

REGULAR SESSION – MONDAY, APRIL 8, 2019

The Yates County Legislature convened in regular session on April 8, 2019 at 1:00 p.m. with Chairman Paddock presiding and Legislators Holgate and Chilson absent.

Minutes of the March meetings were approved as presented.

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

Airport Fund	\$ 8,428.81
Finance	\$6,282,049.82
Flint Creek	\$ -0-
Government Operations	\$ 78,586.93
Human Services	\$ 318,997.89
Prior to Audit	\$1,377,514.70
Public Safety	\$ 120,087.68
Public Works	\$ 255,177.12
Total	\$8,440,842.95

COMMITTEE REPORTS

Mr. Banach reported the DEC is reminding everyone that it is dry out and there is a burn ban in effect until May 15th.

Mr. Cutler reported a Land Use Leadership training will be held on April 29th in the evening. Announcements will be coming out shortly.

Mr. Willson reported the Seneca Watershed Inter-Municipal Organization (SWIO) will hold its quarterly meeting in the Yates County Auditorium on April 30th.

Mr. Button reported he was at the Rochester Airport on Sunday and 57 Veterans were returning from an Honor Flight.

Dr. Dennis reported the Audit Committee received a draft reported of the 2018 audit. The audit went well and the County is in good condition.

Chairman Paddock reported he, along with Legislator Percy, attended the Crime Victim's Rights Ceremony last week.

PUBLIC COMMENT

Gwen Chamberlain thanked the Legislature for the continued support through the Natural and Recreational Resource Protection Grant funding for the Outlet Trail. She was also happy to see the investment in water quality through the 9E Plan.

Grant Downs also thanked the Legislature for the support through the Natural Resource funding. The funding will allow for the purchasing of equipment to monitor the quality of water in the Seneca/Keuka Lake Watersheds. Mr. Downs also reported that on April 1st stream sampling began and will continue every 6 weeks until October. The HABs testing will begin in August for Seneca Lake and KWIC will be testing Keuka Lake.

Valerie Brechko questioned the reasoning behind increasing the fees for the Historian/Records Management when it is part of their job and asked the Legislature to take a second look at the resolution.

CHAIRMAN'S APPOINTMENT

Chairman Paddock appointed Dave Hartman to the Municipal Electric & Gas Alliance (MEGA).

Chairman Paddock appointed an Ad-Hoc Task Force to review the RFP for the Compensation Study. Members of that Committee are Tim Dennis, Tim Cutler, Bonnie Percy, Nonie Flynn and Chairman Paddock.

RESOLUTION NO. 128-19

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

AUTHORIZE CHAIRMAN TO SIGN CHILD AND FAMILY SERVICES PLAN

WHEREAS, it is necessary for each local Department of Social Services to develop a Child and Family Services plan for the time period April 1, 2018-March 31, 2023, and submit said plan and annual updates to the New York State Office of Children and Family Services, and that this plan requires approval from the Chief Elected Official; and

WHEREAS, the Commissioner of Social Services is authorized to make technical adjustments in the Child and Family Services Plan if so directed by the NYS Office of Children and Family Services;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is hereby authorized to electronically sign the plan on behalf of the county; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 129-19

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

AUTHORIZE CONTRACT WITH PRO-ACTION OF STEUBEN AND YATES COUNTIES, INC. FOR STAFFING OF THE YATES COUNTY SUMMER YOUTH EMPLOYMENT PROGRAM

WHEREAS, it is necessary for the Department of Social Services to contract with an outside agency for assistance in operating the Summer Youth Employment Program;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairman of the Legislature and the Commissioner of Social Services are authorized to sign a contract with Pro-Action of Steuben and Yates Counties, Inc. to contract for summer staffing with the Department for the period 5/1/19 to 9/30/19 for an amount not to exceed \$9,000; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 130-19

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

**AUTHORIZE CHAIRMAN TO SIGN PROFESSIONAL SERVICES AGREEMENT
WITH ELEANOR DEWITT, MD**

WHEREAS, Eleanor DeWitt has been credentialed and meets all qualifications to serve as the Medical Director for the Public Health Department; and

WHEREAS, the Yates County Legislature would like to meet its requirement under New York State Public Health law to secure the services of a Medical Director by renewing this agreement for services with Eleanor DeWitt, MD;

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 Eleanor DeWitt, MD to serve as Medical Director for the Public Health Department; and be it further

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

RESOLVED, that said contract will run from 7/1/2019 to 6/31/2024 at \$220.00 per month; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 131-19

Mr. Bronson offered resolutions 131 and 132-19 and moved their adoption, seconded by Mr. Willson.

**REAPPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE**

WHEREAS, Virginia Penepent residing at 390 Rt. 54 E. Lake Rd., Penn Yan, New York 14527 has served on the Developmental Disabilities Sub-Committee of the Yates County Community Services Board; and

WHEREAS, she has been recommended for reappointment by the Yates County Community Services Board;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature reappoint Virginia Penepent to the Yates County Community Services Board Developmental Disabilities Sub-Committee; and be it further

RESOLVED, that said term will end 12/31/2022; and be it further

RESOLVED, that copies of this resolution be provided to Virginia Penepent and to the Yates County Department of Community Services.

VOTE: Unanimous

RESOLUTION NO. 132-19

**REAPPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE**

WHEREAS, Connie L. Baughman, 38 Milo St., PO Box 48, Dresden, New York 14441 has served on the Developmental Disabilities Sub-Committee of the Yates County Community Services Board; and

WHEREAS, she has been recommended for reappointment by the Yates County Community Services Board;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature reappoint Connie L. Baughman to the Yates County Community Services Board Developmental Disabilities Sub-Committee; and be it further

RESOLVED, that said term will end 12/31/2022; and be it further

RESOLVED, that copies of this resolution be provided to Connie L. Baughman and to the Yates County Department of Community Services.

VOTE: Unanimous

RESOLUTION NO. 133-19

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

**RECOGNIZE NATIONAL PUBLIC SAFETY
TELECOMMUNICATIONS WEEK FOR 2019**

WHEREAS, **National Public Safety Telecommunications Week** has been designated by APCO (Association of Public-Safety Communications Officials) as April 14 – 20, 2019, celebrating all emergency telecommunications personnel hard work, sacrifices and devotion to their law enforcement and public safety efforts in their local communities; and

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services, and when an emergency occurs the prompt response of police officers, firefighters and emergency medical responders is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers, firefighters and first responders is dependent upon the quality and accuracy of information obtained from citizens who telephone the Yates County 911 emergency communications center. Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services. They monitor emergency responders' activities by radio, providing them information and insuring their safety, and have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients, while exhibiting compassion, understanding and professionalism during the performance of their job duties in the past year;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature takes recognition of the National Public Safety Telecommunications Week and joins Sheriff Spike in thanking all the

Yates County 911 emergency services dispatch personnel and related staff for their continued efforts to preserve the public's safety and health; and be it further

RESOLVED, that copies of this resolution be provided to Sheriff Spike, Director of OEM Winslow, Chief Dispatcher Smith, the 911 Advisory Board members, and President of Local #9010 of Council 82.

VOTE: Unanimous

RESOLUTION NO. 134-19

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

RECOGNIZE YATES COUNTY SHERIFF'S OFFICER OF THE YEAR

WHEREAS, on March 16, 2019 the Johnson Costello Post 355 of the American Legion, Penn Yan after Sheriff's nomination has recognized Deputy Sheriff/Youth Officer Richard Simpson as the 2018 officer of the year. Simpson graduated from PY Academy and joined the US Marine Corps, and honorably left that service in 1989. He attended South West College graduating in Security, and joined the Yates County Sheriff Office in 1991 part-time in corrections. He became full time in 1994, and was promoted to road patrol deputy sheriff in 2000, and promoted to Youth Officer in 2009 assigned to Dundee Central School as their School Resource Officer and DARE Instructor where he serves currently; and

WHEREAS, he continues to be active in an explorer type of program, he is a member of the fire investigation team, is past fire chief for Penn Yan, and is a member of the USRT while continually being very dependable to work extra shifts when needed. He was the first deputy on scene for a 2011 mass casualty incident on Pre-emption road and made an arrest for DWI by vehicle manslaughter. He was the first deputy in 2017 for the (Rideout) Rochester area murder case having the body dumped in the wooded areas in the Town of Jerusalem, where he protected the scene until CID arrived. In 2018 he again was the first deputy to arrive to the Arrowhead Beach road near Dresden, NY for the bludgeon death of a woman where he encountered the murder suspect, and took him into custody, and protected that crime scene;

NOW, THEREFORE, BE IT RESOLVED that this Legislature joins Sheriff Spike in recognizing Deputy Sheriff/Youth Officer Richard Simpson as County officer of the year for 2019, and thanks him for his police and youth services to Yates County; and be it further

RESOLVED, that a copy of the resolution be provided to Deputy Simpson, Personnel Officer, and to Sheriff Spike.

VOTE: Unanimous

RESOLUTION NO. 135-19

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

AUTHORIZE SHERIFF AND CHAIRMAN TO SIGN MOU WITH SAFE HARBORS OF THE FINGER LAKES

WHEREAS, the Sheriff has the opportunity to use the services of a Victim Services Specialist assigned to the Public Safety Building from Safe Harbors of the Finger Lakes at no

cost to address and advocate for victims of domestic violence or related miscellaneous crime issues wherein the case did not reach the level of the District Attorney's victims' advocacy;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the County Attorney the Sheriff and Chairman are authorized to execute an MOU agreement for the period 4/1/2019 through 12/31/2019; and be it further

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

RESOLUTION NO. 136-19

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

AUTHORIZE CHAIRMAN TO RENEW MOU WITH FINGER LAKES RADIO GROUP

WHEREAS, Resolution 208-17 established a sub-lease MOU for 2017-18 on our tower shelter building that now requires renewal for the MOU with the Finger Lakes Radio Group (FLRG) for annual payment of \$365 by FLRG to the County for use of the outside of communications building;

NOW, THEREFORE, BE IT RESOLVED, that upon the review of the Sheriff and approval of the County Attorney that the Chairman may sign a renewal MOU for 2018-19, 2019-20, and 2020-21 with the Finger Lakes Radio Group (FLRG) for annual payment by FLRG to the County for use of the outside of communications building for equipment attachment at the Italy tower site; and be it further

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

RESOLUTION NO. 137-19

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

AUTHORIZE CHAIRMAN TO SIGN INTERMUNICIPAL AGREEMENT WITH SCHUYLER COUNTY TO SHARE THE CODE ENFORCEMENT OFFICER FOR 2019

WHEREAS, Yates and Schuyler Counties are desirous of continuing an inter-municipal agreement for a Shared Code Enforcement Officer; and

WHEREAS, this agreement retains the Code Enforcement Officer as a Schuyler County employee, but shares said position with Yates County. The contract rate from Yates County for 2019 shall be \$3,000 annually payable consistent with the current agreement and reviewable on an annual basis;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the agreement by the Yates County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign an agreement with Schuyler County for the shared services of Schuyler County's Code Enforcement Officer. A position as set forth above, said agreement to run from January 1, 2019 through December 31, 2019; and be it further

RESOLVED, that a copy of this resolution is to be given to Schuylers County, the Yates County Director of Emergency Management, Building Maintenance Supervisor of Yates County and the Yates County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 138-19

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

AUTHORIZE 2019 REIMBURSEMENT RATES FOR BLS TRAINING CENTER

WHEREAS, Yates County BLS Training Center made revisions to the Practical Skills Evaluator hourly wage due to the increase in minimum wage;

CERTIFIED INSTRUCTOR COORDINATOR	\$25.30/HR
OTHER LECTURERS (CPR, ETC.)	\$17.31/HR
CERTIFIED LAB INSTRUCTOR	\$20.00/HR
PRACTICAL SKILLS EVALUATOR	\$12.00/HR
VICTIMS/PATIENTS	MINIMUM WAGE

All adjunct trainers must be an active member of either a Fire Department or a Volunteer Ambulance Service, and thereby qualified for Worker's Compensation through their affiliation with a Fire Department or Volunteer Ambulance Service.

EMS Training Rates Revised 4/2019

NOW, THEREFORE, BE IT RESOLVED, that reimbursement rates for the BLS Training Center be approved as stated above and be in effect through December 31, 2019; and be it further

RESOLVED, that a copy of this resolution to be given to Yates County Director of Emergency Management, and the Yates County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 139-19

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

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH CHEMSEARCH FE

WHEREAS, the cooling tower at the Public Safety Building requires monitoring and treatment to maintain the proper water chemistry; and

WHEREAS, the Building Maintenance Supervisor has received three proposals for this service;

- Jemco Water Treatment at \$3,250.00
- Metro Group at \$3,039.35
- Chemsearch FE at \$3,021.85

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 Chemsearch

FE for monitoring and treatment to maintain the proper water chemistry of the Public Safety Building cooling tower; and be it further

RESOLVED, that said contract will run from 4/1/19 to 3/31/22 for an amount not to exceed \$3,021.85 per year; and be it further

RESOLVED, that copies of this resolution be provided to Chemsearch FE, the Building Maintenance Supervisor and County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 140-19

Mr. Banach offered resolutions 140 through 144-19 and moved their adoption, seconded by Mr. Button.

AWARD BID FOR COLD MILLING OF ASPHALT PAVEMENT

WHEREAS, bids were requested for Cold Milling of Asphalt Pavement and received on March 21, 2019 at 10:00 a.m. and three firms submitted bids to the Yates County Highway Department;

BIDDER:	Donegal Construction Corp.	Suit Kote	Villager Construction Inc.
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Project #1 CR #37, Shay Road (5.31 miles)

2" depth, Estimated quantity: +/-71,680 sy

With County Supplied Trucking /sq yd:	\$0.74	nb	\$0.97
Deduct for County Provided M&P of Traffic:	-\$0.08	nb	-\$0.10
Total:	\$0.66		\$0.87

Project #2 CR #1S, Lakemont-Himrod Road (3.38 miles)

3" depth, Estimated quantity: +/-45,615 sy

With County Supplied Trucking /sq yd:	\$1.12	nb	\$1.04
Deduct for County Provided M&P of Traffic:	-\$0.11	nb	-\$0.10
Total:	\$1.01		\$0.94

Project #3 CR #38, Porters Corners Road (1.31 miles)

2" depth, Estimated quantity: +/-17,655 sy

With County Supplied Trucking /sq yd:	\$1.08	nb	\$1.11
Deduct for County Provided M&P of Traffic:	-\$0.10	nb	-\$0.10
Total:	\$0.98		\$1.01

Project #4 CR #30, Second Milo Road (2.06 miles)

3" depth, Estimated quantity: +/-27,740 sy

With County Supplied Trucking /sq yd:	\$1.23	nb	\$1.12
Deduct for County Provided M&P of Traffic:	-\$0.11	nb	-\$0.10
Total:	\$1.12		\$1.02

NOW, THEREFORE, BE IT RESOLVED, to award the bid for Project #1 and Project #3 to Donegal Construction Corp and for Project #2 and Project #4 to Villager Construction, Inc.; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 141-19

AWARD BID FOR LIQUID BITUMINOUS MATERIAL

WHEREAS, bids were requested for Liquid Bituminous Material and received on March 21, 2019 at 10:00 a.m. and two firms submitted a bid to the Yates County Highway Department;

		BIDDER:	
		Midland	Suit Kote
LIQUID EMULSIFIED ASPHALT MATERIALS "PER GALLON"			
702-3101	RS-2	3.038	2.978
*	HFRS-2P	3.298	3.278
702-3301	HFMS-2	3.410	3.200
*	HFMS-2ST	3.038	2.830
*	AEPM	2.350	2.117
702-4101	CRS-2	3.018	3.038
*	CRS-2P	3.278	3.298
MIX PAVER OPTION "APPLIED PER GALLON"			
702-4201	CMS-2	3.680	3.700
*	HFMS-2GH	3.774	3.754
CHIPPER RENTAL & APPLIED OIL PRICE PER GALLON			
Chipper	w/CRS-2	3.258	3.278
	w/RS-2	3.278	3.218
	w/HFRS-2	3.278	3.238
	w/HFRS-2ST	3.278	3.238
	w/HFMS-2ST	3.378	3.070
PUG MILL and PAVER OPERATIONS "APPLIED PER GALLON"			
702-3301	HFMS-2	4.010	3.700
*	HFMS-2C	nb	3.650
702-4201	CMS-2	3.990	3.740
*	HFMS-2GH	4.084	3.840
		Midland	Suit Kote
RENTAL OF EQUIPMENT INCLUDING OPERATOR			
VIBRATORY DOUBLE DRUM ROLLER			
	/DAY	nb	2,200.00
10-12 TON RUBBER TIRED ROLLER			
	/DAY	1,900.00	2,000.00
MIX PAVER			
	/DAY	2,900.00	4,500.00
ASPHALT PAVER			
	/DAY	nb	3,200.00
MILLING MACHINE (75" DOWN CUT)			
	/DAY	nb	5,400.00

PUG MILL OPERATION

/DAY

CHIPPER

/DAY

NOW, THEREFORE, BE IT RESOLVED, to award the bid to: Suit Kote Corporation for Liquid Emulsified Asphalt Materials RS-2, HFRS-2P, HFMS-2, HFMS-2ST, and AEPM. Mix Paver Options HFMS-2GH. Chipper Rental & Applied Oil RS-2, HFRS-2, HFRS-2ST, and HFMS-2ST. Pug Mill and Paver Operations HFMS-2, HFMS-2C, CMS-2, and HFMS-2GH. To Midland Asphalt Materials Inc. for Liquid Emulsified Asphalt Materials CRS-2 and CRS-2P. Mix Paver Options CMS-2, Chipper Rental & Applied Oil CRS-2; and be it further

RESOLVED, to award the bid for Rental of Equipment Including Operator to: Suit Kote Corporation for Vibratory Roller Double Drum, Asphalt Paver, Milling Machine 75" Down Cut, Pug Mill Operation, and Chipper. To Midland Asphalt Materials Inc. for 10-12 Ton Rubber Tired Roller, Mix Paver, and Chipper; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 142-19

AWARD BID FOR HOT MIX ASPHALT CONCRETE

WHEREAS, bids were requested for Hot Mix Asphalt Concrete and received on March 21, 2019 at 10:00 a.m. and six firms submitted bids to the Yates County Highway Department;

BIDDER:	Northern Asphalt	Dolomite - Clifton Springs	Hanson Aggregate	Dolomite dba AL Blades	Dolomite - Bath	Seneca Stone	Spallina Materials
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NYS DOT ITEM	ITEM	F.O.B Est. QUANT. (Tons)							
403.198902	Type 7F Top	500-1,000	\$71.00	\$68.00	\$72.00	\$68.00	\$68.00	\$68.00	\$69.25
403.178302	Type 6F Top	500-1,000	\$68.00	\$65.00	\$69.80	\$65.00	\$65.00	\$67.00	\$69.25
*	Fine Binder	500-1,000	\$64.00	\$65.00	\$65.75	\$65.00	\$65.00	\$60.00	\$67.50
403.138902	Type 3 Binder	500-1,000	\$62.50	\$62.00	\$63.75	\$62.00	\$62.00	\$60.00	\$61.00
402.097203	9.5 mm < 30	500-1,000	\$69.00	\$68.00	\$69.00	\$68.00	\$68.00	\$69.00	\$69.75
402.127203	12.5 mm < 30	500-1,000	\$65.50	\$65.00	\$66.50	\$65.00	\$65.00	\$66.00	\$69.75
402.197903	19.0 mm < 30	500-1,000	\$61.50	\$62.00	\$64.00	\$62.00	\$62.00	\$61.00	\$61.50
402.257903	25.0 mm < 30	500-1,000	\$60.50	\$62.00	\$60.25	\$62.00	\$62.00	\$59.00	\$61.00

SPECIFIED IN-PLACE PROJECTS

Project #1 Shay Road

CR #37 From NYSR 364 to End									
5.31 Mi.	7,900 tons 19 mm < 30 (2") Unit:	\$59.00	nb	\$57.43	\$58.00	nb	nb	\$69.01	
	5,850 tons 9.5 mm < 30 (1.5") Unit:	\$63.00	nb	\$62.83	\$64.50	nb	nb	\$77.74	

Total:	\$834,650.00	\$821,252.50	\$835,525.00			\$999,958.00
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Project #2 Lakemont-Himrod Road

CR #1S From CR #5 (Dundee-Himrod Rd) to CR #40 (Dundee-Starkey)								
3.38 Mi. 8,790 tons 19 mm < 30 (4") Unit:	\$56.00	nb	\$56.64	\$57.15	nb	nb	nb	
3,695 tons 9.5 mm < 30 (1.5") Unit:	\$61.00	nb	\$63.28	\$64.70	nb	nb	nb	
Total:	\$717,635.00		\$731,685.20	\$741,415.00				

BIDDER:	Northern Asphalt	Dolomite - Clifton Springs	Hanson Aggregate	Dolomite dba AL Blades	Dolomite - Bath	Seneca Stone	Spallina Materials
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Project #3 Porters Corners Road

CR #38 From CR #17 (Bath Rd) to Porters Corners Rd (Town Portion)								
1.31 Mi. 1,925 tons 19 mm < 30 (2") Unit:	\$59.00	nb	\$57.03	\$56.50	nb	nb	nb	
1,480 tons 9.5 mm < 30 (1.5") Unit:	\$62.00	nb	\$63.69	\$65.15	nb	nb	nb	
Total:	\$205,335.00		\$204,043.95	\$205,184.50				

Project #4 Second Milo Road

CR #30 From NYSR 14A to CR #11 (Chubb Hollow Rd)								
2.06 Mi. 5,355 tons 19 mm < 30 (4") Unit:	\$56.00	nb	\$55.85	\$57.70	nb	nb	nb	
2,285 tons 9.5 mm < 30 (1.5") Unit:	\$61.00	nb	\$62.61	\$65.30	nb	nb	nb	
Total:	\$439,265.00		\$442,140.60	\$458,194.00				

UNSPECIFIED IN-PLACE PROJECTS

403.198302	Type 7F3 Top	Base Bid:	\$91.50	nb	\$93.68	nb	nb	\$88.00	\$125.00
403.178302	Type 6F3 Top	Base Bid:	\$89.00	nb	\$92.44	nb	nb	\$87.00	\$120.00
*	Fine Binder	Base Bid:	\$83.00	nb	\$88.40	nb	nb	\$81.00	\$118.00
403.138902	Type 3 Binder	Base Bid:	\$83.00	nb	\$88.32	nb	nb	\$81.00	\$115.00
402.097203	9.5 mm < 30	Base Bid:	\$90.50	nb	\$95.37	nb	nb	\$89.00	\$130.00
402.127203	12.5 mm < 30	Base Bid:	\$87.00	nb	\$91.82	nb	nb	\$86.00	\$125.00
402.197903	19.0 mm < 30	Base Bid:	\$83.00	nb	\$89.24	nb	nb	\$82.00	\$123.00
402.257903	25.0 mm < 30	Base Bid:	\$80.50	nb	\$87.44	nb	nb	\$80.00	\$120.00

NOW, THEREFORE, BE IT RESOLVED, due to various worksites throughout the County, the bid award for F.O.B. materials shall be awarded to all bidders and the purchase of F.O.B. from any vendor shall be determined by combining the price per ton at the vendor yard and the Yates County cost for hauling the materials to the job site; and be it further

RESOLVED, that Specified In-Place Project #1 and #3 shall be awarded to Hanson Aggregates NY LLC. and Specified In-Place Project #2 and #4 shall be awarded to Northern Asphalt LLC. Unspecified In Place Projects to Seneca Stone Corporation; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 143-19

AWARD BID FOR PAVER PLACED SURFACE TREATMENT

WHEREAS, bids were requested for Paver Placed Surface Treatment and received on March 21, 2019 at 10:00 a.m. and one firm submitted a bid to the Yates County Highway Department;

BIDDER:

Midland

PRICE/SY Range

5,000 to 15,000 SY

TYPE A - 1/4"	\$5.60
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TYPE B - 3/8"	\$5.50
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TYPE C - 1/2"	\$5.50
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15,001-30,000 SY

TYPE A - 1/4"	\$5.22
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TYPE B - 3/8"	\$5.16
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TYPE C - 1/2"	\$5.16
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30,001 plus SY

TYPE A - 1/4"	\$5.12
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TYPE B - 3/8"	\$5.06
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TYPE C - 1/2"	\$5.06
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Deduct \$	-\$0.08
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(per square yard if Contracting Agency
furnishes and operates compaction equipment)

Deduct \$	-\$0.20
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(per square yard if Contracting Agency
furnishes hauling of hot mix asphalt from plant
to lay down machine)

Add on \$	\$0.25
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(per square yard if Contractor supplies M&P of
Traffic)

NOW, THEREFORE, BE IT RESOLVED, to award the bid to Midland Asphalt Materials Inc.; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 144-19

AWARD BID FOR VEGETATION CONTROL

WHEREAS, bids were requested for Vegetation Control and received on March 21, 2019 at 10:00 a.m. and two firms submitted a bid to the Yates County Highway Department;

Roadside to be treated : Approximately 360 side miles

BIDDER:	Chase Enterprises		DeAngelo Brothers			
	Price per Mile of Roadside Application	360	\$29.70	\$10,692.00	360	\$33.59
Price per Gallon for Material Mixture	498	\$0.890	\$443.22	1000	\$0.97	\$970.00
Total Price for Application & Materials			\$11,135.22			\$13,062.40

NOW, THEREFORE, BE IT RESOLVED, to award the bid to Chase Enterprises; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 145-19

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

REAPPOINT YATES COUNTY PLANNING BOARD MEMBERS (DANIELSON, WILTBERGER, SAWERS)

WHEREAS, Paul Danielson, Judy Wiltberger, and John Sawers have served on the Yates County Planning Board representing their respective municipalities; and

WHEREAS, the terms of the aforementioned Yates County Planning Board members expired on March 19, 2019; and

WHEREAS, these members have agreed to extend their terms and continue their service on the Planning Board as specified herein: Paul Danielson (5347 Dutch Street, Dundee) representing the Town of Barrington for a term to expire March 28th, 2022; Judy Wiltberger (2421 Millers Cove, Penn Yan) representing the Town of Milo for a term to expire March 28th, 2020; and John Sawers (12 Bassett Street, Rushville) representing the Village of Rushville for a term to expire March 28th, 2021;

NOW, THEREFORE, BE IT RESOLVED, that Paul Danielson, Judy Wiltberger and John Sawers are hereby reappointed to the Yates County Planning Board as representatives of their respective municipalities for terms expiring as stated; and be it further

RESOLVED, that copies of this resolution be provided to Paul Danielson, Judy Wiltberger, John Sawers, the Town Clerks of Barrington and Milo and the Village Clerk of Rushville.

VOTE: Unanimous

RESOLUTION NO. 146-19

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

DISCUSSION:

Dr. Dennis stated that this is significant. We continue to search for ways to meet the needs of our County with regards to access to broadband for everybody. This is another effort to figure out how we can meet those needs.

Chairman Paddock explained this is through the USDA and if it is awarded to us we have a 25% local match.

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH HUNT ENGINEERS FOR THE USDA RECONNECT GRANT APPLICATION PREPARATION AND AUTHORIZE FUNDING ALLOCATION

WHEREAS, Yates County recognizes the need to expand access to broadband internet in rural areas; and

WHEREAS, the USDA has announced a funding program called the ReConnect Program to address this need; and

WHEREAS, Hunt Engineers of 100 Hunt Center, Horseheads, NY 14845, has provided a proposal to prepare and apply for the grant and is qualified to provide these professional services;

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 Hunt Engineers; and be it further

RESOLVED, that said contract fees will be appropriated from the Infrastructure Reserve Fund for an amount not to exceed \$9,000.00; and be it further

RESOLVED, that the following accounts be increased by \$9,000.00:

Revenue:

A878.I Infrastructure Reserve Fund

Appropriation:

A8020.54011 PLN-Consultant

And, be it further

RESOLVED, that copies of this resolution be provided to Hunt Engineers, the County Administrator, Treasurer, Budget Officer and Planner.

VOTE: Unanimous

RESOLUTION NO. 147-19

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

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH HUNT ENGINEERS FOR THE YATES COUNTY HIGHWAY FACILITY NEEDS ASSESSMENT

WHEREAS, Yates County seeks an updated Facilities Needs Assessment for the County Highway Facilities located in Benton Center; and

WHEREAS, Hunt Engineers of 100 Hunt Center, Horseheads, NY 14845, has provided a proposal for a Facilities Needs Assessment and is qualified to provide these professional services to the County;

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

RESOLVED, that said contract fees will be acquired from the Planning Department budget for consultant fees for an amount not to exceed \$24,500.00; and be it further

RESOLVED, that copies of this resolution be provided to Hunt Engineers, the Treasurer, Budget Officer and Planner.

VOTE: Unanimous

RESOLUTION NO. 148-19

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

DISCUSSION:

Dr. Dennis stated this is also significant. This is the second year that Yates County has taken an act of faith, in how much we believe in Yates County itself and putting money aside to make a better place.

NATURAL AND RECREATIONAL RESOURCE PROTECTION GRANT - SELECTION OF GRANT AWARDEES AND FUNDING AMOUNTS FOR 2019

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 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 and the Planner, that grants be awarded to the following applicants for the stated projects in the amounts indicated:

- 1) The Friends of the Outlet, Cascade Mills Pavilion Project, \$15,000.00.
- 2) Finger Lakes Museum and Aquarium, Wetlands Trail Project, \$14,000.00.
- 3) SWIO, Sampling and Monitoring Equipment for 9E Plan, \$13,184.00.
- 4) KWIK, Educational Programming and Website, \$4,000.00; 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; and be it further

RESOLVED, that copies of this resolution be sent to each awardee, the Treasurer and Planner.

VOTE: Unanimous

RESOLUTION NO. 149-19

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

2019 BUDGET TRANSFERS

BE IT RESOLVED, that the following transfers be made in the 2019 budget;

From:	To:	Amount:
A1640.54653 CGAR-Gasoline	A1640.52180 CGAR-Vehicle Purchase	\$ 220.81
D5110.51450 HWY-Maintenance	D5010.51661 HWY-Comp B/O NonUnion	\$ 3,936.72
D5110.54638 HWY-Maintenance	D5010.52115 HWY-Computer Maint.	\$ 201.50

And, be it further

RESOLVED, that copies of this resolution be given to the Treasurer/Budget Officer and the Highway Superintendent.

VOTE: Unanimous

RESOLUTION NO. 150-19

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

APPROPRIATE FUEL SYSTEM RESERVE (Highway)

WHEREAS, the Highway Department has identified an increase in expenditure(s) for repair work performed on a gasoline tank, which is a valid use of the Fuel System Reserve fund; and

WHEREAS, these funds are not part of the 2019 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 6,250.00:

Revenue:		
DM889M.000	HWY-Fuel System Reserve Fund	\$ 6,250.00
Appropriation:		
DM5130.54609	HWY-Fuel Distribution System	\$ 6,250.00

And, be it further

RESOLVED, that copies of this resolution be given to the Highway Superintendent and the County Treasurer/Budget Officer.

VOTE: Unanimous

RESOLUTION NO. 151-19

Dr. Dennis offered resolutions 151 through 159-19 and moved their adoption, seconded by Mr. Bronson.

**APPROPRIATE CARRYOVER OF STATE INTEROPERABLE GRANT
(Sheriff)**

WHEREAS, the Sheriff's Office received a grant from the NYS Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications in the year 2016 and a balance of \$ 51,617.19 remained at the end of 2018; and

WHEREAS, these funds are not part of the 2019 budget and can be carried over to the 2019 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 51,617.19;

Revenue:

A3020.43322 SH-FY16/18 SICG	\$ 51,617.19
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Appropriation:

A3020.52949 SH-FY16/18 SICG	\$ 51,617.19
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And, be it further

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

VOTE: Unanimous

RESOLUTION NO. 152-19

**APPROPRIATE ADDITIONAL STATE REVENUE
(Community Services)**

WHEREAS, Community Services Department is to receive additional state OASAS Substance Abuse revenue; and

WHEREAS, these funds are not part of the 2019 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 60,000.00;

Revenue:

A4320.43504 CS-Substance Abuse	\$ 60,000.00
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Appropriation:

A4320.54288 CS-Substance Abuse

\$ 60,000.00

And, be it further

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

VOTE: Unanimous

RESOLUTION NO. 153-19

**APPROPRIATE PUBLIC HEALTH STATE AID
(Public Health)**

WHEREAS, the Department of Public Health has received additional Immunization Action Plan revenue; and

WHEREAS, these funds are not part of the 2019 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 30.00;

Revenue:

A4010.43401 PH-State Aid \$ 30.00

Appropriation:

A4010.54669 PH-Nursing Supplies \$ 30.00

And, be it further

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

VOTE: Unanimous

RESOLUTION NO. 154-19

**APPROPRIATE ADDITIONAL LEAD REVENUE
(Public Health)**

WHEREAS, the Department of Public Health has received additional Lead Revenue; and

WHEREAS, these funds are not part of the 2019 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 115.00;

Revenue:

A4010.44457 PH-Lead Revenue \$ 115.00

Appropriation:

A4010.54469 PH-Nursing Supplies \$ 115.00

And, be it further

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

RESOLUTION NO. 155-19

**APPROPRIATE FEDERAL AID
(Social Services)**

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

WHEREAS, these funds are not part of the 2019 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 12,621.00;

Revenue:		
A6010.44610	DSS-Fed Social Svc Admin Rev	\$ 12,621.00
Appropriation:		
A6010.54135	DSS-Non Cust Emp Program	\$ 12,621.00

And, be it further

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

RESOLUTION NO. 156-19

**APPROPRIATE CARRYOVER OF 2017 SHSP GRANT
(Emergency Management)**

WHEREAS, the Office of Emergency Management received a Homeland Security SHSP grant for the year 2017 and a balance of \$689.03 remained at the end of 2018; and

WHEREAS, these funds are not part of the 2019 budget and can be carried over to the 2019 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 689.03;

Revenue:		
A3645.44307	OEM-SHSP FY17	\$ 689.03
Appropriation:		
A3645.52953	OEM-SHSP FY17	\$ 689.03

And, be it further

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

VOTE: Unanimous

RESOLUTION NO. 157-19

**APPROPRIATE CARRYOVER OF 2018 SHSP GRANT
(Emergency Management)**

WHEREAS, the Office of Emergency Management received a Homeland Security SHSP grant for the year 2018 and a balance of \$27,106.35 remained at the end of 2018; and

WHEREAS, these funds are not part of the 2019 budget and can be carried over to the 2019 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 27,106.35;

Revenue:		
A3645.44302 OEM-SHSP FY18		\$ 27,106.35
Appropriation:		
A3645.52955 OEM-SHSP FY18		\$ 27,106.35

And, be it further

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

VOTE: Unanimous

RESOLUTION NO. 158-19

**APPROPRIATE CARRYOVER OF 2017 LEPC GRANT
(Emergency Management)**

WHEREAS, the Office of Emergency Management received a Local Emergency Planning grant for the year 2017 and a balance of \$ 7,124.86 remained at the end of 2018; and

WHEREAS, these funds are not part of the 2019 budget and can be carried over to the 2019 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 7,124.86;

Revenue:		
A3645.44309 OEM-LEPC		\$ 7,124.86
Appropriation:		
A3645.54959 OEM-LEPC		\$ 7,124.86

And, be it further

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

VOTE: Unanimous

RESOLUTION NO. 159-19

**APPROPRIATE CARRYOVER OF 2017 PRE-DISASTER MITIGATION GRANT
(Emergency Management)**

WHEREAS, the Office of Emergency Management received a Pre-disaster Mitigation grant for the year 2017 and a balance of \$ 13,806.25 remained at the end of 2018; and

WHEREAS, these funds are not part of the 2019 budget and can be carried over to the 2019 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$ 13,806.25;

Revenue:		
A3645.44311 OEM-Grant: Hazard Mitigation		\$ 13,806.25
Appropriation:		
A3645.54957 OEM-Grant: Hazard Mitigation		\$ 13,806.25

And, be it further

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

VOTE: Unanimous

RESOLUTION NO. 160-19

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

**ENVIRONMENTAL DETERMINATIONS AND AUTHORIZATIONS REGARDING
THE CATHOLIC CHARITIES PROJECT**

WHEREAS, the County has by Resolution No. 81-19 authorized the use of Community Development Block Grant (CDBG) Income to assist the expansion by Catholic Charities Community Services of its operation in County of Yates (hereinafter referred to as the “Catholic Charities Project”); and

WHEREAS, the environmental aspects of the Catholic Charities have been reviewed in order to make certain determinations thereto;

NOW, THEREFORE, BE IT RESOLVED, that the County, upon due review and consideration, makes the following determinations and authorizations concerning the Catholic Charities Project:

A) Federal Environmental (NEPA): The Catholic Charities Project is determined to be Categorically Excluded as defined in 24 CFR 58.35(a); in that the project falls under the category of “rehabilitation of non-residential structures”, in that the project involves renovations to a

multi-tenant office building that involves no increase in size or capacity, thus not exceeding the 20 percent capacity increase statutory threshold and the project does not involve a change in land use. Upon completion of the environmental review for the Catholic Charities Project, it is determined that the categorically excluded activity/project converts to Exempt Status pursuant to Section 58.34(a)(12), in that the project does not require any mitigation for compliance with any listed statutes or authorities, nor does it require any formal permit or license; and as such, the County hereby authorizes the Chairman to execute any and all documentation necessary to effectuate the above determinations, including but not limited to, (a) Form 2-3 Certification of NEPA Classification, (b) Form 2-4 NEPA Classification Checklist and (c) Form 2-5 Statutory Checklist Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5 Pursuant to 24 CFR 58.35(a); and

B) New York State Environmental (SEQRA): Based on the project facts set forth above, it is determined that the activities proposed regarding the Catholic Charities Project constitute a Type II Action, pursuant to 6 NYCRR Section 617.5; and as such, the County hereby authorizes the Chairman to execute any and all documentation necessary to effectuate the above determination, including but not limited to, (a) Form 2-3A Certification of SEQRA Classification; and be it further

RESOLVED, that a copy of this resolution be given to the County Administrator and the Yates County Industrial Development Agency.

VOTE: Unanimous

RESOLUTION NO. 161-19

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

AUTHORIZE CHAIRMAN TO SEND A LETTER IN SUPPORT OF THE AIRPORT SANITARY SEWER DISTRICT PROJECT

WHEREAS, by Resolution 306-18 this Legislature authorized acceptance and execution of a grant from NYSDOT for the Airport Sanitary Sewer Extension Project (NYSDOT PIN: 6906.87) at the Penn Yan – Yates County Airport; and

WHEREAS, the Town of Milo has also received a grant from the State and Municipal Facilities Program (SAM grant) for an additional portion of said project; and

WHEREAS, the Town of Milo will contract for construction, own and operate the sanitary sewer system as part of a proposed sewer district; and

WHEREAS, an opportunity exists for the Town of Milo to apply for additional grant funding for said project that, if awarded, will reduce the cost to the system's users; and

WHEREAS, a request has been received from the Town of Milo for a letter supporting the grant application;

NOW, THEREFORE, BE IT RESOLVED, that the chairman of the Legislature is authorized to prepare and send a letter of support to appropriate personnel; and be it further

RESOLVED, that copies of this resolution be provided to the Town of Milo.

VOTE: Unanimous

RESOLUTION NO. 162-19 (Lost)

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

DISCUSSION:

Mr. Multer stated that he feels the fees are too extensive and will not be supporting this resolution.

Mr. Morrison stated this was discussed last week, and Treasurer Flynn stated that this does not amount to a great deal of money. There is a potentially new Historian coming in soon who might want to take a look at this. Mr. Morrison will not be supporting this resolution.

SET FEES FOR HISTORIAN/RECORDS MANAGEMENT OFFICE

WHEREAS, the Historian/Records Management Office charges fees for certain information that is requested; and

WHEREAS, the Records Management Officer would like to increase those fees;

NOW, THEREFORE BE IT RESOLVED, that the following fee schedule will be set for the Historian/Records Management Office;

<u>Item</u>	<u>New fee</u>	<u>Increased by</u>
In-house copies (per page)	.50	.25
Copies by mail (per page)	2.00	1.00
Copies electronically (per page)	1.00	.0
Vital Record Transcriptions (per record)	3.00	1.00
Research (per hour)	20.00	5.00
Certification (per record)	2.00	1.00

And, be it further

RESOLVED, that copies of this resolution be provided to the Historian/Records Management Office and the County Treasurer.

VOTE: Roll Call: Bronson, Gleason, Church, Banach, Percy, Dennis, Willson voting “Yes”; Morrison, Cutler, Multer, Button, Paddock voting “No”. Motion lost.

RESOLUTION NO. 163-19

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

DISCUSSION:

Mr. Morrison questioned the Excess Workers Compensation as Personnel Officer Brennan is in the process of obtaining additional quotes through Benetech. Mr. Morrison suggested that this resolution be held until next month when those quotes would hopefully be in.

Clerk of the Legislature Hayes explained that if the resolution does not go through and the policies are not renewed the County would be without coverage. Some of the policies have extended renewal dates to 5/15/19 and others are from 5/10/19 to 5/15/20. The Excess Workers Compensation was extended to 5/15/19.

Chairman Paddock explained that we are covered until the 15th of May for this particular policy. If Ms. Brennan is able to bring back additional information to us and we choose to change, we will be able to do that through our regular cycle of meetings.

Mrs. Percy stated that even though we pass the resolution, it doesn't mean that the excess policy can't be changed at a later date.

Chairman Paddock explained that that is why we changed the dates for next year to the 15th so that these issues could get worked out before the renewal date.

AUTHORIZE INSURANCE RENEWAL

WHEREAS, various insurance policies on behalf of the County expire on May 10th and 15th, 2019; and

WHEREAS, the total premium amount for the period May 10, 2019 – May 15, 2020 is \$318,888.63;

NOW, THEREFORE, BE IT RESOLVED, that the County continue their policies with the Stork Insurance Agency; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized to renew said policies with the Stork Insurance Agency with an expiration date of May 15, 2020; and be it further

RESOLVED, that copies of this resolution be given to the Treasurer and the Stork Insurance Agency.

VOTE: Unanimous

RESOLUTION NO. 164-19

Dr. Dennis offered resolutions 164 and 165-19 and moved their adoption, seconded by Mr. Button.

AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN CONTRACT EXTENSION APPENDIX X FOR HAVA SHOEBOX MONEY CONTRACT # T003215

WHEREAS, the New York State Board of Elections has allocated certain State funds for reimbursement of certain HAVA related expenditures; and

WHEREAS, the Yates County Board of Elections desires to use the \$2,668.22 balance for the purposes set forth;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of this Legislature be authorized to sign the contract appendix X extending the time to use the appropriations to March 31, 2020; and be it further

RESOLVED, that a copy of this resolution be given to the Election Commissioners, and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 165-19

**AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN CONTRACT EXTENSION
APPENDIX X FOR HAVA SHOEBOX MONEY CONTRACT # T002583**

WHEREAS, the New York State Board of Elections has allocated certain State funds for reimbursement of certain HAVA related expenditures; and

WHEREAS, the Yates County Board of Elections desires to use the \$4778.91 balance for the purposes set forth;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of this Legislature be authorized to sign the contract appendix extending the time to use the appropriations to March 31, 2020; and be it further

RESOLVED, that a copy of this resolution be given to the Election Commissioners, and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 166-19

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

AUTHORIZE PAYMENT PRIOR TO AUDIT FOR POSTAGE

WHEREAS, the Board of Election's response to receiving and processing mail is critical to dates on the Political Calendar; and

WHEREAS, it has been noted that following the current audit schedule of reimbursement to the local Post Office could result in delays in processing registration and election mail;

NOW, THEREFORE, BE IT RESOLVED, that postage due notices received from the Penn Yan Post Office may be paid prior to audit and not to exceed \$800 per audit period; and be it further

RESOLVED, that said practice will become effective upon adoption of this resolution; and be it further

RESOLVED, that copies of this resolution be provided to the Board of Elections and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 167-19

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

**AUTHORIZE SHERIFF TO FILL POSITION
(JAIL COOK)**

WHEREAS, a Jail Cook vacancy was recently created as a result of a recent resignation effective April, 6th, 2019; and

WHEREAS, the Sheriff through the vacancy review process has identified the continued need for the Jail Cook position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position is \$41,327.18 which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective April 8th, 2019 the Sheriff is hereby approved to fill the Jail Cook position; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 168-19

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

AMEND RESOLUTION NO. 42-19 (2019 Hourly Salary Schedule)

WHEREAS, Resolution 42-19 was duly adopted on January 14, 2019 and established the 2019 Hourly Salary Schedule; and

WHEREAS, as a result of the recently ratified Council 82 Law Enforcement Collective Bargaining Agreement the hourly rate for Deputy Sheriff increased; and

WHEREAS, there is a direct correlation between the CO 82 LE Collective Bargaining Agreement and the part-time Deputy Sheriff hourly rate; and

WHEREAS, the part-time Deputy Sheriff hourly rate is factored at 80% of the hourly rate of pay for Deputy Sheriff at the appropriate experience STEP; and

WHEREAS, in previous resolutions the start rate of pay for a part-time Deputy Sheriff has been factored based on 80% of the start rate of pay for Deputy Sheriff in the CO 82 LE Collective Bargaining Agreement, however, in the Collective Bargaining Agreement commencing on January 1, 2019 the start rate of pay for Deputy Sheriff was reduced to account for the time a Deputy Sheriff would be in training; and

WHEREAS, the Sheriff and Personnel Officer have recommended that the starting rate of pay for part-time Deputy Sheriff be factored based off 80% of the 6 month rate of pay as indicated in the Collective Bargaining Agreement;

NOW, THEREFORE, BE IT RESOLVED, that “Deputy Sheriff (Experience 80% CO82 LE contract for appropriate step)...\$18.36” of Resolution 42-19 be changed to “Deputy Sheriff (*Experience 80% CO82 LE contract for appropriate step, start rate is factored off 80% of the 6 month rate of pay*)....\$18.63”; and be it further

RESOLVED, that the hourly rate for part-time Deputy Sheriff be made effective January 1, 2019; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 169-19

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

**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO CREATE AND FILL POSITION
(PART TIME SENIOR ACCOUNT CLERK TYPIST)**

WHEREAS, a Senior Account Clerk Typist in the Public Health Department retired effective March 6th, 2019; and

WHEREAS, the Director of Public Health through the vacancy review process has identified the continued need for the position and has requested to create and fill a part-time Senior Account Clerk Typist position rather than filling the full-time position; and

WHEREAS, the estimated annual cost to fill the part-time position is \$18,021 which includes fringe benefits; and

WHEREAS, Public Health will be reimbursed \$8,000 from NY State for the position; and

WHEREAS, the estimated net cost to the County to fill the position including fringe will be \$10,021;

NOW, THEREFORE, BE IT RESOLVED, that effective April 8th, 2019 the Public Health Director is authorized to create and fill a part-time Senior Account Clerk Typist position; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 170-19

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

AMEND RESOLUTION NO. 168-19

WHEREAS, Resolution 168-19 was duly adopted on April 8th, 2019 and amended the 2019 Hourly Salary Schedule; and

WHEREAS, the Director of Public Health has been authorized to create and fill a part-time Senior Account Clerk Typist position as a result of a recent retirement; and

WHEREAS, the County Legislature previously created a part-time Senior Account Clerk Typist position in the County Treasurer's Office and the hourly rate of pay for the incumbent in the Senior Account Clerk Typist position is \$18.00 per hour; and

WHEREAS, the Director of Public Health recommended that the hourly rate of pay for the Senior Account Clerk Typist position in Public Health remain the same as the position in the Treasurer's Office; and

WHEREAS, the title of Senior Account Clerk Typist was not previously added to the Hourly Salary Schedule Resolution;

NOW, THEREFORE, BE IT RESOLVED, that “Senior Account Clerk Typist (*Public Health/Treasurer’s Office*)...\$18.00” be added to Resolution 168-19 after the title of “Secretary to County Attorney”; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 171-19

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

AMEND RESOLUTION NO. 168-19 (PUBLIC HEALTH PROGRAM COORDINATOR)

WHEREAS, Resolution 168-19 was duly adopted on April 8th, 2019 and amended the 2019 Hourly Salary Schedule; and

WHEREAS, the Director of Public Health recommended that the hourly rate of pay for the Public Health Program Coordinator position be increased to match the hourly rate of pay for the CSEA positions of Public Health Specialist and Registered Professional Nurse;

NOW, THEREFORE, BE IT RESOLVED, that “Public Health Program Coordinator (*Part-Time*) ...\$26.52” be changed in Resolution 168-19 to “Public Health Program Coordinator (*Part-Time*)... \$27.20”; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 172-19

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

AUTHORIZE CREATION OF A YATES COUNTY DEFERRED COMPENSATION COMMITTEE AND APPOINTMENTS TO THAT COMMITTEE

WHEREAS, Yates County, pursuant to New York State Finance Law and the Rules and Regulations of the New York State Deferred Compensation Board, has adopted the Model Plan known as the Deferred Compensation Plan for Employees of Yates County; and

WHEREAS, the Yates County Legislature would like to appoint a Deferred Compensation Committee to act on behalf of Yates County;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature creates a Deferred Compensation Committee; and be it further

RESOLVED, that the Committee shall be comprised of members of the Government Operations Committee, the Personnel Officer who shall act as the Plan Administrator and the County Treasurer; and be it further

RESOLVED, that copies of this resolution be provided to the members of the Government Operations Committee, the County Treasurer, the Personnel Officer and the Acting County Administrator.

VOTE: Unanimous

RESOLUTION NO. 173-19

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

DISCUSSION:

Chairman Paddock stated this is a significant effort and a significant undertaking. A number of people, especially Ms. Brennan, have put a fair amount of effort into this.

ADOPT YATES COUNTY EMPLOYEE HANDBOOK

WHEREAS, the Employee Handbook Committee has recommended for adoption and implementation the Yates County Employee Handbook;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Employee Handbook is hereby adopted effective April 8th, 2019; and be it further

RESOLVED, that all prior versions of the Employee Handbook be rescinded; and be it further

RESOLVED, that the Employee Handbook be made accessible to all County employees by means of the Intranet; and be it further

RESOLVED, that the Personnel Officer is authorized to make changes to the Employee Handbook that do not affect content and is further authorized to post said changes to the Intranet after receiving approval from the County Administrator and Chairperson of the Government Operations Committee; and be it further

RESOLVED, that any changes to the content of the Employee Handbook shall require legislative approval; and be it further

RESOLVED, that all departmental policies directly affected by the adoption of the Employee Handbook be updated to reflect the language contained within the updated Handbook; and be it further

RESOLVED, that a copy of this resolution be forwarded to all County employees.

VOTE: Unanimous

RESOLUTION NO. 174-19

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

AMEND RESOLUTION 87-19

WHEREAS, it is a term and condition of employment for the current Director of Real Property that she receive an increase of \$1,000 to her salary for successfully completing each of the ten (10) required trainings she needs to complete in order to receive her Director of Real Property Certification; and

WHEREAS, since the adoption of Resolution 87-19 the Director of Real Property has completed an additional two (2) trainings resulting in an increase of \$2,000 to her annual salary;

NOW, THEREFORE BE IT RESOLVED, that effective April 8th, 2019 “Director of Real Property...\$63,500” be changed to “Director of Real Property...\$65,500”; and be it further

RESOLVED, that copies of this resolution be given to the Acting County Administrator, Director of Real Property, Personnel Officer and Treasurer.

VOTE: Unanimous

RESOLUTION NO. 175-19

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

AMEND RESOLUTION NO. 88-19

WHEREAS, Resolution 88-19 was duly adopted on February 11, 2019 and established a Volunteer/Intern Background Check Policy and Procedure; and

WHEREAS, as a result of recent correspondence from Keuka College we have been notified that the College does not have the financial means available to support the cost associated with having Keuka College students completing their internships with the County per our requirements outlined in the Volunteer/Intern Background Check Policy and Procedure; and

WHEREAS, the policy was implemented initially as the County wishes to foster a safe environment by ensuring our employees, volunteers and interns are suitable for the position to which they have applied; and

WHEREAS, the County agrees to assume the financial burden associated with fingerprinting all current and future interns in addition to volunteers;

NOW, THEREFORE, BE IT RESOLVED, that effective April 8th, 2019 under the section on Payment for Fingerprinting in the Volunteer/Intern Background Check Policy and Procedure, the paragraph starting with “Internship positions...” will be removed from the policy; and be it further

RESOLVED, that the paragraph stating with “Volunteer positions...” be changed to “For applicants either seeking a volunteer opportunity or internship placement the cost of fingerprinting will be the responsibility of the County. Volunteer and intern applicants will be reimbursed for the cost of fingerprinting by submitting the associated receipt to the Personnel Officer.”; and be it further

RESOLVED, that copies of this resolution be given to the Acting County Administrator and the County Department Heads.

VOTE: Unanimous

RESOLUTION NO. 176-19

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

**RESOLUTION IN OPPOSITION TO THREE (3) PROPOSED BILLS
PENDING IN THE NEW YORK STATE LEGISLATURE
WITH RESPECT TO FIREARM LEGISLATION**

WHEREAS, the New York State Legislature has certain Bills pending which propose to add and/or amend various provisions of State law with respect to firearms, as follows:

Senate Bill No. S03771 (A04380) is proposed to add and amend the Penal Law (and other laws therein effected) to have all firearm background checks processed by the NYS Police by creation of a new background check unit therein; and authorizes and directs the State Police to serve as the point of contact for implementation of the Federal background checks by establishment of a state fee for this service; a fee as yet to be determined.

Assembly Bill No. A01413 seeks to amend the General Municipal Law to prohibit firearms as prizes in any game of chance, such as a raffle by a club or Fire Department.

Assembly Bill No. A05440 amends the Penal Law to authorize children 10 years of age or older to load and fire a rifle, shotgun or pistol at a shooting range while under the supervision of a qualified person. The proposed bill seeks to change the minimum age requirement of a parent, guardian or person designated by certificate to supervise from 18 years to 21 years; and

WHEREAS, the Yates County Legislature hereby opposes the proposed Bill referencing a change in the background check procedures as being unnecessary, duplicative and burdensome. Background checks are all submitted to the Federal government from the local licensing agency. This proposed law will simply create another layer of State bureaucracy and cause unnecessary cost to the background check procedures in place, at a cost that the State has not yet determined, and may in fact, end up being passed on to local County government as another unfunded mandate; and

WHEREAS, the Yates County Legislature hereby opposes the proposed Bill to prohibit firearms as a prize in a game of chance. This proposed legislation is overreaching in its justification. Many hunting and fishing clubs, as well as local Fire Departments in Yates County, raffle off firearms as prizes in games of chance as a means of raising revenue for their operations. In Yates County, these prizes can only be awarded to those 18 or older, and to those who are subject to background checks and clearances for same. An outright prohibition of firearms as raffle prizes, when proper safety precautions and actual background checks are undertaken before the prize is awarded is unfair, financially harmful and unnecessary; and

WHEREAS, the Yates County Legislature hereby opposes the proposed Bill to raise the age of a designated supervisor of minors at a shooting range from 18 years to 21 years. While we applaud this legislation in recognizing that young shooters will acquire the requisite skills and safety habits at an early age while participating in supervised shooting at a range, the decision to raise the age of a qualified supervisor from 18 years to 21 years is arbitrary. An eighteen year old has the responsibility to be licensed to drive a vehicle, to own a rifle, to be issued a hunting license, to fight our wars, and to vote for our representatives; yet, this proposed legislation makes an arbitrary decision that an eighteen year old cannot be trusted to properly supervise a minor at a shooting range when the parent of the minor has authorized him/her to participate; and

WHEREAS, the Yates County Legislature records their opposition to all three of the aforesated proposed Bills for the reasons set forth above.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Yates County Legislature hereby records its opposition to the proposed legislation set forth in Senate Bill S03771 (A04380) and Assembly Bills A01413 and A5440, as hereinabove set forth, and urges members of the State Senate and Assembly to oppose this legislation.

Section 2. That the Yates County Legislature directs that a copy of this resolution be forwarded to Governor Andrew Cuomo, Senator Thomas O'Mara, Assemblyman Phil Palmesano, the NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, and any other State or Local Agencies or Municipalities the Chairman deems appropriate.

Section 3. That the within resolution shall take effect immediately.
VOTE: Unanimous

RESOLUTION NO. 177-19

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

GRANT UNPAID LEAVE OF ABSENCE (D. Potts)

RESOLVED, that a Social Services employee is hereby granted an unpaid leave of absence from April 8th, 2019 until further notice; and be it further

RESOLVED, that a copy of this resolution be given to Ms. Potts, Commissioner of Social Services, Personnel Officer and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 178-19

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

AUTHORIZE HIGHWAY SUPERINTENDENT TO FILL POSITION (MOTOR EQUIPMENT OPERATOR)

WHEREAS, should a Motor Equipment Operator vacancy occur in the Highway Department, the Highway Superintendent has identified the continued need for the Motor Equipment Operator position and is requesting that the position be refilled should it become vacant; and

WHEREAS, the annual cost to fill the position including fringe benefits should not exceed \$66,964;

NOW, THEREFORE, BE IT RESOLVED, that effective April 8, 2019 the Highway Superintendent is hereby approved to fill a Motor Equipment Operator position vacancy should one occur; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 179-19

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

APPROVE EMPLOYMENT SEPARATION AGREEMENT AND RELEASE

BE IT RESOLVED, that the Yates County Legislature hereby authorizes the execution of an employment separation agreement and release, concerning a certain employee whose matter was discussed in an executive session of the County's applicable standing committee on April 1, 2019, and as such, the Chairman is authorized, upon the approval of the County Attorney, to sign such an agreement on behalf of the County; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 180-19

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

DISCUSSION:

Mr. Multer stated that he has already voiced his opposition to this resolution. Mr. Multer moved to amend this resolution under section 3.B.d.ii, to change the number of legislators from three (3) to two (2) and change "via written communication" to "via written and/or emailed communication", seconded by Mr. Button.

Chairman Paddock stated that he checked with County Attorney Falvey and was told that an email would qualify as written notice.

VOTE on amendment: Roll Call: Morrison, Cutler, Church, Multer, Dennis, Button, Willson voting "Yes"; Bronson, Gleason, Banach, Paddock voting "No". Motion lost.

Mr. Button stated that as was discussed before he cannot support the whole motion. He will be voting no.

Mr. Banach stated that he is going to vote no on this because he feels we are just adding another layer to government. It's not a simple thing, there are charts and second charts as to how this whole process goes. We are trying to micro manage what our department heads are doing in regards to renewing these contracts.

Chairman Paddock stated that what we are doing is defining rolls of individuals which has not been done in the past, and trying to answer the concern of individuals that wish to review a contract before it is signed. That is what the primary purpose of this contracts policy is.

Chairman Paddock stated that he has indicated in the past and he will state it again, he has had emails at 2:37 a.m. saying that "I cannot support this because I haven't been able to read the contract", when in that particular situation the contract had been prepared ahead and offered. This would define, and let the Legislature and Committee make a decision, as to whether you want to hold it up or not.

ADOPT CONTRACTS POLICY, REQUIREMENTS AND PROCEDURE

WHEREAS, Yates County wishes to formalize a policy for dealing with contracts as well as formalize requirements and procedure; and

WHEREAS, the Government Operations Committee has reviewed the Contracts Policy, Requirements and Procedure as presented in this Resolution and recommends its adoption;

NOW, THEREFORE, BE IT RESOLVED, that the following Contract Contracts Policy, Requirements and Procedure is hereby adopted;

CONTRACTS POLICY, REQUIREMENTS and PROCEDURE

1. **Policy** – It is the policy of Yates County to execute contracts in a manner that allows for proper examination and review while minimizing delay of execution.
2. **Definitions** – For purposes of this policy, the following terms shall be defined as stated.
 - A. **Chair** – The Chair of the Yates County Legislature.
 - B. **Clerk** – The Clerk of the Yates County Legislature.
 - C. **Committee of Jurisdiction** – Committee of the County Legislature that refers an authorizing resolution to the full legislature for approval.
 - D. **Contract** – A document that expresses the terms and conditions under which goods and/or services are to be performed and/or delivered. “Contract” shall also mean “agreement”.
 - E. **Contractor** – Individual or firm that will provide goods and/or perform services for the County. In situations where goods and/or services are not involved (e.g. – Memorandum of Understanding, etc.), “Contractor” shall also mean “other party”.
 - F. **County** – Yates County.
 - G. **Department Head** – County employees that oversee a County department. This term includes full time elected officials. In most instances, Department Heads submit Contracts for review and execution.
3. **Requirements** – All Contracts submitted for approval shall include the items listed below.
 - A. A completed Contract Cover Sheet.
 - B. The authorizing resolution. Said resolution:
 - a. shall include authorization for the Department Head and Chair to sign Contract;
 - b. shall, where applicable, contain the total, as well as County, amounts of funds to be expended;
 - c. may waive the requirement for liability insurance;
 - d. may include the statements:
 - i. “RESOLVED, that, before execution by the Chair, Contract shall be made available to Legislators by the Clerk of the Legislature for at least five (5) business days on the County intranet site; and be it further
 - ii. RESOLVED, that, if during said five (5) day period at least three (3) legislators advise said Clerk, via written communication, that they wish further review and discussion on Contract, the Chair shall not execute said Contract and said Clerk shall cause said Contract to be referred back to the Committee of Jurisdiction for further review and discussion at its next meeting.”

- C. Unless waived by the authorizing resolution, proof of General Liability insurance with Yates County named as an additional insured, unless such additional insured requirement is waived by the County Attorney, and having \$1,000,000 limits:
 - a. per occurrence,
 - b. general aggregate and
 - c. products/completed operations aggregate.
- D. Proof of NYS workers compensation and NYS disability insurance, or exemption(s) therefrom, on NYS prescribed forms.
 - a. If Contractor has employees, Contractor must obtain and submit a certificate from its insurance carrier.
 - b. If Contractor has no employees and is a sole proprietor, Contractor must obtain and submit an exemption form from the New York State Worker's Compensation Board.
 - i. Department Heads must assess the importance of Contract and Contractor's ability to secure this exemption. It may be in the best interest of the Department Head to assist Contractor in obtaining this form, especially if it is unlikely that another Contractor to perform the same services can be found.
- E. Proof of other types of insurance, liability or otherwise, as may be required by the County Attorney.

4. **Responsibilities and Procedure** – Entities and personnel have the responsibilities and must take the actions as stated.

- A. Committees of Jurisdiction shall:
 - a. review proposed resolutions presented at Committee meetings and determine if Contract resulting from a given resolution is one that the majority of the Committee wishes to examine. If so, wording such as that reflected in 3.B.d.i and ii shall be included in the resolution presented to the full Legislature.
 - b. if Contract is referred back to Committee by the Clerk as described in the authorizing resolution (reference 3.B.d.ii), further review and discuss Contract and make recommendations to the full Legislature. Said further review of Contract returned as in resolution incorporating 3.B.d.ii shall occur only one (1) time.
- B. The Legislature shall:
 - a. review resolutions forwarded by Committees of Jurisdiction and determine if Contract resulting from a given resolution is one that the majority of the Legislature wishes to examine. If so, wording such as that reflected in 3.B.d.i and ii shall be included in the resolution.
 - b. if Contract was referred back to a Committee of Jurisdiction by the Clerk, further review and act upon recommendations made by Committee.
- C. Department Heads shall:
 - a. discuss and review Liability and Workers' Compensation and Disability insurances with Contractors prior to entering into Contract negotiations;
 - b. prepare a draft resolution authorizing execution of Contract;
 - c. present the draft resolution to Committee of Jurisdiction;
 - d. if an authorizing resolution is approved by the full Legislature, complete a Contract Cover Sheet;
 - e. forward the Contract Cover Sheet and two (2) copies of Contract to the Clerk;
 - i. Contracts shall be executed by the Department Head prior to forwarding to the Clerk.
 - ii. In most instances, Contracts shall also be executed by Contractor prior to forwarding to the Clerk.

- f. forward Contract executed by Chair to Contractor.
 - i. In instances where Contract is not executed by Contractor (e.g. – New York State contracts), forward a copy of the fully executed Contract to the Clerk after receiving back from Contractor.
- D. The Clerk shall:
 - a. log Contract into the contract database and maintain Contract’s status in the database as approvals are completed by subsequent personnel;
 - b. if required, post Contract to the County intranet and notify the Legislature that Contract is available for review;
 - c. forward Contract to the County Attorney;
 - d. if notified by the required number of legislators, refer Contract to the Committee of Jurisdiction for further review and discussion;
 - e. receive Contract back from the County Attorney;
 - f. forward to the Chair for execution;
 - g. receive Contract back from the Chair;
 - h. forward Contract to the originating Department Head;
 - i. file a copy of Contract in the Legislature office.
- E. The County Attorney shall:
 - a. review Contract for legal content;
 - b. if applicable, modify Contract as necessary based on input from Legislators;
 - c. negotiate with Contractor as necessary to meet legal requirements;
 - d. execute the Contract Cover Sheet and, if applicable, the Contract;
 - e. return Contract to the Clerk.
- F. The Chair shall:
 - a. execute Contracts forwarded by the Clerk for execution;
 - b. return executed Contracts to the Clerk.

Related Document – Provide link to Contract Cover Sheet.

And, be it further

RESOLVED, that copies of this resolution be sent to all Department Heads.

VOTE: Roll Call: Morrison, Cutler, Bronson, Gleason, Church, Percy, Willson, Paddock voting “Yes”; Banach, Multer, Dennis, Button voting “No”. Motion carried.

RESOLUTION NO. 181-19

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

TAX EXEMPTION OF CERTAIN PARCELS OF REAL PROPERTY LOCATED IN THE COUNTY THAT ARE OWNED BY A MUNICIPAL CORPORATION NOT WITHIN ITS CORPORATE LIMITS AND USED FOR SEWAGE OR WATER PURPOSES

WHEREAS, pursuant to Section 406(3) of the New York State Real Property Tax Law, real property located in the County of Yates (hereinafter sometimes referred to as the “County”) owned by a county, city, town, village or school district not within such county, city, town, village or school district’s corporate limits that is (1) used as a sewage disposal plant or system, including necessary connections and appurtenances OR (2) in instances where the county, city, town, village or school district that owns such real property has a population of less than one

hundred thousand or a population of two hundred twenty-five thousand or more but less than three hundred thousand, used as a water plant, pumping station, water treatment plant, water shed or reservoir, including necessary connections and appurtenances, (hereinafter referred to as "Section 406(3) Exempt Properties"), may be wholly or partially exempted from County taxation, special ad valorem levies and special assessments by the County; and

WHEREAS the County wishes to wholly exempt any such Section 406(3) Exempt Properties from County taxation, special ad valorem levies and special assessments;

NOW, THEREFORE, BE IT RESOLVED, that the County of Yates, by this resolution which shall be reduced to writing, wholly exempts any and all parcels of real property from County taxation, special ad valorem levies and special assessments that are located in the County of Yates and owned by a county, city, town, village or school district not within such county, city, town, village or school district's corporate limits that are (1) used as a sewage disposal plant or system, including necessary connections and appurtenances OR (2) in instances where the county, city, town, village or school district that owns such real property has a population of less than one hundred thousand or a population of two hundred twenty-five thousand or more but less than three hundred thousand, used as a water plant, pumping station, water treatment plant, water shed or reservoir, including necessary connections and appurtenances; and be it further

RESOLVED that a copy of this Resolution be given to the County Treasurer and all Assessors of real property located within the County.

VOTE: Unanimous

Dr. Dennis reminded everyone that this is Public Health week.

Meeting adjourned at 1:40 p.m.