

REGULAR SESSION-MONDAY, MARCH 13, 2023

The Yates County Legislature convened in regular session Monday, March 13, 2023 at 1:00 p.m. with Chairwoman Church presiding and Mr. Holgate on Zoom.

Chairwoman Church asked for a report of the auditing committees. The audit was approved as presented.

	December 2022	February 2023
Airport Fund	\$ 0	\$ 6,835.43
Finance	\$ 4,303.00	\$ 783,273.25
Flint Creek	\$ 0	\$ 0
Government Operations	\$ 0	\$ 80,338.15
Human Services	\$ 0	\$ 326,908.11
Prior to Audit	\$ 0	\$ 123,479.13
Public Safety	\$ 3,457.60	\$ 364,826.09
Public Works	\$ 2,766.00	\$ 530,313.70
Total	\$ 10,526.60	\$ 2,215,973.86

Grand Total: \$2,226,500.46

COMMITTEE REPORTS

Mr. Banach reported that he attended the Wildlife Management Board meeting a couple of weeks ago. There were no deaths attributed to firearms, but there were 2 deaths that were attributed to falling out of a deer hunting tree stand. Which is kind of amazing, considering the number of hunters that we're out there and the deer harvested. He also attended the NYSAC Conference and attended a few different breakouts. The most interesting one was about the Erie County snow event. Erie County back in November, got 83 inches of snow and then in December, they had a blizzard of 70 mile an hour winds with about 2 foot of snow. It was amazing how they got through it, how they handled their 911 situation. A lot of people had called the 911 number. They wanted to know what grocery stores were open, what roads are open, what hospitals were open, not necessarily emergencies. What they did was create the 595 Snow Line if they had a non-emergency, they could call the snow line.

Ms. Chilson reported that the Bicentennial Committee is meeting regularly and she is meeting with the Villages every month, sometimes a couple of times a month per village depending on their needs. She attended the NYSAC Conference and sat in on the County Health Officials of New York and they talked about lead poisoning. The CDC has lowered lead from 5 to 3.5%. What they're going to do is if a child tests high for lead, they'll come in and do a sweep, test to see if they have led in their home, and if they do, even if it's a home that they rent, they're going to have them relocate the tenants and hire an EPA certified lead contractor and have the lead removed. Then they are under mandatory testing every 3 years. There's no financing available from the State to these landlords, or to the home and all homes will need to be tested where the child spends significant time. She also sat in on Building a Green Future. They're planning to create 200,000 jobs by 2030 and a 100,000 more over the next 10 years. They want to transition from traditional jobs by decreasing workers for natural gas and have a seamless transition to the Green New Deal. Their intention is not to put gas stations out of business. They don't want to force any companies to close. They want to help gas stations know when it's the right time to have a behavior adjustment, that's a direct quote. They're going to try to avoid mandates. She sat in on the Aging Population breakout. New York is home to more residents age 65 than the entire population of 21 States. Older adults are driving more of the State's population growth.

In the past decade, the number of New Yorkers, aged 65, and over, increased by 31%, and during that same period, the population under 65, decreased by 2.6. The Governor's trying to offset or offload the Medicaid expenses on their counties because of this big, huge growth in their elderly population.

Mr. Morris reported that Rick Willson reported for him on SWIO last month.

Mr. Paddock reported that the Communications Project is proceeding. Some radios were being installed today. They got a report on Friday and are expected to be complete with construction the end of March. This is weather dependent, and their weather forecast is not very good for the next few days, but that's the schedule right now.

Ms. Flynn reported that she attended the NYSAC Conference and one of the big bones of contention with a lot of the counties is that in their Governor's proposal for next year's budget, she's shifting a lot of the costs sharing for Medicaid from counties. She's keeping the Federal share in her State budget. Historically, the Federal Government has given assistance to States for Medicaid spending, and New York State is one of the few States in the country that passes the Medicaid costs on to the Counties. This will cost Yates County \$543,000 a year and that would be a 3.5% or 3.4% increase in their tax levy. They are hoping the State Senate and Assembly reject this in the Governor's proposed budget.

Chairwoman Church reported that she attended the NYSAC Conference and attended breakouts for details of the state's energy policy and the push to electrification of fleet. She can't imagine how they are going to keep up with that. She was struck by the lack of thought, how they just haven't thought out the process, and what the result is going to be. The infrastructure that's going to be needed to move to a total electrification of vehicles, let alone their entire fleet. They are pushing it, and they closed out their session with a big push on that, and where all the grant money would be to make those things happen.

Mr. Button reported that he attended the first Yates County Solid Waste Management meeting. They also did have in the minutes about New York City, possibly addressing their garbage situation that comes up into the Finger Lakes area.

Mr. Jayne reported that at the Community Center meeting they brought up their little exchange about signing the contract to the Federal Government about the money Yates County gave them, and to express concerns about using local contractors. They knew that it wasn't going to cause additional spending by getting Federal money. The only thing that was brought up is they chose Chase Engineers as the general contractor for the building. This will be the only general contractor and they're going to be using local people to do the work. Chase is kind of there for the insurance and stuff like that.

Mr. Killen reported that he spoke with the probation officers recently, and one of the things they brought up was a lack of access to a break room in the court area. Both their office and the Public Offenders office, and they've tried to like put in a little microwave or other things, but they really don't have a break room to go to for lunch. He didn't know if that's something that they could talk with Joe and Bill over at security about that. He renewed his request that they strongly consider an improvement to the comfort of some of the seating and some amenities in their breakroom.

RESOLUTION NO. 131-23

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

**RESCIND RESOLUTION 437-22
(Municipal Certificate of Need)**

WHEREAS, Resolution 437-22 does not include a section authorizing the Chairwoman to sign the Municipal Certificate of Need Application;

NOW, THEREFORE, BE IT RESOLVED, that Resolution 437-22 is hereby rescinded; and be it further

RESOLVED, that a copy of this resolution be sent to the Director of Emergency Services, County Attorney, and the County Administrator.

VOTE: Unanimous

RESOLUTION NO. 132-23

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

**AUTHORIZE CHAIRWOMAN TO SIGN AUTHORIZATION FOR YATES COUNTY
EMERGENCY SERVICES TO APPLY FOR A MUNICIPAL CERTIFICATE OF NEED
AND ESTABLISH AN AMBULANCE SERVICE**

WHEREAS, the furnishing of medical assistance in an emergency is a matter of vital concern affecting the public health, safety and welfare, prehospital emergency medical care, the provision of prompt and effective communication, and safe and effective care and transportation of the sick and injured being an expected public health service; and

WHEREAS, a county may provide an emergency medical service, a general ambulance service or a combination of such services for the purpose of providing prehospital emergency medical treatment or transporting sick or injured person found within the boundaries of the municipality or the municipalities; and

WHEREAS, a county acting through its local legislative body may adopt and amend local laws, ordinances, or resolutions to establish and operate advanced life support first responder services or municipal ambulance service within a municipality, upon meeting or exceeding all standards set by the New York State Department of Health, Bureau of Emergency Medical Services and Trauma Systems for training, staffing and equipment, and upon filing a written request for such authorization with the State Emergency Medical Services Council; and

WHEREAS, as an alternative to providing its own ambulance service, or in addition thereto, Yates County and its municipalities have relied on other organizations, associations or individuals, having sufficiently trained and experienced personnel, for the operation, maintenance and repair of, or to supply, staff and equipment, emergency medical service or ambulance vehicles, and for the furnishing of prehospital emergency treatment; and

WHEREAS, over time and for various reasons, fewer volunteers to staff this critical and expected service have been available to answers these requests, and it is anticipated that the decline will only continue, thereby leaving a significant part of the county without direct emergency services coverage, and placing a significant strain on the other parts of the system; and

WHEREAS, county officials, having met with one or more existing not for profit volunteer ambulance services, have determined that current existing entities within the county continue to have difficulty maintaining sufficiently trained and experienced personnel to provide adequate ambulance coverage within Yates County, and to regularly meet the generally accepted rural ambulance response standards, and the parties are currently unable to develop the synergies necessary to solve the EMS crisis;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Article 30 of the New York State Public Health Law, Section 3008, the Yates County Legislature hereby finds and determines that there is a demonstrated absence, reduced availability or inadequate level of care in ambulance or emergency medical service available to the County of Yates, which is not readily correctable through the relocation or improvement of existing services; and be it further

RESOLVED, that Yates County Emergency Services, with such assistance as might be required from other County departments deemed necessary and appropriate, are authorized and directed to apply for and obtain a Municipal Certificate of Need for an Advanced Life Support ambulance and Advanced Life Support First Response service, and commence operation effective June 11, 2023; and be it further

RESOLVED, that after approval from the County Attorney, that the Chairwoman is authorized to sign the Municipal Certificate of Need Applications; and be it further

RESOLVED, that a copy of this resolution be given to the Director of Emergency Services, the County Attorney, the County Administrator, the Budget Officer, the Director of Finance, and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 133-23

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

AUTHORIZE CHAIRWOMAN TO SIGN CONTROLLED SUBSTANCES AGREEMENT BETWEEN YATES COUNTY EMERGENCY MEDICAL SERVICES AND SOLDIERS AND SAILORS MEMORIAL HOSPITAL PHARMACY

WHEREAS, Yates County Emergency Medical Services is required by New York State Department of Health Bureau of EMS to obtain a Controlled Substances License in order to operate as an Advanced Life Support Service; and

WHEREAS, the first procurement of Controlled Substances medications must be purchased from a registered pharmacy; and

WHEREAS, Yates County Emergency Medical Services does not have the storage area to properly store sub stocks of extra Controlled Substances at this time, and wishes to have the onboard Controlled Substances refilled as needed by the Soldiers and Sailors Memorial Hospital pharmacy; and

WHEREAS, a Memorandum of Understanding must be in place to be able to procure these Controlled Substances;

NOW, THEREFORE, BE IT RESOLVED, that after submission of all required paperwork and approval by the County Attorney, the Chairwoman is authorized to sign the Controlled Substances Agreement between Yates County Emergency Medical Services and Soldiers and Sailors Memorial Hospital pharmacy; and be it further

RESOLVED, that a copy of this resolution be sent to the County Attorney, Director of Emergency Services, County Treasurer, Director of Finance, Budget Officer, and County Administrator.

VOTE: Unanimous

RESOLUTION NO. 134-23

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

AUTHORIZE CHAIRWOMAN AND SHERIFF TO RENEW MICROWAVE COMMUNICATIONS TOWER SITE SERVICE

BE IT RESOLVED, that the Chairwoman and Sheriff upon the approval of the County Attorney is authorized to renew the microwave services agreement for repair services and preventative maintenance at tower sites with Motorola Solutions, Inc. a NYS OGS #PT68722 vendor for microwave communication service as designated by Motorola Solutions as their Field Services Unit from 3/5/2023 thru 3/4/2024 year at \$63,312.84; and be it further

RESOLVED, that Motorola Solutions Inc. via its Field Services Unit is the provider for microwave tower site radio maintenance, etc. for the County of Yates with the understanding that the year 2023 is unique as the county is upgrading its public safety communications microwave equipment with new MNI product establishing a warranty related and affecting this contract, and that said agreement can end with thirty days notification, if or when applicable; and be it further

RESOLVED, that the Finance Director and or Treasurer is authorized to make said payment forthwith; and be it further

RESOLVED, that a copy of this be provided to the Sheriff and the Finance Department.

VOTE: Unanimous

RESOLUTION NO. 135-23

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

AUTHORIZE SHERIFF AND CHAIRWOMAN TO RENEW BI2 TECHNOLOGIES MAINTENANCE AGREEMENT

WHEREAS, identification technology has revolved into the biometrics of eye iris scanning of a jail inmate that goes beyond the fingerprint for identification for positive identification during booking, release, and the distribution of medications to the identified correct person via this technology that does not require a latent print examiner; and

WHEREAS, the jail operates this identification system via NYS OGS #PD67645 pricing that includes maintenance;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman and the Sheriff upon the approval of the County Attorney are authorized to renew the maintenance contract 4/1/2023 thru 3/31/2024 for \$4,826.10 with BI2 Technologies, LLC; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 136-23

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

AUTHORIZE SHERIFF TO PURCHASE SECURITY EQUIPMENT

WHEREAS, upon the presentation by the Sheriff and review of the Public Safety Committee that advanced security screening via modern technology would benefit the Yates County Jail admissions, etc.;

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff may purchase via GSA sole source pricing at \$139,000 for a Tek84 scanner for the purpose of detecting metallic and nonmetallic threats, including weapons and drugs, or other contraband that threaten the safety and security of the jail facility by using available budget funds in the jail 2023 budget, supported by revenue; and be it further

RESOLVED, that copies be provided the Budget Officer, Finance Director, and the Sheriff.

VOTE: Unanimous

RESOLUTION NO. 137-23

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

AUTHORIZE SHERIFF TO ISSUE PURCHASE ORDERS FOR PUBLIC SAFETY COMMUNICATIONS PROJECT PROFESSIONAL SERVICES

WHEREAS, Yates County has undertaken a project to improve public safety communications within the county and has engaged professionals that have been executing the project for the last several months; and

WHEREAS, additional professional services are needed;

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff is authorized to issue purchase orders for professional services to Mid-State Communications of Oriskany, NY in an aggregate amount not to exceed \$55,000.00 in furtherance of the emergency communications project; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 138-23

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

AMEND RESOLUTION NO. 56-22 (Regarding Temporary Correction Officer)

WHEREAS, Resolution 56-22 authorized the Sheriff to fill a full time temporary Correction Officer position effective March 1, 2022; and

WHEREAS, the resolution is in need of being amended;

NOW, THEREFORE, BE IT RESOLVED, that “twenty-four (24) months” replace “twelve (12) months” in the paragraph 3; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 139-23

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

FILE COUNTY OFFICERS ANNUAL REPORTS WITH CLERK OF LEGISLATURE

BE IT RESOLVED, that all County Officers’ reports be filed with the Clerk of the Legislature by April 1, 2023 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. 140-23

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

Mr. Killen stated that he has strong concerns about some of the irrational push to eliminate necessary heating sources and fuel sources, especially in the northeast. They have been fairly fortunate with the weather, it hasn't been too awful this winter. Some of the restrictions they are

placing on fossil fuel use is punishing some of the people that can't afford it. Not everybody can totally retrofit all their houses, everything that they use for energy to heat and create energy. That is just unreasonable, to expect that people can't use the available fuels that are cost-effective and functional. It's just maddening, and it's not taking into account the differences in different regions of the state and the availability of some of these fuels and things.

Ms. Chilson stated that when she brought that to their attention during the conference, how is the average 65 to 80 year old going to redo their house with a contractor putting new electric in, putting a new charging station in, and buying a new car, the answer was, there'll be incentives. There is no plan of them slowing down.

Mr. Button stated that the dairy industry, which is the biggest agricultural entity in their state, the different milk plants have to wash out the tankers completely clean and sanitary. That also goes all the way back down to the producer at the farm level. Whether they're a big producer with a lot of cows or small, the need for hot water to be very hot and very clean is paramount, and they haven't thought about how it's affecting agriculture and their ability to maintain that their place in the world, as far as food production.

Mr. Morris stated that off Terry's point, in that class at NYSAC, he did ask the question if there are any farmers on this board making these decisions, and they said, they are open to suggestions. One man that was a farmer there volunteered to be on that board, so at least they'll have some input from the farmer. They need a lot more help.

RESOLUTION OPPOSING GOVERNOR HOCHUL'S BAN OF NEW FOSSIL FUEL HEATING EQUIPMENT

WHEREAS, Governor Hochul's State-of-the-State address contained a proposal to prohibit the sale of new fossil fuel powered heating systems by 2030 for smaller buildings and by 2035 for larger buildings; and

WHEREAS, Governor Hochul is further calling for zero-emission new construction, with no on-site fossil fuel combustion by 2025 for smaller buildings and by 2028 for larger buildings; and

WHEREAS, the Governor's ban is intended to help address climate change, but this government mandate is more of a burden on our region's working-class residents and will have a devastating effect on restaurants, businesses, and manufacturing facilities when they have to convert to all electric; and

WHEREAS, the cost to convert a house to electric will result in a cost between \$20,000 - \$50,000 per household and would not include any backup system in the event of a power outage; and

WHEREAS, the conversion to electric will create unnecessary financial burden and hardship for businesses that compete on a national or global level; and

WHEREAS, a ban on fossil fuel appliances and water heaters is not feasible for the Finger Lakes Region with harsh winter weather and an exposed electrical infrastructure; appliances used to heat water and cook food need to work during power outages especially during times of inclement weather; and

WHEREAS, according to *Keeping Pace with an Aging New York State*, the New York State Population over 65 has increased 30.6%, more than half of this growth is outside of NYC, and the population under 65 has declined 2.6%; and the fastest growth is in the Finger Lakes Region (Rochester) at +64%; and

WHEREAS, this past December saw a blizzard rip through the neighboring areas leaving tens of thousands of residents stuck in their home without power, many for several days; fossil fuel appliances, fed by a more resilient infrastructure, allowed those residents to heat their homes, boil water, and safely cook their food during the days needed to clear the roads and restore electricity; and

WHEREAS, mandating the purchase of electrical appliances is an unnecessary burden we are placing on families across New York State at a time when the cost of living has significantly outpaced wage growth; and

WHEREAS, the costs to bury power lines, increase renewable energy infrastructure, and increase the capacity of transformers will be passed on directly to consumers in the form of increased energy costs; and

WHEREAS, individual homes, especially those in older housing stock will be forced to conduct costly in-home electrical panel upgrades to accommodate the increased demand from their appliances; and

WHEREAS, the ban on fossil-fuel powered heating equipment and appliances will cause severe hardship on the residents and businesses within Yates County and the Finger Lakes Region;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby vehemently opposes the Governor's plan to ban fossil fuel heating and appliances as not feasible or warranted for Yates County and much of the Finger Lakes Region, and be it further

RESOLVED, that the Yates County Legislature hereby strongly urges Governor Hochul and the New York State Legislature to fully examine the real life impact their decisions will have for all New Yorkers, especially those least able to afford them, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor Hochul, the Finger Lakes Region Delegation to the New York State Senate and Assembly, New York State Association of Counties, and any other party deemed necessary and proper.

VOTE: Unanimous

RESOLUTION NO. 141-23

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

PROBLEM GAMBLING AWARENESS MONTH

WHEREAS, problem gambling is a preventable public health issue that affects over 600,000 New York residents of all ages, races, and ethnic backgrounds, and causes significant societal and economic costs for families, businesses and communities; and

WHEREAS, expanding availability and accessibility of gambling activities in New York State increase our collective risk for problem gambling; and

WHEREAS, problem gambling is treatable, and treatment is effective in minimizing this harm to both individuals and society as a whole; and

WHEREAS, promoting public awareness provides New Yorkers an opportunity to educate the public and policy makers about the warning signs and available support for individuals and families struggling with problems related to gambling activity; and

WHEREAS, the New York Council on Problem Gambling, and the New York State Problem Gambling Resource Centers invite all residents of Yates County to participate in Problem Gambling Awareness Month; and

WHEREAS, the National Council on Problem Gambling, the New York Council on Problem Gambling and the New York State Problem Gambling Resource Centers have designated March 2023 as Problem Gambling Awareness Month;

NOW, THEREFORE, BE IT RESOLVED, Yates County, does hereby proclaim the month of March 2023 as Problem Gambling Awareness Month in Yates County and encourage all citizens to support the New York Council on Problem Gambling, and the New York State Problem Gambling Resource Centers in their efforts to raise awareness and stimulate action for the issue of problem gambling with friends, family, clients and communities; and be it further

RESOLVED, that a copy of this resolution be sent to the New York Council on Problem Gambling.

VOTE: Unanimous

RESOLUTION NO. 142-23

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

DISCUSSION:

Mr. Button stated that this is a good resolution. He is glad that Kerry and some of the department heads have brought it to their attention. That they need to pay attention, learn from constructive criticism, and new ideas to make them better and he looks forward to passing it.

AUTHORIZE CHAIRWOMAN TO SIGN AGREEMENT WITH SAVANNAH CONSULTING FOR DEPARTMENT HEAD LEADERSHIP DEVELOPMENT AND 360 ASSESSMENTS

WHEREAS, Yates County desires to contract with Savannah Consulting to conduct 360 assessments and leadership development training for Department Heads; and

WHEREAS, the cost for such service shall not exceed \$18,865;

NOW, THEREFORE, BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairwoman of the Yates County Legislature is hereby authorized to sign the agreement with Savannah Consulting; and be it further

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

RESOLVED, that a copy of this resolution be provided to Savannah Consulting, the Personnel Officer, County Administrator, and Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 143-23

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

ESTABLISHMENT OF THE YATES COUNTY BICENTENNIAL COMMEMORATION COMMITTEE

WHEREAS, Yates County (hereinafter referred to as the “County”) was formed in the year 1823; and

WHEREAS, the County will be celebrating its 200th Anniversary in the year 2023; and

WHEREAS, it is fitting and proper that the year 2023, being the County’s bicentennial year, be commemorated with historical, educational, artistic and celebratory events in keeping with this rare and important anniversary; and

WHEREAS, this year-long event should reach out to and connect with the people, places and faces of the vibrant and diverse population and geography of the County;

NOW, THEREFORE, BE IT RESOLVED that there is hereby established a special committee to be known as the Yates County Bicentennial Commemoration Committee (hereinafter referred to as the “Committee”) to plan, encourage, develop and coordinate the commemoration of the County’s bicentennial; and be it further

RESOLVED that the Committee shall be composed of the following members, all to be appointed by the Chair of the Yates County Legislature:

- (A) One member from the Yates County Legislature.
- (B) One member being the Yates County Historian.
- (B) Two other members from the Yates County Department Head or Yates County Non-Legislative Elected Office Holder roster.
- (C) Six to Eight members from the public-at-large, comprised of various interested parties in the community; and be it further

RESOLVED that the members comprising the Yates County Historian and the Yates County Legislator shall serve as co-chairs of the Committee; and be it further

RESOLVED that the Committee is charged with the preparation of an overall program for commemorating the County’s bicentennial, as well as the planning and execution of varied appropriate historical, educational, artistic and celebratory events, programs and exhibits throughout the County during the year 2023, which highlight the 200 year history of the County; and be it further

RESOLVED that any monies or property allocated to the Committee by the Yates County Legislature or received by the Committee via donations or fundraisers from third parties shall fall under the budget and control of the member of the Committee who is the Yates County Historian, who shall supervise, control and approve any and all expenditures of monies or property towards the Committee's planned commemorative activities, as well as account for the same; and be it further

RESOLVED that this Committee shall terminate upon the conclusion of the year 2023, unless otherwise earlier or later terminated by the Yates County Legislature; and be it further

RESOLVED, that a copy of this resolution be given to the Clerk of the County Legislature and the Yates County Bicentennial Commemoration Committee.

VOTE: Unanimous

RESOLUTION NO. 144-23

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

AUTHORIZE BUILDING MAINTENANCE SUPERVISOR TO FILL BUILDING MAINTENANCE MECHANIC POSITION

WHEREAS, a Building Maintenance Mechanic position will become vacant effective April 29, 2023 as the result of a retirement; and

WHEREAS, the Building Maintenance Supervisor through the vacancy review process has identified the continued need for the position and is requesting that the vacancy be filled; and

WHEREAS, the estimated cost to fill the position is \$56,166 to \$83,295, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective March 13, 2023 the Building Maintenance Supervisor is hereby authorized to fill a full-time Building Maintenance Mechanic position; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 145-23

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

AUTHORIZE BUILDING MAINTENANCE SUPERVISOR TO FILL BUILDING MAINTENANCE HELPER POSITION

WHEREAS, a Building Maintenance Helper position became vacant effective February 7, 2023 as the result of a resignation; and

WHEREAS, the Building Maintenance Supervisor through the vacancy review process has identified the continued need for the position and is requesting that the vacancy be filled; and

WHEREAS, the estimated cost to fill the position is \$43,859 to \$70,987, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective March 13, 2023 the Building Maintenance Supervisor is hereby authorized to fill a full-time Building Maintenance Helper position; and be it further

RESOLVED, that copies of this resolution shall be provided to the Building Maintenance Supervisor, Personnel Officer, County Administrator, and Director of Finance.
VOTE: Unanimous

RESOLUTION NO. 146-23

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

**SIGN AMENDMENT 1 TO THE AGREEMENT WITH HEALTH RESEARCH INC.
(HRI) (PUBLIC HEALTH CORPS FELLOWSHIP PROGRAM)**

WHEREAS, Yates County Public Health has received a date extension to the New York State Department of Health and Human Services Award of \$548,752; and

WHEREAS, said grant period has been extended through June 30, 2024;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairperson is hereby authorized to sign the amendment to the agreement with Health Research Inc. (HRI) for the period ending June 30, 2024 for the Public Health Corps Fellowship Program Grant; and be it further

RESOLVED, that copies of this resolution be provided to the Public Health Department, the Director of Finance, and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 147-23

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

AUTHORIZE BURIAL AND CREMATION RATES

WHEREAS, the County has determined that the rates paid for the burial and cremation of indigent County residents needs to be adjusted; and

WHEREAS, an appropriate pricing schedule has been developed;

NOW, THEREFORE, BE IT RESOLVED, that the following rates apply to the costs of burial/cremation services beginning March 1, 2023, and raise 3% each year for the next five years;

Service	Rate
Fetal/Stillborn	\$600
Child up to age 5	\$960

Adult age 6 and up	\$2,709, additional cost for oversized casket can be approved.
Cremation	\$2,709, additional \$100 for individuals over 300 pounds
Crematorium	At cost
Grave space	at cost
Opening/Closing	at cost
Grave liner/equipment	at cost
Clergy	at cost
Total mileage	\$2.00 per mile

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 148-23

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

DISCUSSION:

Ms. Chilson requested that they capitalize chair of the legislature, it's in lowercase.

AUTHORIZE CHAIR TO SIGN MEMORANDUM OF UNDERSTANDING FOR ALLOCATION OF FUNDING

WHEREAS, funding has been appropriated in the 2023 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, the Chair 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 copies of this resolution shall be provided the Commissioner of Social Services, Yates County Treasurer, and Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 149-23

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

AUTHORIZE CONTRACT WITH SAFE HARBORS

BE IT RESOLVED, that after review by the County Attorney, the Youth Bureau Director and the Chair of the Legislature be authorized to sign contracts with the following agency for approved Youth Bureau funding for the time frame 1/1/2023-12/31/2023:

<u>Agency/Organization</u>	<u>Program</u>	<u>Amount</u>
Safe Harbors of the Finger Lakes -	Sexually Exploited Youth Programming	\$41,926

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 150-23

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

AUTHORIZE CHAIR TO SIGN RESOURCE ALLOCATION PLAN (2023)

WHEREAS, the New York State Office of Children and Family Services requires that the Yates County Youth Bureau/Board prepare a Resource Allocation Plan for programs and services provided by the county and local municipalities for the period of January 1, 2023 - September 30, 2023; and

WHEREAS, the office has allocated \$33,613 in Youth Development Program funds for this purpose; and

WHEREAS, the Yates County Youth Board has recommended approval of the funding; and

WHEREAS, the agreement provides for reimbursement to the county after the submission of vouchers and supporting documents as proof of expenditures by the various agencies at intervals throughout the years;

NOW, THEREFORE, BE IT RESOLVED, that this County Legislature does hereby authorize an agreement between the County of Yates and the NYS Office of Children and Family Services for the Resource Allocation Plan for 2023, with a copy of said agreement on file in the Office of the Clerk of this Legislature; and be it further

RESOLVED, that the Chair is hereby authorized and directed to sign the Resource Allocation Plan Agreement on Behalf of the County; and be it further

RESOLVED, that the Youth Bureau Director is authorized to make technical adjustments in the Resource Allocation Plan if so directed by the NYS Office of Children and Family Services; and be it further

RESOLVED, that copies of this resolution be sent to the New York State Office of Children and Family Services, the Yates County Director of Finance, Yates County Treasurer, and the Youth Bureau Director.

VOTE: Unanimous

RESOLUTION NO. 151-23

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

AUTHORIZE CONTRACT WITH CHILD AND FAMILY RESOURCES

BE IT RESOLVED, that after review by the County Attorney, the Youth Bureau Director and the Chair of the Legislature be authorized to sign contracts with the following agency for approved Youth Bureau funding for the time frame 1/1/2023-12/31/2023:

<u>Agency/Organization</u>	<u>Program</u>	<u>Amount</u>
Child and Family Resources –	Childcare Registration	\$28,502

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 152-23

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

AUTHORIZE CONTRACT WITH LABCORP

BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chair of the Legislature and the Commissioner of Social Services be authorized to sign a contract between the Yates County Department of Social Services and LabCorp for the provision of genetic testing services at the rate of \$55 per test for the period of January 1, 2023-December 31, 2023; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 153-23

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

DECLARE SURPLUS EQUIPMENT

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

WHEREAS, the following equipment shall be declared surplus property;

Unit:	Year/Make/Model:	Miles/Hrs.:	VIN #:
E-3	2017 Volvo EW160E Excavator	3,760 hours	VCEW160EA00321002

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

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

VOTE: Unanimous

RESOLUTION NO. 154-23

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

DISCUSSION:

Mr. Button asked if they've had some change orders already.

Mr. Banach replied yes, he thinks so.

AMEND RESOLUTION NO. 422-21 (C & S Engineers, Not to Exceed Contract Authorization)

WHEREAS, Resolution No. 422-21 authorized a contract with C & S Engineers, Inc. for engineering services on the Yates County Highway, Office of Emergency Services and Public Health Facility Project for an amount not-to-exceed \$900,000; and

WHEREAS, the required scope of services for the Highway, Office of Emergency Services and Public Health Facility Project has increased beyond the originally identified scope of services as presented in the Request for Proposal dated September 1, 2021; and

WHEREAS, C & S Engineers, Inc. is nearing the proportioned not-to-exceed amount on said contract for the design and bidding phase of the project in the amount of \$705,000; and

WHEREAS, additional services are required from C & S Engineers in order to complete the design phase of the project; and

WHEREAS, the amount of said contract shall be increased by a sum not to exceed \$129,684;

NOW, THEREFORE, BE IT RESOLVED, that the "Not-to-Exceed" amount of said contract be amended to \$1,029,684; and be it further

RESOLVED, that after approval by the County Attorney, the Chairwoman of the Legislature is authorized to execute appropriate documents to affect the above amendment; and be it further

RESOLVED, that copies of this resolution be provided to C & S Engineers, Inc., the Office of Emergency Services Director, the Highway Superintendent, the Director of Public Health, the Director of Finance and County Administrator/Budget Officer.

VOTE: Unanimous

RESOLUTION NO. 155-23

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

**AUTHORIZE THE CHAIRWOMAN TO SIGN A MASTER SERVICES AGREEMENT
& TERMS OF SERVICE AGREEMENT WITH GIS WORKSHOP, LLC D/B/A
GWORKS**

WHEREAS, the Highway Department has been utilizing a PubWorks software program since 2013 to document various department operations; and

WHEREAS, Yates County has been notified that as of December 2, 2022, GIS Workshop, LLC, dba, gWorks of Omaha, Nebraska has acquired PubWorks; and

WHEREAS, gWorks has requested that Yates County sign and execute a Master Services Agreement and Terms of Service Agreement before December 31, 2022; and

WHEREAS, the Highway Department will require continued use of the services of this software including but not limited to ongoing support and maintenance of the gWorks (PubWorks) product and the engagement of the gWorks (PubWorks) Support Team;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature upon approval of the County Attorney is hereby authorized to sign the Master Services Agreement and Terms of Service Agreement; and be it further

RESOLVED, that copies of this agreement be forwarded to gWorks, the Director of Finance, the Director of IT, the Highway Superintendent, and the County Administrator.

VOTE: Unanimous

RESOLUTION NO. 156-23

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

2022 BUDGET TRANSFERS

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

From:	To:	Amount:
A1650.54682 CC- Utilities; Tele	A1650.52115 CC- Computer Hardware	\$ 5,737.28
A1650.54577 CC- Comp. Tech	A1650.52115 CC- Computer Hardware	\$ 3,305.00
A1650.54571 CC- Comp. Software	A1650.52115 CC- Computer Hardware	\$ 176.60
CT9951.59016 AIR-Aport Cap. Trsf.	CT5610.54100 AIR-Contractual Exp.	\$ 5,707.53
CT9951.59016 AIR-Aport Cap. Trsf.	CT5610.54686 AIR-Utilities	\$ 1,853.38
A1990.54905 Contingent	A1430.54034 PER- Physicals	\$ 309.50
A1990.54905 Contingent	A1430.54501 PER- Advertising	\$ 219.00
A1990.54905 Contingent	A1430.54903 PER-Awards	\$ 330.00
A1990.54905 Contingent	A1430.54011 PER- Consultants	\$ 5,500.00
A1990.54905 Contingent	A1650.52115 CC- Computer Hardware	\$ 1,293.00
A1990.54905 Contingent	A7510.54209 HIST- Bicent. Exp.	\$ 719.00
A3021.51949 E911- CT/BO	A3020.54470 COM-Supplies; Office	\$ 2.89
A3021.51949 E911- CT/BO	A3021.54516 E911-Printing	\$ 1.33
A3150.54407 JAIL- Equip. Main.	A3150.52415 JAIL-Weapons	\$ 1,500.66
A3350.54156 DWI- Training	A3350.54470 DWI- Supplies; Office	\$ 72.62
A3350.54156 DWI- Training	A3350.54501 DWI- Advertising	\$ 40.00
A3110.58100 SH- FICA/Medicare	A3510.58100 AC- FICA/Medicare	\$ 52.51

A3110.58304 SH- Med. Ins. CO 82	A3510.58304 AC- Med. Ins. CO 82	\$.16
A4010.51530 PH- Program Coord.	A2960.54154 PHC- Edu. Handicap. Child	\$	29,000.00
A4010.51153 PH- Dep. Dir. PH	A2960.54154 PHC- Edu. Handicap. Child	\$	26,000.00
A4054.54102 EI-Early Intervent.	A2960.54154 PHC- Edu. Handicap. Child	\$	30,000.00
A1990.54905 Contingent	A9090.58000 ADJ DT/Vacation	\$	29,020.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 157-23

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Morris.

2023 BUDGET TRANSFERS

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

From:	To:	Amount:
A1990.54905 Contingent	A1621.54422 PSB- Bldg. Equip. Maint.	\$ 11,300.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 158-23

Mr. Paddock offered resolutions 158-23 through 159-23 and moved their adoption, seconded by Mrs. Percy.

**APPROPRIATE ADDITIONAL STATE AID
(SHERIFF)**

WHEREAS, the Sheriff's department has received revenue over the 2023 budgeted amount from State Law Enforcement Terrorism Prevention (FY22 SLETPP) with corresponding expenditures; and

WHEREAS, these funds are not part of the 2023 budget;

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

Revenue:		
A3110.43340 SH- FY22 SLETPP		\$ 34,143.00

Appropriation

And be it further

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

RESOLUTION NO. 159-23

**APPROPRIATE ADDITIONAL STATE AID
(SHERIFF)**

WHEREAS, the Sheriff's department has received revenue over the 2023 budgeted amount from Domestic Terrorism Prevention (FY22 DTP) with corresponding expenditures; and

WHEREAS, these funds are not part of the 2023 budget;

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

Revenue:		
A3110.43338 SH- FY22 DTP		\$ 172,413.00
Appropriation		
A3110.51996 SH- FY22 DTP		\$ 89,413.00
A3110.58309 SH- FY22 DTP Fringe		\$ 33,000.00
A3110.54471 SH- FY22 DTP		\$ 50,000.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 160-23

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

**RESCIND RESOLUTION NO. 114-23
APPROPRIATE ADDITIONAL AID
(FINANCE)**

WHEREAS, As part of the 2022-2023 enacted New York State Budget, Governor Hochul and the State Legislature allocated \$1.2 billion in funding to the NYS Health Care Worker Bonus (HWB) program for the payment of bonuses for certain frontline health care workers as Part ZZ of Chapter 56 of the Laws of 2022; and

WHEREAS, the HWB Program provision allows for the payment of bonuses to "recruit, retain, and reward health care and mental hygiene workers" meeting certain eligibility requirements; and

WHEREAS, these funds are not part of the 2023 budget; and

WHEREAS, the below expenditures meet the eligibility requirements for frontline health care workers; and

WHEREAS, Resolution No. 114-23 that originally appropriated these funds had within it omissions that needed to be added;

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

Revenue:		
A4010.43089 PH- Other State Aid	\$	32,833.22
Appropriation:		
A1623.51166 CH- Cleaner	\$	1,500.00
A1623.58100 CH- FICA/Medicare	\$	114.75
A1625.51161 BG- BLDG Mech	\$	1,500.00
A1625.51040 BG- BLDG Super	\$	1,500.00
A1625.51160 BG- BLDG Mech	\$	1,500.00
A1625.51166 BG- Cleaner	\$	1,500.00
A1625.51162 BG- BLDG Mech	\$	1,500.00
A1625.58100 BG- FICA/Medicare	\$	573.75
A4010.51349 PH-LPN	\$	1,500.00
A4010.51329 PH- PHN	\$	1,500.00
A4010.51065 PH- Director of PH	\$	1,500.00
A4010.51271 PH-Sr. Acct	\$	1,500.00
A4010.51213 PH- Fiscal Admin	\$	1,500.00
A4010.51320 PH- PH Educ.	\$	1,500.00
A4010.51200 PH- Acct Cl. Ty.	\$	1,500.00
A4010.51333 PH- PHN	\$	1,500.00
A4010.58100 PH- FICA/Medicare	\$	918.00
A1680.51078 IT- Comp Supp	\$	1,500.00
A1680.51079 IT- Comp Tech	\$	1,500.00
A1680.51077 IT- Network Ad	\$	1,500.00
A1680.51076 IT- Director	\$	1,500.00
A1680.58100 IT- FICA/Medicare	\$	459.00
A3150.51843 JAIL- Reg Nurse	\$	1,500.00
A3150.58100 JAIL- FICA/Medicare	\$	114.72
A4320.51302 CS- Single Point of Accountability	\$	1,500.00
A4320.51605 CS- Director of Community Services	\$	500.00
A4320.58100 CS- FICA/Medicare	\$	153.00

And be it further

RESOLVED, that Res. No. 114-23 is hereby rescinded; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 161-23

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

**RESCIND RESOLUTION NO. 84-23
APPROPRIATE ADDITIONAL AID FOR TANF DV
(DSS)**

WHEREAS, the Department of Social Services has received additional revenue from the TANF Domestic Violence grant in 2023 with corresponding expenditures; and

WHEREAS, these funds are not part of the 2023 budget; and

WHEREAS, Resolution No. 84-23 that originally appropriated these funds had within it errors that needed to be corrected;

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

Revenue:	
A6010.44610 DSS- Social Services Admin	\$ 28,839.34
Appropriation:	
A6010.54321 DSS- Safe Harbors (TANF DV)	\$ 28,839.34

And be it further

RESOLVED, that Res. No. 84-23 is hereby rescinded; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 162-23

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

DISCUSSION:

Mr. Killen stated that as he looked at this, isn't that necessitated by lack of people attending the planning board meetings is that for this. His understanding is that if there's like a snowstorm that's eminent, then he can take the action to cancel the meeting something along that lines that that it's out of his control.

Mr. Ayers stated that the previous resolution allowed for him to decide on the actions that have been referred to the County Planning Board if there was no quorum or if people were ineligible to vote for technical reasons. If they get a snowstorm and they cancel it doesn't cover that. If they need to cancel for snow, the applications that are to the County Planning Board will just get kicked back to the local boards. With this resolution, there should never be a situation where there's not a determination from the County Planning Board.

**AMEND RESOLUTION 71-18
(AUTHORIZE COUNTY PLANNER TO TAKE COUNTY PLANNING AGENCY
ACTIONS IN CERTAIN INSTANCES)**

WHEREAS, the County has previously authorized the Yates County Planner (hereinafter referred to as the "County Planner") to handle such county planning agency actions in i) instances where referrals made to the County Planning Board are not reviewed by such Board due to the fact that a quorum is not attained or ii) instances where such Board cannot adopt a motion or resolution with respect to such referral in accordance with Section 239-c (5) of the New York State General Municipal Law; and

WHEREAS, this winter the County Planning Board cancelled the meeting due to weather and in that instance Res 71-18 does not grant the authority to the County Planner to make any determinations; and

WHEREAS, it is in the County's best interest to have an authorized planning review and make a determination and not default the review back to the local municipalities after 30 days;

NOW, THEREFORE, BE IT RESOLVED, that the County Planning Board shall continue to be authorized to review and determine proposed actions referenced for intercommunity or county-wide considerations subject to the provisions of Sections 239-l, 239-m and 239-n of the New York State General Municipal Law, with the exception that in i) instances where such a referral to the County Planning Board cannot be so reviewed by the County Planning Board due to the fact that a quorum is not present, ii) instances where such Board cannot adopt a motion or resolution with respect to such referral in accordance with Section 239-c(5) of the New York State General Municipal Law, *iii) unforeseen events that cause the Planning Board to be cancelled or otherwise unable to meet*, the County Planner shall be vested with the sole authority to perform such review and determination in accordance with the provisions of Sections 239-l, 239-m and 239-n of the New York State General Municipal Law; and be it further

RESOLVED, that copies of this resolution be given to the County Planner and the County Planning Board.

VOTE: Unanimous

RESOLUTION NO. 163-23

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

AUTHORIZE RENEWAL OF YATES COUNTY PLANNING BOARD APPOINTMENT (MOBERG, Town of Potter)

WHEREAS, Edwin Moberg (4279 Voorhees Road, Middlesex) has been a member of the Yates County Planning Board representing the Town of Potter since 2018; and

WHEREAS the term of the aforementioned Yates County Planning Board member expires on February 12th, 2023; and

WHEREAS, said member has agreed to extend his term and continue his service on the Planning Board for a term to expire February 12th, 2026;

NOW, THEREFORE, BE IT RESOLVED, that Edwin Moberg is hereby reappointed; and be it further

RESOLVED, that copies of this resolution be provided to Edwin Moberg, the Town Clerk of Potter, and the County Planner.

VOTE: Unanimous

RESOLUTION NO. 164-23

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

**ADOPT POLICY FOR YATES COUNTY
FUNDING OF NATURAL AND RECREATIONAL RESOURCES AND RESCIND
RESOLUTION 276-17**

WHEREAS, in 2017 the Yates County Legislature adopted RES. 276-17: “Adopt Yates County Funding Natural and Recreational Resources Policy;” and

WHEREAS, given the update to the Yates County Comprehensive Plan in 2020, as well as some practical administration changes, an update to the policy is warranted; and

WHEREAS, at the March 6th, 2023 Natural and Recreational Resource Protection Grant Ad-Hoc Committee meeting the deficits to the policy were discuss as well as possible corrective changes; and

WHEREAS, as a result the following sections of the included policy have been updated:

- §IV, 6
- §V, 2.1
- §V, 2.2
- §VI, 1
- §VI, 2
- §VI, 3
- §VI, 4;

NOW, THEREFORE, BE IT RESOLVED, that RES 276-17 be rescinded; and be it further

RESOLVED, that the following policy be adopted; and be it further

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

POLICY FOR FUNDING NATURAL AND RECREATIONAL RESOURCES

I. PURPOSE

The Yates County Legislature seeks to establish a policy for funding Natural and Recreational Resources and desires to partner with other levels of government and private organizations to:

- protect and preserve natural and recreational resources in Yates County;
- preserve and develop recreational trail corridors that cross municipal borders and
- to develop outdoor recreation facilities that are intended to serve all county residents.

II. AUTHORITY

The Yates County Legislature holds executive, fiduciary and legislative authority for Yates County government and makes the final determination for budgetary appropriations.

III. SCOPE

The Yates County Comprehensive Plan, along with the County Planning Guideline “Looking Ahead”, identified the need for protection, preservation and development of the County’s natural and recreational resources. The policy is intended to promote and to provide support to those groups pursuing related projects.

The following are excerpts from the Comprehensive Plan and “Looking Ahead”:

- “Ensure preservation of unique . . . lands and areas. Take actions to prevent development of lands identified as having a flood hazard or displaying excessive slope,” as well as “. . . to protect environmentally sensitive lands and unique areas.”
- “Give adequate consideration to recreational needs as a part of county comprehensive plans.”

The Comprehensive Plan and the Planning Guideline establish the initial framework from which the funding policies and protocols are derived.

IV. DEFINITIONS

1. “Legislature” is defined as the Yates County Legislature.
2. “Looking Ahead” is the planning guideline created in 1999.
3. “Natural and Recreational Resources” are defined as locations, property, and/or destinations within the County that provide an opportunity for citizens to experience and interact with such a resource (i.e. outdoor recreational center, parks, trails, historic tours, etc). A resource may not only be a fixed physical location but a defined program that incorporates either or both elements within its scope.
4. “Other Levels of Government” are defined as Federal, New York State, County, Town and Village governments.
5. “Private Organizations” are defined as organizations that are not other levels of government and may or may not be not-for-profit organizations as defined by the United States Internal Revenue Code.
6. “Yates County Comprehensive Plan” is the document of the same title adopted December, 2020.

V. POLICY

1. Funding – The following will be considered when determining funding for projects.
 1. Up to twenty percent (20%) of the net amount realized by Yates County from Occupancy Tax collections during the previous year will be designated as the total funding level.
 2. Funding in a given year may be fully allocated to various entities, but is not required to be. Funds remaining at the end of a budget year may be reallocated and added to funding available in a subsequent budget year.
 3. Funding for any single applicant in a given year shall not exceed fifty percent (50%) of the total amount available for that year.
 4. Entities may make application for funding in multiple years.
 5. The County funding portion may be up to the total project cost. Applicants should be aware, however, that rare circumstances of demonstrated need must be present.
 6. Normally, a match (up to 50%) may be required from the applicant. In-kind services (volunteer labor, etc.) may be considered as part or all of the match.
 7. Funds from this source may be considered as a match for grants from others (e.g. – New York State, Federal, etc.)
2. Project Eligibility Criteria – The proposed project must meet all of the following, as a minimum.
 1. The application has been received prior to the deadline.

2. The proposed project has been presented to the local municipality in which the project would occur.
 3. The property owner is a willing participant in the project.
 4. The applicant or its authorized agent will be responsible for property management and stewardship, except for the addition of land adjacent to county-owned property.
 5. The proposal clearly demonstrates that it is consistent with Policies as identified in the Yates County Comprehensive Plan and Planning Guidelines.
3. Project Priority Criteria – The proposed project must substantially further at least one of the following objectives.
1. Substantially protects, preserves, or develops land, natural or recreational resources.
 2. Provides public access to Canandaigua, Keuka and/or Seneca Lake.
 3. Protects land that is adjacent to permanently protected open space, including both natural and agricultural lands.
 4. Protects land on an existing or potential inter-municipal trail corridor.
 5. Protects a high concentration of Prime Soils or Soils of Statewide Significance.
 6. Protects a Distinctive or Noteworthy view as identified in the Yates County Scenic Planning Guidelines.
 7. Provides for an expanded and/or enhanced recreational use for the public.
 8. Protects water quality of the lakes.
 9. Enables the furtherance of the policies set forth in the Comprehensive Plan.
 10. Enables research studies and surveys whose purpose is consistent with the policies described herein.

The above should be considered, but are not necessarily all-encompassing. This Policy should be revised as necessary when additional determinations are forthcoming.

VI. PROCEDURE

1. Applications will be accepted by the Yates County Planning Department starting after the 1st of each new year and are to be delivered or post-marked by January 31st. Applications forms may be obtained from the Planning Department year round. Grant applications received / postmarked after January 31st will not be accepted.
2. All proposed projects MUST be presented by the applicant to the town or village in which the project would occur. This requirement maybe be satisfied with a copy of the minutes of the meeting where the project was discussed or with a letter of support from said municipality.
3. Evaluation of the project will include consideration of how the project would contribute to implementing the Comprehensive Plan and Planning Guidelines, as well as any input provided by the local municipality.
4. Projects that meet the Project Eligibility Criteria and at least one of the Project Priority Criteria will be brought to the Natural and Recreational Resources Protection Grant Ad-Hoc Committee for evaluation. The Ad-Hoc committee may wish to include representatives from other organizations (e.g. – Soil and Water Conservation District, Cornell Cooperative Extension, etc.) in addition to the Planner. All recommendations for funding by the Ad-Hoc Committee will be presented to the Finance Committee and then the full Legislature for approval and inclusion in the county budget, as appropriate.
5. Once an entity has been approved for funding, the Planning Office will work with the County Attorney and representative(s) of the entity to create a contract, monitor progress and close out the contract.
6. Applicants should be aware of other funding deadlines when applying for support via Yates County so that the County review may be accomplished in time and in coordination with other potential funding sources.
7. Please note that this is a reimbursement grant and funding disbursements will occur after the required invoicing and release-of –lien documentation has been received by the County for the project. Disbursement terms may be adjusted based on specific project needs and contractual requirements.

END OF POLICY DOCUMENT

VOTE: Unanimous

RESOLUTION NO. 165-23

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Morris.

NATURAL AND RECREATIONAL RESOURCE PROTECTION GRANT- SELECTION OF GRANT AWARDEES AND FUNDING AMOUNTS FOR 2023

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 Resource Protection Grant Guidelines adopted by Yates County; and

WHEREAS, the Finance Committee, County Administrator, the County Planner, and the Natural and Recreational Resource Protection Grant Ad-Hoc Award Committee, 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, the County Planner and the Natural and Recreational Resource Protection Grant Ad-Hoc Award Committee, that grants be awarded to the following applicants for the state projects in the amounts indicated:

- 1) *Town of Middlesex, Vine Valley Beach Project , \$7,629;*
- 2) *Town of Potter, Park Improvement Project, \$36,305;*
- 3) *Village of Penn Yan, Tennis Court Restoration. \$38,594;*

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 Chairwoman is authorized to sign such contracts after approval by the County Attorney.

VOTE: Unanimous

Mr. Willson stated that in regards to the Enterprise Fleet Management presentation, the committee would like to follow up with phone calls to the several of the counties. They would also like to have a little bit of input from Mr. Rapalee. It was also suggested that perhaps to keep things in a manner that's flowing, for the Sheriff to go ahead and pursue the cars that that they've got budgeted and they will make it back to this at some point.

CHAIRWOMAN'S APPOINTMENTS

Chairwoman Church appointed the following people to the Bicentennial Committee:

- Len Kataskas, Yates County Historian
- Tricia Noel, Director, Yates County History Center
- Carlie Chilson, Yates County Legislator
- Marsha Devine, Finance Director, Yates County

- Kathy Waye, Keuka College Administrator
- Ron Spike, Yates County Sheriff
- Alex Andrasik, Director, Penn Yan Public Library
- Kristin Burch, teacher, St Michael's School, Penn Yan
- Jessica Bacher, Yates County Chamber of Commerce
- Dan Henries, Penn Yan Village Board

Mr. Button questioned the meeting being held at the Benton Firehouse in regards to the proposed Highway/Public Health/OES Building. Which will be held Thursday at 10:00 a.m.

Mr. Rapalee did get a kind of a preliminary cost estimate back from NYSEG. They didn't give him a firm estimate like the first 2, but to go from 4 inch to 6 inch, it should be about another \$130,000 the 4 inch line, according to NYSEG, was going to feed the Yates County Highway Department and 52 residential customers. They have more than 52 customers, and they definitely have a wide array of not just residential, but commercial. It seems, and it appears like the 6 inch would be necessary. He will follow that up with an email and then if they want to have a public information meeting, they can definitely do that, but he was just going to bring back more information at next month's Public Works committee meeting, so they could discuss further.

Mr. Paddock asked if NYSEG, when this was initially proposed, that if the County paid for the 4 inch line and NYSEG determined that the 6 inch line was needed that NYSEG would spring for that additional amount.

Mr. Button thought that the amount was \$250,000.

Mr. Rapalee stated that was his understanding, yes.

Mr. Button moved to enter into executive session to discuss:

1. The collective bargaining negotiations involving the CSEA, attendees being members of the legislature, the County Administrator, the Labor Attorney, the Sheriff and the Personnel Officer;
2. The employment history of a particular individual, attendees being members of the legislature, the County Administrator, the County Attorney and the Personnel Officer;
3. The employment history of a particular individual, attendees being members of the legislature and the County Administrator;
4. The employment history of a particular individual, attendees being members of the legislature and the County Administrator;
5. The employment history of a particular individual, attendees being members of the legislature.

Seconded by Mr. Harper.

VOTE: Unanimous

Meeting adjourned at 5:30 p.m.