Pandemic Continuity of Operations Plan

1. **Statement of Purpose** – The purpose of this plan is to protect the health and safety of County employees, contractors, customers, clients, members of the public all while maintaining continuity of County operations. In accordance with amended New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable.

2. **Plan Statement** –

- A. On March 11, 2020 the World Health Organization declared a pandemic for the novel coronavirus which causes the COVID-19 severe acute respiratory syndrome. This plan has been developed in accordance with amended laws to support continued resilience for a continuation of the spread of this disease or for other infectious diseases which may emerge and cause a declaration of a public health emergency.
 - B. Legislation S8617B/A10832 signed by the Governor of New York State on September 7, 2020 requires public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease.
 - C. This plan was developed exclusively for Yates County and is pertinent to declared public health emergencies in the State of New York which may impact County operations.
 - D. The plan includes the identification of essential positions, facilitation of remote work for non-essential positions, provision of personal protective equipment, and protocols for supporting contact tracing, when faced with a declared public health emergency.
3. **County and Employee Rights** – No content of this plan is intended to impede, infringe, diminish, or impair the rights of the County or our valued employees under any law, rule, regulation, or collectively negotiated agreement, or the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining relationship.
4. **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 an employee benefit, personnel policy, personnel procedure, or other provision set forth in this Pandemic Continuity of Operations Plan, the expressed and explicit provision of the collective bargaining agreement will dictate what is practiced. However, in certain instances where the Plan covers an issue that is not the subject of bargaining, this Plan will control.
5. **Questions** – Any questions regarding any topic covered in this Pandemic Continuity of Operations Plan should be directed to the appropriate Department Head.
6. **Related Documents** –
- A. [Amended New York State Labor Law section 27-c](#)
 - B. [New York State Education Law](#)
 - C. [NYS Legislation S8617B/A10832](#)
 - D. [Public Employees’ Fair Employment Act \(Taylor Law\)](#)

103 **Changes or Modifications**

1. **Rights of the County Administrator** – The County Administrator reserves the right to interpret, change, modify, or eliminate any provision contained in this Pandemic Continuity of Operations Plan at any time.
2. **Governmental Actions** – This Pandemic Continuity of Operations Plan is subject to alteration by the County Administrator, changes in County and/or departmental rules, or changes in federal, state or local statutes, rules, or regulations. (This is not meant to be a comprehensive list).
3. **Statutes, Laws and Ordinances** – In the event a federal or state statute or a County Law or ordinance should conflict with any provision contained in this

Pandemic Continuity of Operations Plan, then such statute, law or ordinance will prevail.

200 PLAN DEVELOPMENT AND ADMINISTRATION

201 *Plan Development Assumptions*

1. This plan was developed based on information, best practices, and guidance available as of the date of publication. The plan was developed to largely reflect the circumstances of the current Coronavirus pandemic but may also be applicable to other infectious disease outbreaks. The following assumptions have been made in the development of this plan:
 - A. The health and safety of our employees and contractors, and their families, is of utmost importance
 - B. The circumstances of a public health emergency may directly impact our own operations
 - C. Impacts of a public health emergency will take time for us to respond to, with appropriate safety measures put into place and adjustments made to operations to maximize safety
 - D. The public and our constituency expects us to maintain a level of mission essential operations
 - E. Resource support from other jurisdictions may be limited based upon the level of impact the public health emergency has upon them
 - F. Supply chains, particularly those for personal protective equipment (PPE) and cleaning supplies, may be heavily impacted, resulting in considerable delays in procurement
 - G. The operations of other entities, including the private sector (vendors, contractors, etc.), non-profit organizations, and other governmental agencies and services may also be impacted due to the public health emergency, causing delays or other disruptions in their services
 - H. Emergency measures and operational changes may need to be adjusted based upon the specific circumstances and impacts of the public health emergency, as well as guidance and direction from public health officials and the governor.

202 *Concept of Operations Management*

1. **Plan Implementation** – The County Administrator and/or his/her designee holds the authority to execute and direct the implementation of this plan. Implementation, monitoring of operations, and adjustments to plan implementation may be supported by additional personnel, at the discretion of the County Administrator.
2. **Informational Updates** – The County Administrator and/or his/her designee will maintain awareness of information, direction and guidance from public health officials and the Governor's office, directing the implementation of necessary changes.
3. **Suspended Services** – During implementation of this plan, services may be suspended to enable the County to concentrate on providing critical services and building the internal capabilities necessary to increase and eventually restore operations.
4. **Restoration of Operations** – Upon resolution of the public health emergency, the County Administrator and/or his/her designee will direct the resumption of normal operations and/or modified operations, as necessary.

203 *Communications*

1. **Employee Correspondence** –

- A. The County Administrator and/or his/her designee will communicate regulatory local, state, and federal updates as deemed appropriate.
 - B. Correspondence may be sent to employees using one (1) or more of the following methods, County e-mail, personal e-mail, hyper-reach, Intranet, etc.
2. **Employee Responsibility** – Employees are responsible for updating their personal contact information with the Personnel Officer.
 3. **Media Relations** – The County Administrator is the County’s designated Media Relations Officer. The Media Relations Officer will be responsible for issuing press releases, publications, articles, and/or responding to all requests for information from the media.
 4. **Public Relations** –
 - A. The County Administrator may request individual Department Heads who administer a social media application to utilize that particular platform to communicate official County notices to the public.
 - B. The County’s website and individual department webpages may also be utilized for communicating to the public.

300 COUNTY OPERATIONS

301 Essential Operations

1. **Statement Summary** – When confronting events that disrupt normal operations, the County is committed to ensuring that essential operations will be continued even under the most challenging circumstances. Essential operations are functions that enable the County to:
 - A. Maintain the safety of employees, contractors, and our community
 - B. Provide vital services
 - C. Provide services required by law
 - D. Sustain quality operations
 - E. Uphold the mission, vision and values.

302 Identification of Essential Operations and Positions

1. The County has identified essential operations and the positions required and/or are necessary to provide critical services. Each essential operation/position identified requires employees to be on-site to effectively operate. The table below identifies the positions, by department, of the employees who are to be on-site to perform the duties of the position for the continued operation of essential services. Note that while some duties and associated employees are deemed essential, remote work may still be conducted.

DEPARTMENT	POSITION	JUSTIFICATION
Board of Elections <i>[note: Employee may perform some duties remotely, but is required to be in the building at least part-time]</i>	Commissioner [2]	This is a bi-partisan office and employees are considered essential during an election cycle as indicated by the official State Board of Election calendar. During non-election cycles these employees may move to a remote work schedule.
	Deputy Commissioner [2]	
Buildings and	Building Maintenance Supervisor	Must be on site to oversee that all buildings are maintained for all county functions.

Buildings and Grounds continued...	Grounds	Building Maintenance Mechanic [3]	Must be on site to keep all buildings and systems in good repair for all county functions.
		Building Maintenance Helper	Must be on site to keep all county buildings clean and disinfected for safe occupancy of all employees as well as the public.
		Cleaner [2]	Must be on site to keep all county buildings clean and disinfected for safe occupancy of all employees as well as the public.
		Senior Cleaner	Must be on site to oversee cleaning staff and keep all county buildings clean and disinfected for safe occupancy of all employees as well as the public.
County Administrator		County Administrator	Responsible for ensuring the continuation of operations of all county departments and services. Additionally, the County Administrator will respond to inquiries from the media and members of the public, conduct briefings with stakeholders, as necessary. The County Administrator will maintain both an onsite presence as well as remote work assignment as the circumstances dictate.
County Clerk		County Clerk	NYS law requires the office of the County Clerk to be open for the conduct of business. As the office administrator, the presence of the County Clerk is required.
		Deputy County Clerk	Must be able to execute every administrative responsibility of the County Clerk in his/her absence. Paperwork filed in the County Clerk's Office requires hardcopy format, the employee's physical presence is required in the office to handle these transactions/transfers.
		DMV Cashier [2]	All DMV transactions are performed on State run computers programs/systems, requiring all DMV transactions to be processed onsite only. DMV requirements and guidelines are determined by the Governor and State DMV Commissioner
	County Clerk	DMV Supervisor	All DMV transactions are performed on State run computers programs/systems, requiring all DMV transactions to be processed onsite only. DMV requirements and guidelines are determined by the Governor and State DMV Commissioner

continued...	Recording Clerk [2]	Paperwork filed in the County Clerk's Office requires hardcopy format, the employee's physical presence is required in the office to handle these transactions/transfers. In addition, Real Estate recordings may only be accepted electronically.
Department of Social Services <i>[note: Employees may perform some duties remotely, but are required to be in the building at least part-time]</i>	Account Clerk Typist [4]	The completion of onsite clerical tasks are necessary to support employees working remotely.
	Caseworker Assistant	Assists Caseworkers in carrying out service plans for individual Adult or Children's services clients by arranging for transportation. Conducts supervised court ordered visitations. Onsite clerical tasks are necessary to support employees working remotely.
	Commissioner of Social Services	Oversees the Department of Social Services. Requires access to files unable to take home. The Commissioner will maintain both an onsite presence as well as remote work assignment as the circumstances dictate.
	Fiscal Administrative Officer	Needs access to paper files not available at home.
	Principal Social Welfare Examiner [3]	NYS regulations prohibit employees taking documentation off County property. Onsite presence required to supervise employees and manually approve cases.
	Receptionist	Answers all incoming calls to Social Services, schedules appointments, makes benefit cards for clients, copies paperwork from clients, empties drop box several times a day.
	Senior Account Clerk Typist [2]	Need access to paper files not available at home.
	Senior Support Investigator	Banking and collection tasks need to be completed in person.
Department of Social Services continued...	Social Welfare Examiner [11]	NYS regulations prohibit employees taking documentation off County property. Onsite presence required to complete applications and manage the high call volume. Supervise employees and manually approve cases.
District Attorney <i>[note: Employees may perform some duties remotely, but are required to be in</i>	First Assistant District Attorney	The District Attorney's office is the chief law enforcement office of the County. Under the Constitution and laws of the State of New York, the District Attorney's office is responsible for the investigation and prosecution of all crimes and
	Assistant District Attorney	
	Assistant District Attorney [PT]	

the building at least part-time]	Confidential Secretary to the District Attorney	offenses committed in the County. Answering and responding to phone calls must be done in office. Mailing and filing of documents with the Courts and/or other attorneys require access to the building and the mail room. If in person appearances are still permitted, the attorney will need to be present for all such appearances.
	Confidential Secretary to the District Attorney and Law Enforcement Liaison	
	District Attorney	
Highway Department	Administrative Assistant	The administrative assistant would need to work in the office on payroll weeks. The majority of the job duties are performed from paper copy information that is created by field personnel and the repair shop. Some job duties are split with the Senior Account Clerk. <i>[note: Employee may perform some duties remotely, but is required to be in the building at least part-time]</i>
	Automotive Mechanic [2]	Responsible for the maintenance of equipment and fleet vehicles, as well as the repair of equipment.
	County Highway Superintendent	Must be on-site for weather and other highway maintenance issues in order to keep roadways available for the traveling public and emergency response. Responsible for communication with office staff, management staff and field personnel. Communication and planning with other county department heads for assistance by the highway department. <i>[note: Employee may perform some duties remotely, but is required to be in the building at least part-time]</i>
	Deputy County Highway Superintendent	Must be on-site for weather and other highway maintenance issues in order to keep roadways available for the traveling public and emergency response. In the absence of the Superintendent, the deputy would need to oversee operations within the highway department. Should there be a rotating shift, the deputy would rotate with the Superintendent and Highway Maintenance Supervisor <i>[note: Employee may perform some duties remotely, but is required to be in the building at least part-time]</i>
	Fleet Maintenance Supervisor	Manages vehicle fleet and equipment; schedules and coordinates the purchase, maintenance and repair of vehicles and equipment for other Yates County departments as necessary. Supervises the work of all employees assigned to the motor equipment shop.
	Highway Department continued...	Heavy Equipment Operator (HEO) [4]

Highway Department continued...	Highway Maintenance Supervisor	Responsible for planning, coordinating and reviewing the activities of work crews. Supervises and coordinates the overall highway maintenance.
	Motor Equipment Operator (MEO) [9]	Performs daily highway maintenance including snow removal/emergency response to weather-related incidents/keep roadways available for traveling public and emergency response.
	Senior Account Clerk	The Senior Account Clerk would need to work in the office during the off weeks of the Admin Asst. This position will need to be in the office during audit week and billing week. The majority of the clerical job duties are performed from paper copy information that is created by field personnel and the repair shop. Some job duties are split with the Admin. Asst. <i>[note: Employee may perform some duties remotely, but is required to be in the building at least part-time]</i>
	Senior Automotive Mechanic	Responsible for the maintenance of equipment and fleet vehicles, as well as the repair of equipment.
	Sign Maintenance Worker [2]	Responsible for fabricating and installing various traffic control signs and highway marking devices. Perform daily highway maintenance including snow removal/emergency response to weather-related incidents/keep roadways available for traveling public and emergency response.
	Working Supervisor [3]	Leads work crews and performs daily highway maintenance including snow removal/emergency response to weather-related incidents/keep roadways available for traveling public and emergency response.
Information Technology <i>[note: Employees may perform some duties remotely, but are required to be in the building at least part-time]</i>	Computer Technical Specialist [2]	Manages all aspects of technology in the County. Provides administrative actions, team leadership, and PC/Server troubleshooting and repair.
	Director of Information Technology	
	Network Administrator	
Legislature <i>[note: Employees may perform some duties remotely, but are required to be in the building at least part-time]</i>	Chair of the Legislature	NYS law requires the office of the Legislature, to be open for the conduct of business. All positions within the Legislature are considered "Non-Essential". It shall be noted that the Legislators themselves are considered "Essential", and at times the legislative clerk will be required to be in the office to assist with legislative operations.
	Clerk of the Legislature	
	Legislators [13]	
Office of Emergency Management	Deputy Director of Emergency Management	Essential to the coordination and management of any incident that may happen. Beyond a public health

<p><i>[note: Employees may perform some duties remotely, but are required to be in the building at least part-time]</i></p>	<p>Director of Emergency Management</p>	<p>emergency, other emergencies continue to happen. The office of Emergency Management is also responsible for distribution of Personal Protective Equipment (PPE).</p>
<p>Personnel Office <i>[note: Employee may perform some duties remotely, but is required to be in the building at least part-time]</i></p>	<p>Personnel Officer</p>	<p>This title is charged by the law to administer the provisions of the Civil Service Law for the County and all Towns, Villages, School Districts and special districts in Yates County. Responsible for the administration of health insurance, benefit programs, FMLA, etc. for the County. Responsible for workers compensation for the County and all Towns and Villages. This position plays a key role in coordinating the staffing efforts for the County, especially in the wake of a Public Health Emergency. Additionally, school districts and municipalities would require assistance from this individual. The nature of the duties varies in extremes and on-site work would be the most efficient process to meet the needs of the County, Towns, Villages, School Districts, etc.</p>
<p>Public Defender <i>[Note: Employees can perform some of their duties remotely, but are required to be in the building at least part-time]</i></p>	<p>Assistant Public Defender Confidential Secretary to Public Defender First Assistant District Attorney Public Defender</p>	<p>The Public Defenders Office provides constitutionally mandated representation in Family and Criminal Courts. Services needed to be provided by this office vary as the NYS Court System requires.</p>
<p>Probation <i>[note: Employees may perform some duties remotely, but are required to be in the building at least part-time]</i></p>	<p>Probation Assistant Probation Director Probation Officer [5] Probation Supervisor Senior Account Clerk Typist</p>	<p>Direct supervision over sentenced offenders/respondents to provide positive guidance and behavioral modification influencing law abiding behavior, and their work duties have a direct effect over public safety.</p>
<p>Public Health <i>[Note: Employees can perform some of their duties remotely, but are required to be in the building at least part-time]</i></p>	<p>Deputy Director of Public Health Director of Public Health Licensed Practical Nurse Principal Account Clerk Typist Public Health Educator Public Health Nurse [4] Public Health Nurse [PT] Public Health Nurse [Temp]</p>	<p>To ensure the continuation of Public Health operations necessary to respond to the Pandemic including Case investigation/Contact tracing and other essential disease control functions that must continue during a pandemic, all Public Health employees are deemed "Essential".</p>

Public Health continued...	Public Health Program Coordinator	
	Registered Nurse	
	Senior Account Clerk Typist	
Sheriff	Sheriff	Under Article 13 of the NYS Constitution, County Law Article 17, Correction Law, Executive Law, etc. the Office of the Sheriff is the elected public official responsible for the management, safety, control and command of essential governmental entities at all levels in order to provide public safety services and maintain public order.
	Undersheriff	Pursuant to County Law 652, during the absence or inability of the Sheriff to act or when a vacancy shall occur in the Office of the Sheriff, the Undersheriff shall execute the duties of the Office of Sheriff. On a daily basis, the Undersheriff manages, controls and commands the overall functions of the Sheriff's Office under the direct order of the Sheriff.
	Deputy Sheriff Lieutenant [2]	Maintains the safety, welfare within the county to preserve the peace, prevent crime and disorder, and assist in the delivery of public health services as required by law.
	Deputy Sheriff Criminal investigator [3]	
	Deputy Sheriff Sergeant [5]	
	Deputy Sheriff [14]	
	Deputy Sheriff (PT) [2]	
	Marine Patrol Officer (PT) [7]	Essential in accordance to Article 2 of the Criminal Procedure Law of New York State.
	Animal Control Officer [1]	Responsible for the enforcement of all applicable ordinances and statutes relating to the control of animals including their seizure, impoundment and destruction. <i>[Note: Employees can perform some of their duties remotely, but are required to be in the building at least part-time]</i>
	Animal Control Officer (PT) [2]	
	Confidential Assistant to Sheriff	Essential / Mandated NYS County Law.
	Sheriff's Secretary	
	Account Clerk Typist	
	Typist	
	Typist (PT)	
Chief Emergency Services Dispatcher	Provides all routine, administrative, and emergency public safety communications for countywide law enforcement, medical emergency service providers (EMS) and Fire Services / Emergency Management (OEM) Critical / Essential Functions required for Public Safety Communications	
Senior Emergency Services Dispatcher [4]		
Emergency Services Dispatcher [8]		

Sheriff continued...	Chief Correction Officer	Performs a mandated function, as required by NYS Correction Law.
	Corrections Lieutenant	
	Corrections Sergeant [4]	
	Correction Officer [33]	
	Correction Officer (PT) [11]	
	Jail Cook Manager	
	Jail Cook [2]	
	Jail Cook (PT)	
	Jail Nurse	
	Jail Physician (PT)	
	Nurse Practitioner (PT)	
	Correction Officer/Court Security Sergeant	
	Correction Officer/Court Security [5]	
Correction Officer/Court Security (PT) [3]		
Treasurer <i>[Note: Employees can perform some of their duties remotely, but are required to be in the building at least part-time]</i>	Account Clerk Typist	Responsible for the payment of bills in a timely manner. Also responsible for certificates of residency.
	Deputy Treasurer	Deputy Treasurer oversees every day operations of the Treasurer's office.
	Payroll Specialist	Responsible for payroll and payroll functions.
	Principal Account Clerk Typist	Maintains journal entries in accounting system on a daily basis as well as monitors cash flow. Responsible for daily deposits.
	Treasurer	The Treasurer is responsible for overseeing the operations of the Treasurer's Office.

400 HEALTH AND SAFETY

1. The health and safety of County employees is crucial to maintaining our mission essential operations. The fundamentals of reducing the spread of infection include but are not limited to:
 - A. Using hand sanitizer and washing hands with soap and water frequently (refer to Section 203)
 - B. Practice social distancing when possible
 - C. When an employee feels ill or has a fever, he/she shall notify his/her supervisor immediately and go home
 - D. When an employee starts to experience coughing or sneezing, step away from people and food, cough or sneeze into the crook of your arm or tissue
 - E. Clean and disinfect workstations frequently
 - F. Other Guidance published by the CDC, the New York State Department of Health, or County health officials.

2. **Related Document** – [CDC Guidance for Keeping Workplaces, etc. Safe](#)

401 Social Distancing

1. **Statement of Purpose** – To ensure that employees comply with social distancing requirements, the County has established the following guidelines.
2. **Social Distancing Minimum Requirements** –
 - A. Employees shall maintain a minimum of six (6) feet distance between one another, unless safety and/or core function and/or work activity requires a shorter distance
 - B. Any time employees are less than six (6) feet apart from one another, employees must wear acceptable face coverings
 - C. Building and Grounds employees shall properly denote six (6) feet of spacing in commonly used and/or other applicable areas, including but not limited to, Time Clock stations, lobby health screening stations, mailroom, breakrooms, copiers, etc.
 - D. Access to commonly used rooms and/or spaces will be reduced or limited. Signage will be posted on the door indicating the allowable occupancy for that particular location
 - E. In-person gatherings will be limited as much as possible and the use of tele-conferencing or video-conferencing applications will be utilized whenever possible
 - F. Unavoidable essential in-person meetings should be held in open, well-ventilated spaces with appropriate social distancing (minimum of six (6) feet) among participants. Signage indicating the allowable occupancy for that particular location will be posted on the entrance. If the occupancy of a particular location is not clearly indicated, please consult with your Department Head/Supervising Authority
 - G. Employees who are able to use the Web Clock and can clock in/out on his/her own computer at his/her own designated workstation or office must do so as opposed to using the actual Time Clock. Employees who have the capability of clocking in/out using a touchless method are exempt from having to use Web clock
 - H. **Related Document** – [Centers for Disease Control and Prevention – Social Distancing](#)

402 Personal Protective Equipment (PPE)

1. **Statement of purpose** – The purpose for using personal protective equipment (PPE) is to protect County employees from exposure to workplace hazards and the spread of infectious disease.
2. **Personal Protective Equipment (PPE)** – The use of PPE to reduce the spread of infectious disease is important to supporting the health and safety of our employees. PPE may include but is not limited to:
 - A. Masks
 - B. Face shields
 - C. Gloves
 - D. Disposable gowns and aprons
3. **Distribution of Personal Protective Equipment (PPE)** – PPE shall be provided, used, and maintained when it has been determined that its use is required to ensure the safety and health of County employees and that such use will lessen the likelihood of spreading an infectious disease.

- A. Employees may be required to wear PPE dependent on their job duties and various types of activities they performs
 - B. Department Heads who have identified the need for employees to use PPE have created procedures regarding when employees must wear the identified PPE
 - C. PPE will be provided to employees who are required to wear it as a result of his/her job duties, at no cost to the employee
 - D. Employees required to wear PPE will be trained on when to use PPE, what PPE is necessary, how to properly don, use, and doff PPE, and how to properly dispose of PPE.
5. **Personal Protective Equipment (PPE) Procurement –**
- A. As specified in the amended law, the County must be able to provide at least two (2) pieces of each required type of PPE to each essential employee during any given work shift for a time period not less than six (6) months.
 - a. A Department Head and/or his/her designee shall identify the need for PPE for his/her employees within the department based upon job duties and work location
 - i. For the purposes of developing this plan, Department Heads have preliminarily determined the PPE needs for their departments and the information has been compiled all together, for reference
 - b. Each Department Head and/or his/her designee shall consult with the Director of Emergency Management on the departments' PPE needs
 - c. The Director of Emergency Management shall be responsible for procuring the agreed upon PPE in accordance with the County's Purchasing and Procurement Policy.
 - B. **Supply and Demand** – The County shall be prepared and anticipate potential supply chain disruptions.
6. **Storage, Access and Monitoring of Personal Protective Equipment (PPE) Inventory** – The County shall procure and store a supply of PPE designated for public health emergencies. PPE storage procedures shall consist of but are not limited to:
- A. PPE shall be stored in the Office of Emergency Management (OEM) located at 227 Main Street, Penn Yan
 - B. PPE shall be stored in a manner which will prevent degradation
 - C. Due to the central location of OEM, employees shall have immediate access to PPE in the event of an emergency
 - D. The Director of Emergency Management and/or his/her designee shall monitor the supply of PPE supply to ensure integrity, track usage rates and maintain ample inventory.
7. **Related Documents –**
- A. [Procurement Policy](#)
 - L. [Department Specific Pandemic Continuity of Operations Plan](#)

403 Employee Personal Hygiene

1. **Summary** – Employees shall follow preventive measures while at work and home, such as practicing healthy personal hygiene and avoiding close contact with others (social distancing). Employees are asked to act responsibly to sustain a healthy and safe work environment.
2. **Spread of Infection** – In order to maintain continuity of operations, preserving the health and safety of County employees is imperative. Employees are encouraged to follow fundamental guidelines for reducing the spread of infection which may include but are not limited to:

- A. **Handwashing** –
 - a. Wash your hands frequently with soap and water for at least twenty (20) seconds especially after you have been in a public place. Key times to clean hands include, but are not limited to:
 - i. After blowing your nose, coughing or sneezing
 - ii. After using the bathroom
 - iii. Before eating or preparing food
 - iv. After touching an animal, animal feed or animal waste
 - v. Before and after providing routine care for another person who needs assistance (for example, a child)
 - vi. Before and after treating a cut or wound
 - vii. After handling trash
 - viii. After cleaning activities
 - ix. After using public transportation
 - b. If soap and water are not readily available, use a hand sanitizer that contains at least sixty-percent (60%) alcohol. Cover all surfaces of your hands and rub them together until they feel dry.
 - c. Avoid touching your eyes, nose, and mouth with unwashed hands.
 - B. **Cover Coughs and Sneezes** –
 - a. Cover your mouth and nose with a tissue when you cough or sneeze
 - b. Throw used tissues in the trash
 - c. If you don't have a tissue, cough or sneeze into your elbow, not your hands
 - d. Wash your hands often with soap and water for at least 20 seconds especially after you have been in a public place, or after blowing your nose, coughing, or sneezing.
 - C. **Monitor Your Health** –
 - a. Follow CDC guidance if symptoms develop.
 - b. Be alert for symptoms. Watch for fever, cough, shortness of breath, or other symptoms.
 - c. Take your temperature if symptoms develop.
 - d. Don't take your temperature within thirty (30) minutes of exercising or after taking medications that could lower your temperature, like acetaminophen.
3. **Related Documents** –
- A. [Building and Grounds Work Request Order](#)
 - B. [CDC Guidance](#)
 - C. [Handwashing Ladies' Bathroom Poster](#)
 - N. [Handwashing Men's Bathroom Poster](#)
 - O. [Handwashing Tips](#)
 - P. [Handwashing Video](#)
 - Q. [CDC - How to Protect Yourself and Others](#)
 - R. [Keeping the Workplace Safe](#)

404 **Physical Workspace Cleaning and Disinfection**

- 1. **Statement of Purpose** – The CDC and public health guidelines shall be followed for cleaning and disinfection of surfaces, workspaces, areas, etc. By using appropriate cleaning and disinfection methods routinely, it may help prevent the spread of infection. Suggested guidance for routine cleaning and disinfection during a public health emergency includes but is not limited to:
- 2. **Cleaning Responsibility** – Employees within the Buildings and Grounds Department are responsible for the cleaning and disinfection of high traffic, high touch areas and areas accessible to the public.
 - A. The following positions are responsible for cleaning and disinfection
 - a. Building Maintenance Helper

- b. Cleaner
- c. Senior Cleaner
- B. Employees responsible for cleaning and disinfecting areas will be issued and required to wear task appropriate PPE
- C. High traffic/high touch areas and areas accessible to the public will be disinfected at least every one (1) hour.

3. High Touch/High Traffic/Public Areas –

- A. Frequently touched surfaces in public areas may consist of but are not limited to:
 - a. Bathrooms (sinks, faucet, toilet handles, etc.)
 - b. Doorknobs
 - c. Drinking fountains
 - d. Elevator buttons
 - e. Floors
 - f. Handrails
 - g. Light switches.
- B. Any public space in a department/office shall be clear of communal magazines, pamphlets, pens, etc.

4. Individual Workspace / Office –

- A. Employees are responsible for cleaning and disinfecting all frequently touched surfaces in their own office/workspace. Frequently touched surfaces may include but are not limited to:
 - h. Chair
 - i. Desk
 - j. File drawers
- C. An employee's workspace shall be kept clean to promote a clean and healthy work environment
- D. Employees are encouraged to disinfect/wipe down their office/workspace in the beginning, middle, and end of their normal workday, at minimum. Cleaning frequency may vary depending on work location and the frequency of public interaction
- E. Employees should not use other employee phones, desks, offices and/or other tools and equipment, when possible
- F. To limit the number of people accessing an employee's individual workspace, employees are encouraged to place their garbage and recycling receptacles in the hallway and/or outside their office door on/or around the time Buildings and Grounds makes rounds for garbage pick-up.

5. Shared Areas / Objects –

- A. In conference rooms and meeting spaces, social distancing shall be maintained and the room shall be cleaned after each use. The County encourages alternatives to in-person meetings, such as virtual meetings and conference calls
- B. If an employee uses a common area office supply, it shall be disinfected with a sanitizing wipe and/or the provided cleaning supplies.

6. Vehicles –

- A. **Central Garage Vehicles** – Vehicles must be disinfected with every new driver/passenger.
 - a. Highway personnel will continue to maintain the County Central Garage vehicles by routine cleaning and maintenance. Additional attention will be given to frequently touched surfaces and objects that are often touched by the driver and passengers.
 - b. Individual employees who utilize a Central Garage vehicle shall wipe down the frequently touched areas in the vehicle after each use with the

provided cleaner. Frequently touched areas to be cleaned include but are not limited to:

- i. Door handles
- ii. Window buttons
- iii. Door locks
- iv. Arm rests
- v. Seat cushions
- vi. Buckles and seatbelts
- vii. Steering wheel
- viii. Radio buttons
- ix. Turn signals
- x. Cup holders.

7. Electronic Devices –

- A. A hand sanitizing station shall be made available and located near electronic devices commonly shared between employees, such as copiers, phones, postage machines, etc. Employees shall apply hand sanitizer before and after each use of the device to help prevent the spread of infection
- B. Employees are not to clean electronic devices. If an electronic device becomes soiled, the device should be marked as “out of order” and an IT Helpdesk Ticket shall be submitted. An IT employee, who is properly trained to clean electronic devices will respond
- C. Cleaning products are not to be sprayed on electronic devices or equipment as it could potentially cause damage.

8. Cleaning and Disinfecting Supplies –

- A. The Coronavirus pandemic demonstrated that supply chains were not able to keep up with increased demand for cleaning supplies used to sanitize surfaces, as well as hand soap and hand sanitizer early in the pandemic. As such, the County shall treat cleaning and disinfecting supplies in correlation with PPE supply procurement ([refer to Section 402](#))
- B. Surfaces shall be disinfected with products that meet Environmental Protection Agency (EPA) criteria for use against the virus in question
- C. Cleaning products shall be used as instructed to ensure safe and effective use.

9. Related Documents –

- A. [Cleaning and Disinfection in the Workplace](#)
- B. [Cleaning and Disinfecting Your Facility](#)
- C. [Disinfecting a Non-Emergency Transport Vehicle](#)
- D. [Environmental Protection Agency \(EPA\)](#)

405 Hazard Communication Program

1. **Policy Statement** – It is the policy of the County to provide a safe and healthy work environment that complies with all Federal, State, and local laws regarding hazard communication.
2. **Summary** – Employees may be requested to utilize cleaning supplies and/or other supplies that contain hazardous chemicals to help ensure a safe a healthy environment for the Yates County workforce.
3. **Related Documents** –
 - A. [Employee Handbook § 902 Hazard Communication Program](#)
 - B. [Safety Data Sheets \(SDS\)](#)

406 *Physical Workspace Modifications and Controls*

1. **Statement of Purpose** – In workspaces where appropriate physical modifications and controls may be implemented to reduce exposure to hazards without relying on the behavior of County employees and/or members of the public.
2. **Entrance Log** – At the public entry point of all-county owned and operated buildings members of the public shall be required to sign-in upon entry ([refer to Section 207](#)).
3. **Employee Interaction(s)** –
 - A. To ensure social distancing within departments, employees are encouraged to limit in-person direct contact where feasible
 - B. Employees are to utilize the desktop phones, Cisco Jabber or email for intradepartmental/interdepartmental correspondence, rather than in-person meetings
 - C. Office spaces are to be occupied by the employee whose office it is
 - D. Should an employee need to enter another employee's office for work related purposes, he/she must wear a mask and/or there must be adequate spacing to accommodate social distancing of a minimum of six (6) feet
 - E. Employees shall not share any supplies, phone, computer, etc. or obtain supplies from another employee's office
 - F. Unless otherwise designated, employees are to stay no closer than the doorway of another employee's office
 - G. If an employee has to go to another department, such employee is to call the person they intend to visit to ensure he/she is in his/her office and available
 - H. Employees shall make appointments with employees in other departments to facilitate readiness of the workspace for social distancing
 - I. Employees are discouraged from visiting other employees and/or departments for non-work related matters
 - J. Common spaces should only be used for necessary in person meetings. In these areas, please maintain social distancing and a face covering/mask must be worn. Employees shall follow the capacity postings for common areas where applicable.
4. **County Office Building Reception** – The County may temporarily designate a checkpoint at the main entrance of the building and assign personnel as needed to work as a safeguard ([refer to Section 505](#)).

407 *Employee and Visitor Health Screening*

1. **Statement of Purpose** – To reduce the risk of exposure during a public health emergency in the workplace, the County has prepared and implemented basic infection prevention measures to promptly identify and isolate potentially sick County employees and members of the public.
2. **Policy Statement** – It is the policy of Yates County to comply fully with the advice from the Centers for Disease Control and Prevention (CDC) and other public health authorities on appropriate steps to take relating to the workplace regarding communicable disease. Additionally, the County will continue to monitor the Equal Employment Opportunity Commission (EEOC) regarding best practices for balancing obligations under the Americans with Disabilities Act (ADA).
3. **Health Assessment** – Pursuant to CDC guidance issued during a public health emergency, the County may request employees and/or visitors to undergo a health assessment prior to coming on County owned and operated property.
4. **Related Document** –

- A. [Visitor Quick Reference Guide](#)
- B. [Yates County Employee Health Self-Assessment Form](#)
- C. [Yates County Visitor Health Self-Assessment Form](#)

500 EMPLOYMENT MATTERS

501 *Communicable Disease Exposure*

1. **Summary** – Employee exposures to a communicable disease during a public health emergency shall be categorized based upon the type of exposure and presence of symptoms. Following CDC guidelines, the County has established the following procedures:
2. **Close Contact Exposure** –
 - A. Potentially exposed employees who do not have symptoms should remain at home, or in a comparable setting, and practice social distancing for no less than ten (10) days or other current CDC/public health guidance for the communicable disease in question.
 - B. As possible, these employees will be permitted to work remotely during this period of time if they are not ill ([refer to Section 503](#))
3. **Symptomatic Employee Exposure** –
 - A. Employees who exhibit symptoms of the communicable disease that is the subject of the public health emergency, in the workplace, shall be immediately separated from other employees, customers, and visitors
 - B. Employees shall be sent home from work immediately with a recommendation to contact their healthcare provider
 - C. Employees shall not return to the workplace until they have met the criteria to discontinue home isolation per CDC/public health guidance and have consulted with a healthcare provider
 - D. In order to return to work, employees shall provide the County with the required documentation in accordance with requirements set forth by the CDC/public health and/or state or federal government
 - E. CDC criteria for COVID-19 provides that persons exhibiting symptoms shall return to work if at least twenty-four (24) hours have passed since the last instance of fever without the use of fever-reducing medications. If the disease in question is one other than COVID-19, CDC and other public health guidance shall be referenced
 - F. As possible, these employees will be permitted to work remotely during this period of time if they are not ill ([refer to Section 503](#)).
4. **Positive Employee Exposure** –
 - A. Employees who test positive for the communicable disease that is the subject of the public health emergency shall be immediately separated from other employees, customers, and visitors, if applicable
 - B. Employees shall be sent home from work immediately with a recommendation to contact their healthcare provider, if applicable
 - C. Employees shall not return to the workplace until they have met the criteria to discontinue home isolation per CDC/public health guidance and have consulted with a healthcare provider
 - D. Areas occupied for prolonged periods of time by the subject employee will be closed off.
 - a. CDC guidance for COVID-19 indicates that a period of twenty-four (24) hours is ideally given before cleaning, disinfecting, and reoccupation of the areas in question. If this time period is not possible, a period of as long as possible

- shall be given. CDC/public health guidance for the disease in question shall be followed
- b. Any common areas entered, surfaces touched, or equipment used shall be cleaned and disinfected immediately ([refer to Section 404](#)).
- E. Contact Tracing - Identification of potential employee exposures will be conducted ([refer to Section 505](#)).
- a. If an employee is confirmed to have the disease in question, a public health official or their designee shall inform all contacts of their possible exposure
 - b. Employees who are named as a close contact shall follow the appropriate guidance.
- F. As possible, these employees will be permitted to work remotely during this period of time if they are not ill ([refer to Section 503](#)).
5. **Critical Essential Employee Exposure** – During the COVID-19 Pandemic, CDC guidelines provided that critical essential employees may be permitted to continue working following potential exposure, provided they remain symptom-free and additional precautions are taken to protect them, other employees and/or members of the public.
- A. As possible, these employees will be permitted to work remotely during this period of time if they are not ill ([refer to Section 503](#)), unless working from home would adversely impact essential services or functions, including critical essential employee infrastructure in New York or the response to the public health emergency
 - B. Additional precautions will include the requirement of the employee, as well as others working in their proximity, to wear appropriate PPE at all times to limit the potential of transmission
 - C. In-person interactions with the exposed employee will be limited as much as possible
 - D. Work areas in which the subject employee are present will be disinfected according to current CDC/public health protocol at least every one (1) hour, as practical ([refer to Section 404](#)).
6. **Exposure Notification/Communication Procedure** –
- A. Regardless of the category for exposure, the affected employee shall notify his/her Department Head/Supervising Authority immediately of the circumstances surrounding his/her exposure to the communicable disease in question
 - B. The Department Head/Supervising Authority shall notify the Personnel Officer to ensure procedures are followed.
7. **Exposure Disclaimer** – The County recognizes there may be nuances or complexities associated with potential exposures, close contacts, symptomatic persons, and those who tested positive. CDC/public health recommendations and requirements will be followed and in addition, the Yates County Public Health Department for guidance and support, as needed.
8. **Related Documents** –
- A. [COVID-19 Critical Infrastructure Sector Response Planning](#)
 - B. [How COVID-19 Can Spread in a Community](#)
 - C. [U.S. Centers for Disease Control and Prevention's Interim Guidance for Businesses and Employees](#)

502 **Employee Leave Time**

1. **Statement of Purpose** – Public health emergencies are extenuating and unanticipated circumstances, as such, the County Legislature is committed to reducing the burden on our employees.

2. **Families First Coronavirus Response Act (FFCRA)** – The U.S. Department of Labor established the FFCRA in response to the COVID-19 pandemic and set forth the following requirements:
 - A. Two (2) weeks, up to eighty (80) hours of paid sick leave at the employee's regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; OR
 - B. Two (2) weeks up to eighty (80) hours of paid sick leave at two-thirds (2/3) the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or care for a child (under eighteen (18) years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.
 - C. Up to an additional ten (10) weeks of paid expanded family and medical leave at two-thirds (2/3) the employee's regular rate of pay where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.
3. **New York State COVID-19 Paid Sick Leave** – Under legislation signed by Governor Cuomo, New York workers were guaranteed job protection and financial compensation while on a mandatory or precautionary quarantine order due to COVID-19. Specifically employees were entitled to at least fourteen (14) days of paid sick leave.
4. **Policy** –
 - A. It is the policy of Yates County to follow federal and/or New York State orders should an employee be unable to work due to quarantine and/or experiencing symptoms and seeking a medical diagnosis
 - B. In the event there is no current federal and/or New York State orders for paid sick leave the County will defer to the sick leave policies in the respective collective bargaining unit employee contract and the Employee Handbook
 - C. Additional provisions may be enacted based upon need and the guidance and requirements in place by:
 - a. Family and Medical Leave Act
 - b. Federal and NYS Employment Laws
 - c. Federal and NYS Executive Orders
 - d. Other potential sources.
5. **Related Documents** –
 - A. [Families First Coronavirus Response Act](#)
 - B. [Family and Medical Leave Act](#)
 - C. [NYS COVID-19 Paid Sick Leave](#)

503 Remote Work and Staggered Shifts / Workday

1. **Policy Statement** – It is the policy of Yates County that it may be necessary for the health and safety of all employees, the efficient operation of the County, and the delivery of services to residents of the County that employees may be allowed to work remotely or in staggered shifts.
2. **Statement of Purpose** - Through assigning certain employees to work remotely and by staggering work shifts, the County can decrease the workforce density, ultimately reducing employee risk to exposure and preventing the spread of infectious disease.

3. **Remote Work** – Non-essential and essential employees able to accomplish their functions remotely will be enabled to do so at the greatest extent possible. Working remotely requires:
 - A. **Exempt (Salary) Employees** – Exempt (Salary) Employees are eligible to work remotely with County Administrator approval. Employees must adhere to the same accurate workday time reporting requirements, including meal periods ([refer to Section 504](#)).
 - B. **Non-exempt (Hourly) Employees** – Non-exempt (hourly) employees are eligible to work remotely with Department Head approval. Employees must adhere to the same accurate workday time reporting requirements, including meal periods. While working remotely, non-exempt employees are still subject to County and/or departmental policy and procedures for working hours beyond the typical workday of seven (7), eight (8) or ten (10) hours ([refer to Section 504](#)).
4. **Remote Access** – Employees who receive prior approval may be supplied with approved devices with remote access software that allows for secure access. Accessing the County network through home or public systems presents a security risk. Non-County-provided computers are not allowed to access the County network for any reason, unless the access is provided by Yates County in a public manner, such as web-based e-mail and/or the device has Mobile Device Management (MDM) software installed.
5. **Paper Materials and Mail Handling Procedures** – It shall be the responsibility of each Department Head to establish and implement a procedure within his/her own department to ensure paper materials and mail are distributed to employees working remotely as needed, keeping in mind the Health Insurance Portability and Accountability Act of 1996 (HIPPA).
6. **Asset Procurement, Maintenance and Deployment** –
 - A. The Information Technology (IT) Department is responsible for procuring, maintaining and deploying County owned IT equipment, assets, and/or facilitating phone lines, software and hardware including but not limited to:
 - a. E-mail Client Application for Android / iPhone access installation
 - b. E-mail Outlook Web Application (OWA)
 - c. External network access
 - d. Fax Machines
 - e. Laptops
 - f. Mobile Hotspots
 - g. Printers
 - h. Scanners
 - i. Time Clock Plus Application
 - j. Transference of County phone lines to personal or County owned cellular devices
 - k. Virtual Private Network (VPN) connectivity access.
 - B. The IT Department shall install and utilize a mobile device management (MDM) client on all remote devices, which allows the IT employees to track devices and provide remote desktop access from the IT department to the employee while working remotely and/or externally from County network
 - C. VPN connectivity access shall be installed on all County owned laptops used for remote access
 - D. Two (2) factor authentication shall be enabled for all VPN clients and increased licensing to cover additional employees working remotely
 - E. The IT Department shall procure and retain a surplus of equipment that is ready for deployment in emergency type circumstances.

7. Individual Employee Equipment Assessment and Maintenance –

- A. Department Heads shall identify and maintain the equipment needs for the non-essential employees within their own department
- B. The list of the employees equipment needs shall be audited at a minimum, one (1) time per calendar year and/or as adjustments are needed as it relates to new hires and separations. The audited list shall be submitted to the IT Department by submitting an IT Helpdesk Ticket
- C. The IT Director and/or his/her designee shall be responsible for maintaining a master list of the identified equipment
- D. The IT Department will use this data to determine the tools and resources each non-essential and/or essential employee may need to work remotely.

8. Staggered Shifts / Workdays –

- A. **Implementation** – Implementing staggered shifts / workdays may be possible for employees performing duties which are necessary to be performed on-site but perhaps less sensitive to being accomplished only within core business hours. As possible, Department Heads will identify opportunities for employees to work outside core business hours as a strategy of limiting exposure. Regardless of changes in start and end times of shifts, the County will ensure that employees are provided with their typical or contracted minimum work hours per week. Preparing for staggered shifts shall require:
 - a. Identification of positions for which work hours will be staggered
 - b. Approval and assignment of changed work hours.
- B. **Department Specific Procedures** –
 - a. **One (1) Employee** – For Departments with only (1) employee this section will not apply. The employee will be responsible to report to work daily unless determined by state or local government laws, executive order, etc.
 - b. **Two (2) Employees** – For Departments with two (2) or less employees, a staggered shift / workday, will consist of the department working at a fifty (50%) percent reduction in workforce. The Department Head will be responsible for managing the schedule.
 - c. **Three (3) or more Employees** – For departments with three (3) or more employees, the Department Head is responsible for establishing departmental procedures for a reduction in workforce density, unless employee levels are otherwise stipulated by law (Refer to the Department Specific Restoration of Operations Plans and/or Department Specific Pandemic Continuity of Operations Plan for further information).

9. Related Documents –

- A. [Contract Policy, Requirements and Procedures](#)
- V. [Information Security Policy](#)
- GG. [Health Insurance Portability and Accountability Act of 1996 \(HIPPA\)](#)
- HH. [Department Specific Pandemic Continuity of Operations Plans](#)
- II. [Department Specific Restoration of Operation Plans for COVID-19](#)

504 Time Records

- 1. **Statement of Purpose** - In a public health emergency, it may be necessary to document work hours and locations of each employee to support contact tracing efforts. Identification of locations shall include on-site work and off-site visits. This information may be used by the County to support contact tracing within the workforce and may be shared with local public health officials.
- 2. **Policy Statement** – The County has established an official Time Records Policy that must be followed without exception. Yates County uses the electronic time tracking system called Time Clock Plus to capture and record all County employee time, attendance, and leave records. A Department Head shall have the latitude to

establish specific practices within his/her department that govern the manner in which the provisions of the Time Records Policy are followed and enforced.

3. **Time Recording Methods** – Employees shall record time by using one of the following Time Clock Plus recording methods:
 - A. Time Clock Station
 - B. Web Clock
 - C. Web Clock Mobile Application.
 - a. Prior Department Head approval is required to access the mobile application
4. **Related Documents** –
 - A. [Employee Handbook § 402 Time Records](#)
 - L. [IT Help Desk](#)

505 Contact Tracing

1. **Summary** – Contact tracing may slow the spread of a communicable disease. During a public health emergency New York State or local public health officials may implement contact tracing to help protect individuals by making them aware they may have been exposed to the communicable disease and should monitor their health for signs and symptoms.
2. **Employment Based Contact Tracing** – As was done during the COVID-19 Pandemic, the Yates County Public Health Department shall identify individuals made up of County employees and members of the public who shall act as “Contact Tracers”, in the event an employee tests positive. The Yates County Public Health Department, the assigned contact tracers and the Personnel Officer will work together to identify and notify close contacts within the County workforce.
3. **Visitor Based Contact Tracing / Entrance Log** - At the public entry point of all county owned and operated buildings, members of the public will be required to sign-in upon entry. In addition to his/her name, the individual will be required to include his/her phone number, the time and date he/she was there and the department or departments he/she is visiting ([refer to Section 406](#)).
 - A. **County Office Building Log** - The Personnel Officer will be responsible for collecting and retaining the County Office Building log each day.
 - B. **Highway and Building and Grounds Log** - The logs for the Highway and Buildings and Grounds facilities will be turned in to the Personnel Officer once weekly, for retention.
 - C. **Courthouse** - The County Courthouse visitor tracking is maintained by employees of the 7th Judicial District of the New York State Unified Court System and in accordance with guidelines issued by the district office.
 - D. **Public Safety Building** - The Sheriff will maintain visitor logs for the Public Safety Building and in accordance with guidelines issued by the New York State Commission of Corrections.
4. **Related Documents** -
 - A. [CDC Contact Tracing](#)
 - B. [Contact Tracing Mobile Application](#)

506 Housing for Essential Employees

1. **Statement of Purpose** – There are circumstances within a public health emergency when it may be prudent to have essential employees lodged in such a manner which will help prevent the spread of the subject communicable disease to protect these

employees from potential exposures, thus helping to ensure their health and safety and the continuity of County operations.

2. **Procedure –**

- A. Hotel rooms located within the Village of Penn Yan present as the most viable option for the County.
- B. In matters where hotels located within the Village are unavailable and/or have no vacancy, the Department Head/Supervising Authority in consultation with the County Administrator will coordinate with the Director of Emergency Management to help identify and arrange for the County's housing needs.

3. **Related Documents –**

- A. [Best Western Penn Yan](#)
- B. [Hampton Inn Penn Yan](#)
- C. [Microtel by Wyndham Penn Yan Finger Lakes Region](#)
- D. Yates County Chamber of Commerce Accommodations Reference
 - a. [Bed and Breakfasts](#)
 - b. [Hotels](#)

600 COMPLAINT RESOLUTION

601 *Complaint Resolution*

1. **Statement of Purpose –** A set of procedures has been established to provide employees, members of the public, visitors, etc. who frequent County owned property with a clear and definitive process to follow should one feel his/her safety has been compromised.
2. **Definition of Complaint –** For the purpose of this Pandemic Continuity Operations Plan, a "Complaint" shall mean a report of alleged or believed violation of any state law, regulation, rule or guidance related to occupational health and safety involving a communicable disease, including but not limited to the novel coronavirus COVID-19.
3. **Plan Review –** Employee representatives from each collective bargaining agreement shall have the opportunity to review this plan and have the opportunity to make recommendations. The County agrees that no retaliatory and/or discriminatory action will be made against any employee for making suggestions or recommendations regarding the content of this plan.
4. **Procedure –**
 - A. An employee may present a complaint to the employee's Supervising Authority. The complaint must be submitted, in writing
 - B. In the event the informal complaint is not resolved after notifying the Supervising Authority, the employee may submit the matter to the employee's Department Head, unless the complaint is with the Department Head. The complaint must be submitted, in writing
 - C. In the event the employee is not satisfied with the response from the Department Head or the complaint is with a Department Head, the employee may submit the matter to the County Administrator. The complaint must be submitted, in writing.
5. **Time Limits –**
 - A. To adequately address, especially where the safety of others may be concerned, timely reporting is crucial. A complaint shall be filed within three (3) working days from the date the complainant first became aware of the issue
 - B. A complainant should allow a minimum of seven (7) working days from the time he/she submitted his/her notification in writing before expecting a response.

700 PROMULGATION

YATES COUNTY
PANDEMIC CONTINUITY OF OPERATIONS PLAN

This plan has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable.

As required by the amended New York State Labor Law, this plan has been developed with the input of:

- A. Yates County Local 862 of the Civil Service Employees Association, Inc., Local 1000 AFSCME, AFL-CIO (CSEA)
- B. Law Enforcement Officers Union Council 82, Local 9010 AFSCME; AFL-CIO (Council 82 Emergency Communications)
- C. Law Enforcement Officers Union Council 82, Local 1869 AFSCME; AFL-CIO (Council 82 Law Enforcement)
- D. Law Enforcement Officers Union Council 82, Local 086 AFSCME; AFL-CIO (Council 82 Other)

This plan has been approved in accordance with requirements applicable to the County as represented by the signature of the authorized individual below.

As the authorized official of Yates County, I hereby attest that this plan has been developed, approved, and placed in full effect in accordance with S8617B/A10832 which amends New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable, to address public health emergency planning requirements.

Signature

Name of Signatory

Title of Signatory

Date of Signature

RESOLUTION NO. 104-21

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

**AMEND RESOLUTION 449-20
ADOPT 2021 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE**

WHEREAS, Resolution 449-20 was duly adopted on December 14, 2020 which adopted the 2021 Non-Union Exempt Employee Salary Schedule;

WHEREAS, as a result of the retirement of the longstanding Director of Public Health on February 26, 2021, the following shall be removed from the resolution; and

- 1. Director of Public Health \$78,183
- 2. Director of Public Health – Schuyler Add-On \$20,000

And

WHEREAS, as a result of the permanent appointment of the new Director of Public Health effective February 27, 2021, the two (2) remaining job title references for Director of Public Health shall both have the word “temporary” removed from the resolution; and

WHEREAS, the resolution is in need of being amended to reflect the discontinuation of the Deputy Director of Public Health – Schuyler Add-On, as Schuyler County no longer needs support from the Yates County Deputy Director of Public Health as the position will become occupied on March 15, 2021;

NOW, THEREFORE, BE IT RESOLVED, that effective February 27, 2021 the job title(s) and salary information for the retiring Director of Public Health be removed from the resolution and additionally, the word “temporary” be removed from the remaining two (2) Director of Public Health job title references; and be it further

RESOLVED, that effective March 15, 2021, “Deputy Director of Public Health – Schuyler Add-On”, be removed from the salary schedule; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 105-21

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

AUTHORIZE CHAIRMAN TO SIGN PLAN MANAGEMENT AGREEMENT AND BUSINESS ASSOCIATE AGREEMENT WITH BENETECH

WHEREAS, Yates County desires to contract with Benetech for the administration and management of the Yates County Workers’ Compensation Plan;

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 Amendment to the Plan Management Agreement with Benetech for the period of January 1, 2021 through December 31, 2021 for the following cost apportionments:

SERVICE FEE	SERVICE FEE
--------------------	--------------------

Self-Insured Workers Compensation Third Party Claims Administrative Services	1/1/21 – 12/31/21 \$1,619 Per Month (\$19,428 Annually)
WCB General Administration Assessments	1/1/21 – 12/31/21 \$212 Per Month (\$2,544 Annually)

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 106-21

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

APPOINT DIRECTOR OF PUBLIC HEALTH

WHEREAS, pursuant to New York Codes, Rules and Regulations, Sanitary Code Volume A (Title 10), Section 11.182 Qualifications of Public Health Personnel, the New York State Commissioner of Health has determined Annmarie F. Flanagan, DNP-FNP-C duly qualified for the position of Director of Public Health for Schuyler and Yates Counties; and

WHEREAS, in accordance with Public Health Law Section 351.5 the Director of Public Health shall serve a term of six (6) years;

NOW, THEREFORE, BE IT RESOLVED, that Annmarie F. Flanagan, DNP-FNP-C is hereby appointed as Director of Public Health for Yates County, for a term of office to be effective from February 27, 2021 and completing February 26, 2027; and be it further

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

VOTE: Unanimous

The following resolution was not offered at this time.

RESOLUTION 107-21 (WITHDRAWN)

AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO CREATE AND FILL A SOCIAL WELFARE EXAMINER POSITION

WHEREAS, the Commissioner of Social Services is requesting to create and fill a Social Welfare Examiner position; and

WHEREAS, the estimated annual cost to fill the position is \$50,324 which includes fringe benefits; with 100% reimbursement from HEAP Administration the total cost to the County will be \$0 to create and fill the position;

NOW, THEREFORE, BE IT RESOLVED, that effective March 8, 2021 the Commissioner of Social Services is hereby authorized to create and fill a full-time Social Welfare Examiner 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.

RESOLUTION NO. 108-21

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

OPPOSITION TO ASSEMBLY BILL A502 AFFECTING ELECTIONS

WHEREAS, Yates County is a small county, with 14,000 registered voters and has a limited rural tax base and corresponding low taxing capacity; and

WHEREAS, Assembly Bill A502 eliminates the requirement for a voter to register 10 days prior to the election, thereby allowing “same day registrations” at the polling places; and

WHEREAS in Yates County, since the demand for same day registration is less than 0.05% (the number of individuals who attempt to vote at a polling site and were unregistered), the demand for same day registration does not exist; and

WHEREAS, same day voting requires Election Inspectors at polling sites to take on extra duties, for which they do not have the time or experience, and be responsible for an additional set of reporting requirements; and

WHEREAS, the costs for additional training time and material will be paid by Yates County and Towns within the County, without any increase in voter participation;

NOW, THEREFORE, BE IT RESOLVED, that Yates County is unalterably opposed to the passage of Assembly Bill A502, and remains opposed to the amendment of the New York State Constitution which this bill would necessitate; and be it further

RESOLVED, that a copy of this resolution be sent to Assemblyman Palmesano, Senator O’Mara, Senate Elections Committee Chair Zellnor Myrie, Assembly Committee on Election Law Chair Latrice Walker and Senate Committee Ranking member Edward Rath, III.

VOTE: Unanimous

RESOLUTION NO. 109-21

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

OPPOSITION TO SENATE BILL S1027 AFFECTING ELECTIONS

WHEREAS, Senate Bill S1027, which requires that the canvassing and preparation of absentee ballots shall begin at the close of polls on the second Sunday of early voting for valid absentee ballots received prior to such date, has passed the Senate and been referred to the Assembly; and

WHEREAS, Election Law presently requires the immediate and automatic transfer of voter enrollment between counties; and

WHEREAS, the transfer of enrollment process generates the situation where the voter is enrolled in two counties for several days while the respective Boards of Election update their records; and

WHEREAS, Election Law presently allows a person to obtain an absentee ballot up to the day prior to Election, so there is a period of time that allows a voter the potential opportunity to vote in two counties; and

WHEREAS, the present delay in opening absentee ballots prevents fraudulent double voting, while the proposed earlier opening of absentee ballots makes it extremely difficult to prevent fraudulent voting in the time allowed; and

WHEREAS, the Board of Election presently works late on the last Sunday of Early Voting, there is insufficient time for available staff to complete the new tasks required prior to preparing and sealing the electronic poll books and other election materials for deployment to the polls early on Monday; and

WHEREAS, the last stages of absentee ballot preparation and canvas require attention from technically proficient staff that are otherwise involved on Monday and Election Day, and to modify that will require additional training for and diversion of Poll Inspectors that are presently in short supply;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature is opposed to Senate Bill S1027 and will be opposed to any companion bill that may be introduced in the Assembly; and be it further

RESOLVED, that a copy of this resolution be sent to Assemblyman Palmesano, Senator O'Mara, Senate Elections Committee Chair Zellnor Myrie, Assembly Committee on Election Law Chair Latrice Walker and Senate Committee Ranking member Edward Rath, III.

VOTE: Unanimous

RESOLUTION NO. 110-21

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

AUTHORIZE CHAIRMAN TO EXECUTE DISTRIBUTION # 11 NON-COMPETITIVE GRANT AND ANY CONTRACT EXTENSIONS RELATING TO DISTRIBUTION # 11 NON-COMPETITIVE GRANT

WHEREAS, there are funds available to the Yates County Public Defender's Office through non-competitive grants; and

WHEREAS, a grant was written titled "Distribution 11" in the amount of \$97,368.00 of available funds; and

WHEREAS, to access these funds a "New York State Master Contract for Grants" grant disbursement agreement must be executed by the County by signature of the Chairman of the Legislature for the receipt of the same (hereinafter referred to as "Distribution 11 Master Contract"); and

WHEREAS, if the monies are not all used prior to the grant term of January 1, 2021 – December 31, 2023 for expenditures that are reimbursable under the Distribution 11 Master Contract, applicable contract extension(s) must be submitted to the Office of Indigent Legal Services (ILS) in order to obtain reimbursement for these claims; and

WHEREAS, the time period for claim submittal can only be extended at intervals of one year at a time; and

WHEREAS, multiple extensions may be necessary to submit for claims for monies paid out after December 31, 2023 pursuant to the above recited grant disbursement agreement; and

WHEREAS, in order to shorten the contract extension process to allow the County to be reimbursed for submitted claims more quickly, the Public Defender's Office is requesting authorization to have the Chairman of the Legislature sign any future contract extensions pursuant to the above recited grant disbursement agreement, thus forgoing the necessity of subsequent resolutions in this regard;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is authorized to execute Distribution 11 Master Contract as well as any future contract extension time periods, and any other necessary documentation related thereto, with notification being given to the Legislature; and be it further

RESOLVED, that after review by the County Attorney the Chairman of the Legislature is authorized to sign said contract; and be it further

RESOLVED, that the Public Defender, Treasurer, County Administrator and the Office of Indigent Legal Services (ILS) be provided with a copy of this resolution.

VOTE: Unanimous

RESOLUTION NO. 111-21

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

SIGN AMENDMENT TO THE AGREEMENT WITH HEALTH RESEARCH INC. (HRI)

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

WHEREAS, said grant period has been extended through December 31, 2021;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman is hereby authorized to sign the amendment to the agreement with Health Research Inc. (HRI) for the period ending December 31, 2021 for the COVID-19 Grant; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 112-21

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

SIGN AGREEMENT WITH NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO)

WHEREAS, Yates County Public Health has received notice of additional MRC COVID-19 funding through the National Association of County and City Health Officials of \$5,000; and

WHEREAS, said grant period will be effective as of the date of the later signature and will continue until September 29, 2021;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman is hereby authorized to sign an agreement with the National Association of County and City Health Officials (NACCHO) for the period beginning on the date of the later signature for the COVID-19 Grant; and be it further

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

RESOLUTION NO. 113-21

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

SIGN AGREEMENT WITH DANIELLE MARTIN, PHYSICAL THERAPIST

WHEREAS, Yates County Public Health seeks to sign an agreement with Danielle Martin, Physical Therapist, 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 and hereby is authorized to sign an agreement with Danielle Martin, Physical Therapist 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 3/1/2021 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. 114-21

Mrs. Church offered resolutions 114 thru 116-21 and moved their adoption, seconded by Mr. Harper.

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH SAFE HARBORS OF THE FINGER LAKES

WHEREAS, the County is desirous of engaging the services of Safe Harbors of the Finger Lakes to address the needs of youth at risk; and

WHEREAS, the costs of such services are 100% funded through the Office of Mental Health;

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

RESOLVED, that said contract will run from 01/01/2021 to 12/31/2021 for an amount not to exceed \$16,757.00; and be it further

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

RESOLUTION NO. 115-21

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH THE LIVING WELL, INC.

WHEREAS, the County is desirous of engaging the services of The Living Well, Inc. to serve as a one-stop center to engage families in service referrals and access to care and treatment; and

WHEREAS, the costs of such services are 100% funded through the Research Foundation, Inc.;

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 The Living Well, Inc.; and be it further

RESOLVED, that said contract will run from 09/01/2020 to 08/31/2021 for an amount not to exceed \$9,241.00; and be it further

RESOLVED, that copies of this resolution be provided to Community Services, the Public Health office, The Living Well and the Yates County Treasurer.

RESOLUTION NO. 116-21

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH OUR TOWN ROCKS

WHEREAS, the County is desirous of engaging the services of Our Town Rocks for one time purchase of equipment and furnishings for the site; and

WHEREAS, the costs of such services are 100% funded through the Office of Mental Health;

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 Our Town Rocks; and be it further

RESOLVED, that said contract will run from 09/01/2020 to 09/30/2021 for an amount not to exceed \$8,550.00; and be it further

RESOLVED, that copies of this resolution be provided to Community Services, the Public Health office, Our Town Rocks and the Yates County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 117-21

Mrs. Church offered resolutions 117 and 118-21 and moved their adoption, seconded by Ms. Chilson.

APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD

WHEREAS, Carrie Roberts, residing at 3176 Guyanoga Road, Branchport, New York, 14418, has expressed interest in serving on the Yates County Community Services Board and on the Board's Mental Health Subcommittee; and

WHEREAS, Carrie Roberts has been recommended for appointment to a first term on the Yates County Community Services Board and the Board's Mental Health Subcommittee;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby appoints Carrie Roberts to the Yates County Community Services Board and to the Mental Health Subcommittee of the Yates County Community Services Board; and be it further

RESOLVED, that said term will end 12/31/2025; and be it further

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

RESOLUTION NO. 118-21

APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD

WHEREAS, Sydney Forshay, residing at 255 Lake Street, Penn Yan, New York, 14527, has expressed interest in serving on the Yates County Community Services Board; and

WHEREAS, Sydney Forshay has been recommended for appointment to a first term on the Yates County Community Services Board;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby appoints Sydney Forshay to the Yates County Community Services Board; and be it further

RESOLVED, that said term will end 12/31/2024; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 119-21

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

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

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

WHEREAS, Expanded In-home Services for the Elderly Program and the Community Services for the Elderly Program have been approved in the 2021 Yates County Budget for the Pro Action Yates Office for the Aging; and

WHEREAS, that the 2021 Annual Update to the 4-Year Plan process requires Local Executive Review and Approval to receive State and Federal funds for the Expanded In-home Services for the Elderly Program or the Community Services for the Elderly Program;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to sign the 2021 Annual Update to the 4-Year Plan; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 120-21

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

**AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING
FOR ALLOCATION OF FUNDING**

WHEREAS, funding has been appropriated in the 2021 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 upon the approval of the County Attorney the Chairman of the Yates County Legislature is 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. 121-21

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

AMEND RESOLUTION 237-20

WHEREAS, the Department of Social Services wishes to strengthen program integrity; and

WHEREAS, the Department of Social Services has entered into a contract with CLEAR for these services; and

WHEREAS, Resolution 237-20 contained an error in the listed rates and contract time period;

NOW, THEREFORE, BE IT RESOLVED, that information in Resolution 237-20 be amended to reflect a rate of \$310.75 per month for a period of three years ending June 30, 2023; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 122-21

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

**AWARD ENGINEERING SERVICES FOR POST CLOSURE OPERATIONS &
MAINTENANCE AT THE COUNTY LANDFILL FOR 2021-2022**

WHEREAS, Request for Proposals were sought for professional engineering services for Post Closure Operations and Maintenance at the County Landfill on Long Point Road in the Town of Torrey and received on February 22, 2021 and two firms submitted proposals; and

BIDDER	2 Year Cost
Barton & Loguidice	\$ 87,200.00
D&B Engineers	\$ 95,000.00

WHEREAS, the proposal includes semi-annual sampling events and reports, baseline data validation, soil and gas sampling and inspections, the final cost may vary based on the required number of samples that need to be collected and analyzed as requested by NYSDEC and/or unforeseen circumstances such as mechanical equipment problems or failures; and

WHEREAS, Barton & Loguidice, D.P.C. submitted the lowest two year cost proposal and has satisfactorily performed post-closure operations and maintenance engineering work in the past;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Chairman is hereby authorized to sign the two year agreement with the firm of Barton & Loguidice, D.P.C. located at 443 Electronics Parkway, Liverpool, NY 13088 in the amount of \$87,200 for said services; and be it further

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

VOTE: Unanimous

At 2:00 p.m. Mr. Willson moved to enter into executive session to discuss:

- The employment history of a particular person or persons with members of the legislature, the County Administrator and a representative from Information Technology in attendance by Zoom access.
- Lease negotiations for a potential provider of space for vaccination clinics, with members of the legislature, the County Administrator and a representative from Information Technology present or in attendance by Zoom access.
- The financial history of a particular corporation or corporations, with members of the legislature, the County Administrator and a representative from Information Technology present or in attendance by Zoom access.

And

- The employment history of a particular person or person, with members of the legislature and a representative from Information Technology present or in attendance by Zoom access.

It is not anticipated that there will be a resolution or resolutions forthcoming after the conclusion of the executive session.

Seconded by Mrs. Percy

VOTE: Unanimous

The legislature reconvened at 2:35 p.m. in open session. The following action was taken.

RESOLUTION NO. 122-21

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

SIGN AGREEMENT WITH PENN YAN LLC

WHEREAS, Yates County Public Health is desirous of entering into an agreement with Penn Yan LLC for a license to occupy the premises known as the former Gordman's Building and adjacent parking area in the Lake Street Plaza, for the purpose of holding Medical COVID-19 Vaccination Clinics; and

WHEREAS, the costs of such services are 100% funded through the awarded Covid-19 Response grant;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to enter into a contract with Penn Yan LLC; and be it further

RESOLVED, that said contract will begin as early as March 15th, 2021 and will end July 31st 2021, unless an extension is requested by Licensee and granted by Licensor, at a rate of \$5,000.00 per month; and be it further

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

VOTE: Unanimous

Meeting adjourned at 2:45 p.m.