

**REGULAR SESSION – MONDAY, APRIL 12, 2021**

The Yates County Legislature convened in regular session, Monday, April 12, 2021 with Chairman Paddock presiding and Legislator Cutler attending by Zoom meeting.

Annamarie Flanagan, Director of Public Health, gave the following update on COVID-19. There have been 8 new cases since the last update on Friday. Of those, 4 are close contacts of previous cases. To date there have been 1,172 positive cases in the county and 1,123 have recovered. There are currently 24 active cases and 2 are in the hospital. Annmarie explained that there will be two clinics this week. Also, as many have heard the J&J vaccine was pulled because of a manufacturing issue. Public Health will not be receiving any J&J vaccine as of right now and has 225 doses of the Moderna vaccine. To sign up for a vaccination please go to Public Health’s website. If anyone has an issue using the website they can call Public Health at 315-536-5160 or Office for the Aging at 315-536-5515.

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

Airport Fund	\$4,062.40
Finance	\$7,668,850.87
Flint Creek	\$ -0-
Government Operations	\$ 223,552.87
Human Services	\$ 292,972.59
Prior to Audit	\$ 120,935.43
Public Safety	\$ 138,925.14
Public Works	\$ 497,642.96
Total	\$8,946,942.26

Minutes of the March 8<sup>th</sup> and 19<sup>th</sup> meetings were approved as presented.

**COMMITTEE REPORTS**

Mr. Banach reported there is currently a burn ban in effect until 5/15/21. Also, he received notification from the DEC that 12-13 year olds can now hunt big game; this will need County approval. Mr. Banach explained that there have been some changes to the trout regulations and advised that individuals go to the DEC website and review the changes.

Ms. Chilson reviewed handouts regarding the legalization of marihuana and urged legislators to share the information within their districts.

Mr. Button reported the Flint Creek tax levy is \$31,495.25.

Mr. Willson reported there was a groundbreaking ceremony for the Humane Society for their expansion. Also, the County hosted the Scouting Pine Wood Derby in the lobby of the County Office Building over the weekend and it worked out great. Mr. Willson thanked the Legislature for the use of the building. Mr. Willson reported the next SWIO meeting will be a Zoom meeting and encourages all the towns to participate in that meeting.

County Administrator Flynn reported she would like to speak on the recently passed New York State Budget and its impact on Yates County.

While overall the enacted NYS budget will offer the continuation of funding for the programs already in place that are mandated by NYS, there will be some positive and negative impacts for Yates County. Some of the programs that will continue to be funded are the reimbursement to the Board of Elections for the expansion of early voting, assistance for Code Blue homelessness programs, aid for indigent legal services, and public safety grants for Interoperable Communications and Public Safety Answering Points.

On the plus side, there is additional funding for the Board of Elections to pay for capital infrastructure improvements to protect the connectivity and security of county election software. There is increased funding for core public health services, expanded aid for assisted outpatient mental health treatment and the Home Energy Assistance Program (HEAP). Additional funding is in the budget to improve local roads and bridges. The greatest possible gain for Yates County is the funding made available for capital projects and the acquisition of capital assets, however, we do have to apply for this funding.

What is disappointing with this budget is that there is no taxpayer relief at the county level. We continue to fund all of the state mandated services with over 65% of our local property tax. It is also concerning that NYS began the practice in 2019 of intercepting some of our County's 4% share of sales tax revenue and continues to divert more each year. The initial annual diversion was to fund the state's obligation for revenue sharing with local governments in the Aid to Municipalities program.. Now NYS is taking some of our sales tax revenue to put in a NYS fund for distressed hospitals. NYS, however is not contributing to either of these programs with any of the state's 4% sales tax revenue. With the burden NYS places on local government to pay for state level programs, combined with the sales tax diversion, it becomes more and more difficult each year for county government to maintain fiscal stability and provide local taxpayer relief.

Chairman Paddock reported there will be a meeting on April 29<sup>th</sup> with Senator O'Mara and Assemblyman Palmesano at 2:00 p.m. in the Legislative Chambers.

#### PUBLIC COMMENT

John Prendergast, Supervisor for the Town of Benton addressed the Legislature regarding his concerns with the County taking over the town assessor duties. Mr. Prendergast stated that town positions need to stay with the town.

Chairman Paddock clarified that the County is not taking over any town assessor positions. The County was approached by a Town whose assessor resigned and questioned if the County would be interested in overseeing the assessor duties. The ultimate decision is at the town level and the County would be happy to help any town if they found themselves in a similar situation.

Rich Stewart asked Ms. Chilson if she would email him the handout on the marijuana information.

#### **RESOLUTION NO. 126-21**

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

#### **DISCUSSION:**

Ms. Chilson stated she is thankful for this resolution as her sister was a victim of domestic violence.

## RECOGNIZE 2021 NATIONAL CRIME VICTIMS' RIGHTS WEEK

WHEREAS, the National Crime Victims' Rights Week is designated as April 18 – 24 acknowledging the victims' rights movement that has resulted in the passage of laws at the local, state, and federal levels that established essential rights for victims, and the theme this year is *Support Victims, Build Trust, Engage Communities*; and

WHEREAS, the District Attorney, the Victims' Advocates, the Sheriff, the Victims Impact Panel Coordinator and the Probation Director in their commitments to raise victim awareness now request a proclamation for recognition of this annual victims' rights week; and

WHEREAS, it was 1984 when President Reagan signed crime victims' rights act that has provided victims with ways to participate meaningfully throughout the criminal justice process, with a more equitable and supportive response to victims as the system can be a confusing experience; and

WHEREAS, honoring the rights of victims—including the rights to be heard and to be treated with fairness, dignity and respect – and working to meet their needs rebuilds their trust in the criminal justice and social service systems; and

WHEREAS, our community's continued engagement with the challenges faced by victims of crime will ensure that the progress we have made to date is not lost and that new ground is broken to gain greater healing for all victims; and

WHEREAS, in Yates County, criminal justice services both public and private, are dedicated to strengthen victims and survivors available to help rebuild lives, and thus victims' rights are a critical component of the Probation Officers, District Attorney's staff and Victim's Advocates, Sheriff's services including STOP-DWI program, Victims Impact Panel, and VINE in-custody hotline and the notification of the service of protective orders all play a role in victims' support; and

WHEREAS, both public and private entities are hereby dedicated to strengthening victims and survivors in the aftermath of crime, building resilience in our communities and our victim service providers, and bringing hope and healing to all victims and survivors;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature recognizes **National Crime Victims' Rights Week** April 18 – 24, 2021 as providing an opportunity to recommit to ensure that accessible and trauma informed services are offered to all victims of crime and supports the rights of crime victims and survivors to be treated with dignity and fairness; and be it further

RESOLVED that this Legislature thanks all the local efforts of so many advocates, volunteers, individuals, public employees and entities in our community; and be it further

RESOLVED, that a copy of this resolution be provided to the Director, Safe Harbors of the Finger Lakes, Caitlin Metz, Director of Victim/Witness Services at the D.A. Office and Sheriff's Office, STOP program VIP Coordinator Linda Wright, Probation Director Sharon Dawes, District Attorney Todd Casella and to Sheriff Ron Spike.

VOTE: Unanimous

**RESOLUTION NO. 127-21**

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

**RECOGNIZE NATIONAL PUBLIC SAFETY  
TELECOMMUNICATIONS WEEK FOR 2021**

WHEREAS, **National Public Safety Telecommunications Week** has been designated by APCO (Association of Public-Safety Communications Officials) as April 11 – 17, 2021, 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 or text the Yates County 911 emergency communications center; and Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; where 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, the Director of OEM Winslow, Chief Dispatcher Smith, the 911 Advisory Board members and President Lindsay Tones of Local #9010 of Council 82.

VOTE: Unanimous

**RESOLUTION NO. 128-21**

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

**AUTHORIZATION PERTAINING TO OUTSIDE LEGAL COUNSEL REGARDING  
SEQRA MATTERS**

WHEREAS, Yates County (hereinafter the “County”) wishes to engage in an emergency/public safety communications tower project, entailing the purchase or potential purchases of real property and the construction and operation of communication tower(s) thereon; and

WHEREAS, the County, from time to time, envisions the need for the assistance of outside legal counsel regarding a myriad of matters related to SEQRA compliance and procedure related to the above recited project; and

WHEREAS, the law firm of Bond, Schoeneck & King, PLLC, having a principal office in Syracuse, NY, has been identified as an outside counsel to provide such legal assistance;

NOW, THEREFORE, BE IT RESOLVED, that the County, through its County Attorney, is authorized to engage, from time to time, at its discretion, the law firm of Bond, Schoeneck & King, PLLC to provide legal assistance to the County concerning matters pertaining to SEQRA compliance and procedure as it relates to the above recited project, and to this end the Chairman is hereby authorized, upon the approval of the County Attorney, to sign any and all agreements with Bond, Schoeneck & King, PLLC concerning their provision of such legal services to the County; and be it further

RESOLVED, that the County's commercial general liability insurance requirement is hereby waived in this instance; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 129-21**

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

### **RATIFY CONFIRMATION LETTER**

WHEREAS, an email requesting a letter confirming support for the Discovery Reform Funding Plan submitted to the NYS Division of Criminal Justice Services by District Attorney Todd Casella (hereinafter "D.A.") was received by the Chair of the Legislature from the D.A. on April 5, 2021; and

WHEREAS, the Letter was needed expeditiously in order to complete the submission and initiate payment of funds in the amount of \$63,025 to the county by NYS; and

WHEREAS, the request was presented to the Public Safety Committee as part of its April 6, 2021 meeting; and

WHEREAS, the majority of legislators present agreed that the Chairman should provide such Letter and bring forth a resolution ratifying same; and

WHEREAS, based on the apparent desire of the Legislature members present at said meeting to advance payment to the county, the chairman prepared and sent a confirmation Letter April 6, 2021;

NOW, THEREFORE, BE IT RESOLVED, that the confirmation Letter sent by the Chairman for the D.A. is hereby ratified; and be it further

RESOLVED, that a copy of this resolution be furnished to the D.A.  
VOTE: Unanimous

### **RESOLUTION NO. 130-21**

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

## **PROCLAIM NATIONAL COUNTY GOVERNMENT MONTH**

WHEREAS, the nation's 3,069 counties, parishes and boroughs serving more than 300 million Americans provide essential services to create healthy, safe and vibrant communities; and

WHEREAS, counties provide public health services, administer justice, keep communities safe, foster economic opportunities and much more; and

WHEREAS, Yates County and all counties take pride in our responsibility to protect and enhance the health, wellbeing and safety of our residents in efficient and cost-effective ways; and

WHEREAS, under the leadership of National Association of Counties President Gary Moore, NACo is demonstrating how "Counties Matter," especially in supporting residents and businesses during the coronavirus pandemic; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to elevate awareness of county responsibilities, programs and services;

NOW, THEREFORE, BE IT RESOLVED, that Yates County does hereby proclaim April 2021 as National County Government Month; and be it further

RESOLVED, that a copy of this resolution be given to NYSAC and NACo.  
VOTE: Unanimous

### **RESOLUTION NO. 131-21**

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

#### **RATIFY CONTRACT SIGNATURE FOR TEMPORARY INTERNET SERVICE (Empire Access)**

WHEREAS, a larger venue is required to handle the influx of people requiring COVID vaccinations; and

WHEREAS, the County has leased temporary space for the purpose of conducting large Points of Dispensing (PODs) at 220 Lake Street Plaza – Unit 18, Penn Yan, NY 14527 (hereinafter "Gordman's building"); and

WHEREAS, the PODs require reliable internet connectivity for the purpose of accessing and entering data into the NYS Clinical Data Management System (CDMS) to report vaccination information; and

WHEREAS, the Gordman's building does not have adequate internet service using the Public Health Verizon MiFi hotspots; and

WHEREAS, in order to provide adequate internet service for the PODs, a short-term month-to-month contract providing the installation and service of an internet circuit from Empire Access at a rate of \$60.00/month was required to be executed in an accelerated time frame; and

WHEREAS, the Chair of the Legislature executed said contract on March 23, 2021;

NOW, THEREFORE, BE IT RESOLVED, that the execution of a contract with Empire Access for internet services for the Gordman's building by the Chair of the Legislature is hereby ratified; and be it further

RESOLVED, that a copy of this resolution be furnished to the County Administrator/Budget Officer, the Directors of Public Health and Information Technology and Empire Access.

VOTE: Unanimous

### **RESOLUTION NO. 132-21**

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

#### **AUTHORIZE CHAIRMAN TO SIGN CONTRACT FOR INTERNET SERVICES (Empire Access)**

WHEREAS, the I.T. department has identified a need to segregate the Highway Inspection Station equipment away from the County network due to security concerns; and

WHEREAS, the I.T. department has identified a need for a separate Wi-Fi access for the purposes of creating an automated data collection network for the Highway Sanding data collection equipment; and

WHEREAS, in order to provide a separate internet connection, a quote from Empire Access to co-term with the County's current 3-year contract for a 100MB/10MB circuit was obtained providing the installation and service at a rate of \$60.00/month;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Empire Access of Prattsburgh, NY for a 100MB/10MB internet connection to co-term with the County's current internet services contract on resolution 354-19; and be it further

RESOLVED, that a copy of this resolution be furnished to the County Administrator/Budget Officer, the Directors of Public Health and Information Technology and Empire Access.

VOTE: Unanimous

### **RESOLUTION NO. 133-21**

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

#### **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 provided to New York State for reimbursement of certain HAVA related expenditures; and

WHEREAS, the Yates County Board of Elections desires to use the \$435.59 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, 2022; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 134-21**

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

#### **AUTHORIZE THE CHAIRMAN TO SIGN LOAN AGREEMENT WITH ROCHESTER MUSEUM AND SCIENCE CENTER**

WHEREAS, the Rochester Museum and Science Center (RMSC) has loaned several historic artifacts to Yates County through a loan agreement; and

WHEREAS, said agreement has expired and needs to be renewed for the term of 10/15/20 to 2/28/22 with no cost to the County;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Chairman of the Legislature is hereby authorized to sign said agreement; and be it further

RESOLVED, that a copy of this resolution be provided to RMSC and the County Historian.

VOTE: Unanimous

### **RESOLUTION NO. 135-21**

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

#### **APPROVING MEMORANDUM OF UNDERSTANDING WITH CSEA CONCERNING ALTERING THE WORK HOURS FOR A PUBLIC HEALTH DEPARTMENT EMPLOYEE**

WHEREAS, the Director of Public Health has recommended the work hours for a Registered Professional Nurse position in her office be set at thirty (30) hours per week;

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

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

RESOLVED, that the Chairman of the County Legislature and the County Administrator are hereby authorized to execute said Memorandum of Understanding on behalf of the County; and be it further

RESOLVED, that copies of this resolution be furnished to the Director of Public Health, Labor Relations Specialist of the CSEA, President of the Local CSEA, Personnel Officer, County Administrator and County Treasurer.

VOTE: Unanimous

### **RESOLUTION NO. 136-21**

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

#### **ABOLISH PRINCIPAL ACCOUNT CLERK TYPIST POSITION AND CREATE AND FILL FISCAL ADMINISTRATIVE OFFICER POSITION (PUBLIC HEALTH DEPARTMENT)**

WHEREAS, review of a Position Classification Questionnaire by supervisory personnel in the Public Health Department and the Personnel Officer has determined that a Principal Account Clerk Typist position in the Public Health Department should be reclassified as a Fiscal Administrative Officer;

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Personnel Officer and the Director of Public Health, effective April 12, 2021, the relevant position of Principal Account Clerk Typist in the Public Health Department be abolished and the position of Fiscal Administrative Officer be created and filled; and be it further

RESOLVED, that a copy of this resolution be given to the Director of Public Health, Personnel Officer, Labor Relations Specialist of the CSEA, President of Local CSEA, County Administrator and County Treasurer.

VOTE: Unanimous

### **RESOLUTION NO. 137-21**

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

#### **AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO FILL PART-TIME ACCOUNT CLERK TYPIST VACANT POSITION**

WHEREAS, the Director of Public Health has indicated for efficiency purposes and the additional workload being placed on the Public Health Department it would be in the County's best interest to fill the vacant part-time Account Clerk Typist position; and

WHEREAS, as the result of a promotion, the part-time Account Clerk Typist position became vacant on August 3, 2020; and

WHEREAS, the Director of Public Health at the time did not request to have the vacated position filled; and

WHEREAS, the current Director of Public Health through the vacancy review process has identified the need for the position and is requesting the vacant position be filled; and

WHEREAS, the estimated cost to fill the position, including fringe, is \$17,519;

NOW, THEREFORE, BE IT RESOLVED, that effective April 12, 2021 the Director of Public Health is hereby authorized to fill a part-time Account Clerk Typist vacant position; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 138-21**

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

#### **REAPPOINT COMMISSIONER OF SOCIAL SERVICES (A. MILLER)**

RESOLVED, that Amy D. Miller is hereby reappointed to the position of Commissioner of Social Services effective May 16, 2021 for a five (5) year term to expire May 15, 2026; and be it further

RESOLVED, that copies of this resolution be provided to Mrs. Miller, New York State Office of Temporary and Disability Assistance, the Personnel Officer, County Administrator and County Treasurer.

VOTE: Unanimous

### **RESOLUTION NO. 139-21**

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

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

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

WHEREAS, the Commissioner through the position review process has identified the need to create and fill a Social Welfare Examiner position; and

WHEREAS, the estimated cost to fill the position, including fringe, is \$45,057 to \$65,370, depending on health insurance; with 100% reimbursement from HEAP Administration the total cost to the County will be \$0 to create and fill the position;

NOW, THEREFORE, BE IT RESOLVED, that effective April 12, 2021 the Commissioner of Social Services is hereby authorized to create and fill a full-time Social Welfare Examiner position; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 140-21**

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

**AUTHORIZE PUBLIC DEFENDER TO CREATE AND FILL ASSISTANT PUBLIC DEFENDER (FIRST) POSITION**

WHEREAS, the Public Defender has requested to create and fill a full-time Assistant Public Defender (First) position due to the anticipated vacancy that will occur on June 1, 2021 as the result of a resignation; and

WHEREAS, the Public Defender through the vacancy review process has identified the need to create and fill the Assistant Public Defender (First) position in order to allow for a seamless transition for personnel and to ensure clients remain unaffected; and

WHEREAS, the estimated cost to fill the position, including fringe, is \$107,785 to \$128,098, depending on health insurance; the County receives \$48,699 reimbursement from the Hurrell-Harring Grant therefore, after factoring in the grant reimbursement, the estimated cost to fill the position is \$59,086 to \$79,399;

NOW, THEREFORE, BE IT RESOLVED, effective April 12, 2021 the Public Defender is hereby authorized to fill the full-time Assistant Public Defender (First) position; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 141-21**

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

**AUTHORIZE SHERIFF TO FILL DEPUTY SHERIFF CRIMINAL INVESTIGATOR POSITION**

WHEREAS, a Deputy Sheriff Criminal Investigator position became vacant March 29, 2021 as the result of a retirement; and

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

WHEREAS, the annual cost to fill the position, including fringe, is \$93,821;

NOW, THEREFORE, BE IT RESOLVED, that effective April 12, 2021 the Sheriff is hereby authorized to fill a full-time Deputy Sheriff Criminal Investigator position; and be it further

RESOLVED, that the Sheriff is also authorized to fill a subsequent Deputy Sheriff vacancy that will occur as the result of a promotion of an employee into the vacant Deputy Sheriff Criminal Investigator position; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 142-21**

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

DISCUSSION:

Mr. Button explained that the need for this is caused by the State not taking the state ready prisoners in a timely manner.

### **AUTHORIZE SHERIFF TO FILL TWO (2) POSITIONS (CORRECTION OFFICER)**

WHEREAS, the Sheriff currently has four (4) vacant Correction Officer positions and is anticipating a fifth vacancy in August 2021 as the result of a retirement; and

WHEREAS, the Sheriff through the vacancy review process has identified the need to fill at least two (2) Correction Officer positions and is requesting the positions be filled; and

WHEREAS, the estimated annual cost to fill one (1) position, including fringe, is \$59,671 to \$79,984, depending on health insurance; and

WHEREAS, the estimated total cost to fill two (2) positions, including fringe, is \$119,342 to \$159,968, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective April 12, 2021 the Sheriff is hereby approved to fill two (2) Correction Officer positions; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 143-21**

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

### **AUTHORIZE SHERIFF TO FILL JAIL PHYSICIAN POSITION**

WHEREAS, per NYS Corrections Law §501, the board of supervisors of each county must appoint a reputable physician, duly authorized to practice medicine, as the physician to the jail of the County and such appointment shall serve at the pleasure of the board to which appointed; and

WHEREAS, the Sheriff received notification from Finger Lakes Medical, P.C., that per their request, they will no longer provide jail physician services for the County effective June 1, 2021; and

WHEREAS, Resolution 86-09 created the position of part-time Jail Physician; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$17,277;

NOW, THEREFORE, BE IT RESOLVED, that effective April 12, 2021 the Sheriff is hereby authorized to fill a part-time Jail Physician position; understanding that the physician will provide the Sheriff a copy of his/her personally paid medical malpractice insurance; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 144-21**

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

#### **AUTHORIZE SHERIFF TO FILL PART-TIME JAIL NURSE PRACTITIONER POSITION**

WHEREAS, per NYS Corrections Law §501, the board of supervisors of each county must appoint a reputable physician, duly authorized to practice medicine, as the physician to the jail of the County and such appointment shall serve at the pleasure of the board to which appointed; and

WHEREAS, the Sheriff received notification from Finger Lakes Medical, P.C., that per their request, they will no longer provide jail physician services for the County effective June 1, 2021, which includes the services of a Jail Physician and a Nurse Practitioner; and

WHEREAS, the Sheriff requested to keep the jail medical services at the same staffing level; and

WHEREAS, Resolution 145-09 created the position of part-time Jail Nurse Practitioner; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$17,277;

NOW, THEREFORE, BE IT RESOLVED, that effective April 12, 2021 the Sheriff is hereby authorized to fill a part-time Jail Nurse Practitioner position; understanding that the Nurse Practitioner will provide the Sheriff a copy of his/her personally paid medical malpractice insurance; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 145-21**

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

#### **AUTHORIZE DISTRICT ATTORNEY TO FILL SECRETARY TO DISTRICT ATTORNEY POSITION**

WHEREAS, the Secretary to District Attorney position became vacant effective March 19, 2021 as the result of a resignation; and

WHEREAS, the District Attorney through the vacancy review process has identified the need to refill the Secretary to District Attorney position and is requesting that the position be refilled; and

WHEREAS, the estimated cost to fill the position, including fringe, is \$48,565 to \$68,879, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective April 12, 2021 the District Attorney is hereby authorized to fill a full-time Secretary to District Attorney position; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 146-21**

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

#### **AUTHORIZE TREASURER TO PAY MEDICAL AND DENTAL INSURANCE AND ADMINISTRATION RELATED BILLS PRIOR TO AUDIT**

BE IT RESOLVED, that upon satisfying the requirements under the Yates County Contracts Policy, the County Treasurer is authorized to pay service providers for medical, dental, and other medical self-funded related administration and insurance bills prior to audit; and be it further

RESOLVED, that such payments may be made through the County audit and/or Electronic Funds Transfers (EFT), including but not limited to Automated Clearing House (ACH) transfers, or wire transfers; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 147-21**

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

#### **AMEND RESOLUTION 104-21 ADOPT 2021 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE**

WHEREAS, Resolution 104-21 was duly adopted on March 8, 2021 which amended the 2021 Non-Union Exempt Employee Salary Schedule; and

WHEREAS, as a result of the Assistant Public Defender (First) submitting her resignation to be made effective June 1, 2021 the Public Defender has requested authorization to create and fill a temporary Assistant Public Defender (First) position;

NOW, THEREFORE, BE IT RESOLVED, that effective April 12, 2021 the following shall be added to the resolution;

Assistant Public Defender (First) (Temporary)	\$36,614
Assistant Public Defender (First) – Hurrell-Harring Grant Add-On (Temporary)	\$48,699

And be it further

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

VOTE: Unanimous

**RESOLUTION NO. 148-21**

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

**AMEND RESOLUTION NO. 10-21  
ADOPT 2021 NON-UNION NON-EXEMPT EMPLOYEE WAGE SCHEDULE**

WHEREAS, Resolution 10-21 was duly adopted on January 11, 2021 amending the Non-Union Non-Exempt Employee Wage Schedule; and

WHEREAS, the resolution is in need of additional amendments due to recent action taken by the County Legislature;

NOW, THEREFORE, BE IT RESOLVED, that “Account Clerk Typist (Sheriff’s Office)...\$15.18” be amended to “Account Clerk Typist (Sheriff’s Office/Public Health)...\$15.18”; and be it further

RESOLVED, that “Jail Nurse Practitioner...\$36.86” be added after “Jail Cook”; and be it further

RESOLVED, that “Jail Physician...\$36.86” be added after “Jail Nurse Practitioner”; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 149-21**

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

**AMEND YATES COUNTY EMPLOYEE HANDBOOK**

WHEREAS, the Employee Handbook is in need of modifications;

NOW, THEREFORE, BE IT RESOLVED, that effective April 12, 2021 a section titled “Pandemic Continuity of Operations Plan” be added and become the new Section 406 and the remaining section numbers be updated accordingly;

**406 *Pandemic Continuity of Operations Plan***

1. **Plan Statement** – In accordance with the amended New York State Labor Law section 27-c and New York State Education Law, in the event of a declared public health emergency, the County has adopted a plan to protect the health and safety of County employees, contractors, customers, clients, and members of the public, all while maintaining continuity of County operations.
2. **Related Document** – [Yates County Pandemic Continuity of Operations Plan](#)

And be it further

RESOLVED, that a section titled “Transitional Duty Policy” be added and become the new Section 509 and the remaining section numbers be updated accordingly;

**509 *Transitional Duty Policy***

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

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

2. **Related Document** – [Yates County Transitional Duty Policy](#)

And be it further

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

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

VOTE: Unanimous

**RESOLUTION NO. 150-21 (Lost)**

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

DISCUSSION:

Mr. Paddock stated that he is not in favor of this resolution. He believes the rules as currently written can be addressed in each individual executive session merely by a comment during the session. He will not be voting in favor of it.

Mr. Button stated he appreciates Mr. Multer bringing this forward for discussion.

**AMEND RULES OF PROCEDURE  
(EXECUTIVE SESSION)**

WHEREAS, a request has been made to modify the Executive Session portion of the Rules of Procedure for the Yates County Legislature;

NOW, THEREFORE, BE IT RESOLVED, that the third paragraph of the Executive Session portion of the Rules of Procedure for the Yates County Legislature be modified as follows (text in *italics* to be added and text in ~~strikethrough~~ to be deleted):

Any discussion conducted during any Executive Session *may be revealed to any member of the Legislature who was not in attendance, but* shall not be revealed to *any other person* ~~persons~~ not in attendance unless agreed upon during the Session by a majority of Legislature members present. If information is to be revealed to persons not in attendance, it is preferred that said information be clearly defined and that a spokesperson be appointed during the Session. VOTE: Roll Call – Killen, Bronson, Chilson, Gleason, Church, Holgate, Multer, Percy, Harper, Button, Willson voting “Yes”; Cutler, Banach, Paddock voting “No”. Motion lost. *NOTE: As stated in the Rules of Procedure, “These Standing Rules may be changed only by unanimous consent of those members present during the meeting where first proposed. Such changes may be made by majority vote of the full voting strength of the Legislature at a regular meeting subsequent to the one where first proposed.”* Mr. Multer stated that he will be bringing this up again next month.

### **RESOLUTION NO. 151-21**

Mrs. Church offered resolutions 151 and 152-21 and moved their adoption, seconded by Ms. Chilson.

### **APPOINTMENT TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD**

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

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

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

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

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

Randi DiAntonio  
Vice President  
NYS Public Employee Federation  
255 East Avenue  
Rochester, NY 14604

And be it further

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

**RESOLUTION NO. 152-21**

**APPOINTMENT TO THE FINGER LAKES  
WORKFORCE INVESTMENT BOARD**

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby appoint the following representative to the Finger Lakes Workforce Investment Board to replace the vacancy left by outgoing representative Lynn Freid and to fulfill the vacated term through 6/30/23.

Robert Coyne  
Executive Director  
Rochester Technology and Manufacturing Association  
2458 West Henrietta Road Suite 152  
Rochester, NY 14623

And be it further

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

VOTE: Unanimous

**RESOLUTION NO. 153-21**

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

**AUTHORIZE CONTRACT WITH PATHWAYS**

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

WHEREAS, the term of this contract is May1, 2021 through December 31, 2021;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairman of the Yates County Legislature and Commissioner of Social Services are hereby

authorized to sign a contract with Pathways for the provision of parenting and family aid services; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 154-21**

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

**AWARD BID FOR LEACHATE HAULING FOR THE COUNTY LANDFILL**

WHEREAS, there is a need for Leachate Hauling and Disposal service for the County Landfill on Long Point Road in the Town of Torrey; and

WHEREAS, bids were requested and received on March 18, 2021 at 11:00 a.m. and two firms submitted bids; and

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNITS	Magee Transportation		Gotta Do Contracting LLC	
				UNIT BID PRICE	TOTAL AMOUNT	UNIT BID PRICE	TOTAL AMOUNT
1	MOBILIZATION	1	LUMP SUM	\$1,360.00	\$1,360.00	\$975.00	\$975.00
2	LOADING, REMOVAL, TRANSPORT, UNLOADING, AND DISPOSAL OF LEACHATE AT THE WATER POLLUTION CONTROL FACILITY. THIS PRICE INCLUDES ALL APPLICABLE FREIGHT, DELIVERY, ANALYTICAL, REGULATORY COMPLIANCE, AND INSURANCE COSTS AND CHARGES.	200,000 gallons	PER THOUSAND GALLONS	\$136.00	\$27,200.00	\$100.00	\$20,000.00
TOTAL BID FOR YATES COUNTY TORREY LANDFILL LEACHATE HAULING AND DISPOSAL CONTRACT				\$1,496.00	\$28,560.00	\$1,075.00	\$20,975.00

WHEREAS, the submitted bid documents have been reviewed by Barton & Loguidice and a recommendation to award has been received from Barton & Loguidice;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman is hereby authorized to sign the agreement with Gotta Do Contracting, L.L.C; and be it further

RESOLVED, a copy of this resolution be sent to Barton & Loguidice, P.C., the Yates County Treasurer, the Yates County Highway Superintendent and all bidders.

VOTE: Unanimous

**RESOLUTION NO. 155-21**

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

**AWARD BID FOR COLD MILLING OF ASPHALT PAVEMENT**

WHEREAS, bids were requested for Cold Milling of Asphalt Pavement and received on March 25, 2020 at 10:00 a.m. and two firms submitted bids to the Yates County Highway Department;

<b>BIDDER:</b>	Donegal Construction Corporation	Villager Construction Inc.

**Project #1: CR #21, West Lake Road (2.04 miles)**

3" depth, Estimated quantity: +/-26,503 sy

With County Supplied Trucking /sq yd:	\$0.97	\$1.21
Deduct for County Provided M&P of Traffic:	-\$0.09	-\$0.12
Total:	\$0.88	\$1.09

**Project #2: CR #17, Bath Road (4.79 miles)**

3" depth, Estimated quantity: +/-64,665 sy

With County Supplied Trucking /sq yd:	\$0.82	\$1.08
Deduct for County Provided M&P of Traffic:	-\$0.09	-\$0.10
Total:	\$0.73	\$0.98

**Project #3: CR #9 Ridge Road and CR #16 Travis Road (3.54 miles)**

3" depth, Estimated quantity: +/-47,770 sy

With County Supplied Trucking /sq yd:	\$0.93	\$1.09
Deduct for County Provided M&P of Traffic:	-\$0.09	-\$0.10
Total:	\$0.84	\$0.99

NOW, THEREFORE, BE IT RESOLVED, to award the bid for Project #1, Project #2, and Project #3 to Donegal Construction Corporation; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 156-21**

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

**AWARD BID FOR LIQUID BITUMINOUS MATERIAL**

WHEREAS, bids were requested for Liquid Bituminous Material and received on March 25, 2021 at 10:00 a.m. and three firms submitted a bid to the Yates County Highway Department;

<b>LIQUID EMULSIFIED ASPHALT MATERIALS "PER GALLON"</b>		Vestal Asphalt Inc.	Suit-Kote Corporation	Midland Asphalt Materials
702-3101	RS-2	2.777	2.687	2.828
*	HFRS-2P	3.077	2.996	3.088
702-3301	HFMS-2	2.877	2.738	3.179
*	HFMS-2ST	2.877	2.491	2.828
*	AEPM	1.977	1.925	1.793

702-4101	CRS-2	2.877	2.737	2.808
*	CRS-2P	3.077	3.000	3.068
<b>MIX PAVER OPTION "APPLIED PER GALLON"</b>				
702-4201	CMS-2	3.777	3.376	3.459
*	HFMS-2GH	3.877	3.413	3.563
<b>CHIPPER RENTAL &amp; APPLIED OIL PRICE PER GALLON</b>				
Chipper	w/CRS-2	3.077	1.990	3.058
	w/RS-2	1.867	1.980	3.078
	w/HFRS-2	3.077	2.040	3.078
	w/HFRS-2ST	3.077	2.955	3.078
	w/HFMS-2ST	3.077	2.738	3.078
<b>PUG MILL and PAVER OPERATIONS "APPLIED PER GALLON"</b>				
702-3301	HFMS-2	3.577	3.378	3.779
*	HFMS-2C	3.677	3.328	NB
702-4201	CMS-2	3.777	3.416	3.759
*	HFMS-2GH	3.877	3.506	3.863

Vestal Asphalt Inc.	Suit-Kote Corporation	Midland Asphalt Materials

**RENTAL OF EQUIPMENT INCLUDING OPERATOR**

VIBRATORY DOUBLE DRUM ROLLER			
/DAY	2,350.00	2,200.00	NB
10-12 TON RUBBER TIRED ROLLER			
/DAY	2,150.00	2,000.00	2,000.00
MIX PAVER			
/DAY	5,550.00	5,000.00	3,000.00
ASPHALT PAVER			
/DAY	3,550.00	3,300.00	NB
MILLING MACHINE (75" DOWN CUT)			
/DAY	NB	5,750.00	NB
PUG MILL OPERATION			
/DAY	2,750.00	2,600.00	2,800.00
CHIPPER			
/DAY	2,450.00	2,400.00	2,500.00

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, AEPM, CRS-2 and CRS-2P. Mix Paver Options CMS-2 and HFMS-2GH. Chipper Rental & Applied Oil CRS-2, HFRS-2, HFRS-2ST, and HFMS-2ST. Pug Mill and Paver Operations HFMS-2, HFMS-2C, CMS-2, and HFMS-2GH. To Vestal Asphalt Inc. for Chipper Rental & Applied Oil RS-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, 10-12 Ton Rubber Tired Roller, Asphalt Paver, Milling Machine 75" Down Cut, Pug Mill Operation, and Chipper. To Midland Asphalt Materials Inc for 10-12 Ton Rubber Tired Roller, and Mix Paver; and be it further

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

VOTE: Unanimous

## RESOLUTION NO. 157-21

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

### AWARD BID FOR HOT MIX ASPHALT CONCRETE

WHEREAS, bids were requested for Hot Mix Asphalt Concrete and received on March 25, 2021 at 10:00 a.m. and six firms submitted bids to the Yates County Highway Department,

<b>BIDDER:</b>	Hanson Aggregates NY LLC	Northern Asphalt LLC	Dolomite Products Co. Inc. DBA A.L. Blades	Dolomite Products Co. Inc.	Spallina Materials Inc.	Seneca Stone Corporation
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NYS ITEM	ITEM	F.O.B Est. QUANT. (Tons)						
403.198902	Type 7F Top	500-1,000	\$65.00	\$61.00	\$59.75	\$59.75	\$61.00	\$60.00
403.178302	Type 6F Top	500-1,000	\$64.00	\$59.00	\$56.75	\$56.75	\$60.00	\$58.00
*	Fine Binder	500-1,000	\$58.00	\$57.00	\$56.75	\$56.75	\$56.00	\$51.00
403.138902	Type 3 Binder	500-1,000	\$58.00	\$53.00	\$53.75	\$53.75	\$53.00	\$51.00
402.097203	9.5 mm < 30	500-1,000	\$67.45	\$61.00	\$59.75	\$59.75	\$62.00	\$61.00
402.127203	12.5 mm < 30	500-1,000	\$64.50	\$58.00	\$56.75	\$56.75	\$61.00	\$58.00
402.197903	19.0 mm < 30	500-1,000	\$59.00	\$54.00	\$53.75	\$53.75	\$54.00	\$53.00
402.257903	25.0 mm < 30	500-1,000	\$56.25	\$53.00	\$52.75	\$52.75	\$53.00	\$51.00

#### SPECIFIED IN-PLACE PROJECTS

##### Project #1 West Lake Road

NYSR 54A to CR #25 (Central Ave)									
2.04 Mi.	2,870 tons	19 mm < 30 (2")	Unit:	\$48.49	\$55.00	\$61.50	NB	\$74.39	NB
	2,135 tons	9.5 mm < 30 (1.5")	Unit:	\$56.79	\$65.00	\$80.00	NB	\$74.39	NB
Total:				\$260,412.95	\$296,625.00	\$347,305.00		\$372,321.95	

##### Project #2 Bath Road & Airport Drive

Southerly from NYSR 54 to Sisson Road & 0.35 miles from Bath Rd to airport gate on Airport Drive									
5.14 Mi.	5,910 tons	19 mm < 30 (2")	Unit:	\$48.45	\$53.00	\$61.50	NB	\$115.00	NB
	5,720 tons	9.5 mm < 30 (1.5")	Unit:	\$57.07	\$63.00	\$73.00	NB	\$115.00	NB
Total:				\$612,779.90	\$673,590.00	\$781,025.00		\$1,337,450.00	

<b>BIDDER:</b>	Hanson Aggregates NY LLC	Northern Asphalt LLC	Dolomite Products Co. Inc. DBA A.L. Blades	Dolomite Products Co. Inc.	Spallina Materials Inc.	Seneca Stone Corporation
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##### Project #3 Ridge Road & Travis Road

Northerly from Havens Corners Road to Earls Hill Road & Westerly from NYSR #14 to Ridge Road									
3.54 Mi.	4,310 tons	19 mm < 30 (2")	Unit:	\$46.94	\$51.00	\$68.50	NB	\$115.00	NB
	3,855 tons	9.5 mm < 30 (1.5")	Unit:	\$55.21	\$61.00	\$81.00	NB	\$115.00	NB
Total:				\$415,145.95	\$454,965.00	\$607,490.00		\$938,975.00	

#### UNSPECIFIED IN-PLACE PROJECTS

403.198302	Type 7F3 Top	Base Bid:	\$93.59	\$83.00	\$99.90	NB	\$108.00	\$82.00
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403.178302	Type 6F3 Top	Base Bid:	\$92.77	\$81.00	\$98.25	NB	\$103.00	\$80.00
*	Fine Binder	Base Bid:	\$87.08	\$79.00	\$98.25	NB	\$101.00	\$75.00
403.138902	Type 3 Binder	Base Bid:	\$87.01	\$75.00	\$95.75	NB	\$101.00	\$75.00
402.097203	9.5 mm < 30	Base Bid:	\$95.17	\$83.00	\$100.25	NB	\$110.00	\$81.00
402.127203	12.5 mm < 30	Base Bid:	\$92.62	\$80.00	\$99.50	NB	\$105.00	\$79.00
402.197903	19.0 mm < 30	Base Bid:	\$87.74	\$76.00	\$95.75	NB	\$103.00	\$76.00
402.257903	25.0 mm < 30	Base Bid:	\$85.70	\$75.00	\$94.00	NB	\$102.00	\$74.00

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, Project #2 and Project #3 shall be awarded to Hanson Aggregates NY LLC. Unspecified In Place Projects to Seneca Stone Corporation for all items and to Northern Asphalt LLC for Type 3 Binder and 19.0 mm<30; and be it further

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

VOTE: Unanimous with Mr. Button abstaining.

### **RESOLUTION NO. 158-21**

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

#### **AUTHORIZE LEGISLATURE CHAIRMAN TO SIGN 2021 MOWING CONTRACTS**

WHEREAS, in the interest of public safety all Yates County roadsides need to be mowed during the months of May through September; and

WHEREAS, the adopted 2021 Yates County budget has sufficient funding appropriated to line D5110.54032 to contract with several Towns to do roadside mowing for Yates County at an established rate of \$155 per centerline mile; and

WHEREAS, the Town of Barrington, Town of Middlesex, and the Town of Potter have agreed to do contract mowing of Yates County roads within their Towns;

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Yates County Legislature is hereby authorized to sign roadside mowing contracts with each of the above named Towns; and be it further

RESOLVED, that a copy of this resolution be sent to the Yates County Treasurer, the Yates County Highway Department and each Town doing mowing for Yates County.

VOTE: Unanimous

## RESOLUTION NO. 159-21

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

### **AWARD BID FOR EAST SHERMAN HOLLOW ROAD OVER SUGAR CREEK BRIDGE REPLACEMENT (BIN NO: 3335660)**

WHEREAS, resolution number 57-19 authorized participation in a BRIDGE NY federal aid eligible bridge replacement project known as East Sherman Hollow Road over Sugar Creek (PIN 6755.34); and

WHEREAS, bids were received on March 30, 2021 and four firms submitted bids; and

CONTRACTOR	TOTAL BID
Silverline Construction Inc.	\$ 607,234.00
Economy Paving Co, Inc.	\$ 615,615.65
Ramsey Constructors, Inc.	\$ 696,036.54
C.P. Ward	\$ 785,429.50

WHEREAS, the engineering firm of Foit Albert Associates has reviewed the bids and recommend that the bid be awarded to Silverline Construction Inc. of Burdett, New York for a total bid price of \$ 607,234.00;

NOW, THEREFORE, BE IT RESOLVED, to award the bid to Silverline Construction Inc. for the total bid price of \$607,234.00, contingent upon the NYSDOT approval of the bid package; and be it further

RESOLVED, that contingent upon the approval of the County Attorney the Chairman is hereby authorized to execute any and all necessary documents; and be it further

RESOLVED, that copies of this resolution be forwarded to the Yates County Administrator, Yates County Treasurer, Yates County Highway Superintendent, New York State Department of Transportation, Foit Albert Associates and all bidders.

VOTE: Unanimous

## RESOLUTION NO. 160-21

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

DISCUSSION:

Mr. Button stated there is a lot of discussion on infrastructure spending. Mr. Button is happy to support this resolution and the last one.

### **AUTHORIZING THE IMPLEMENTATION AND FUNDING OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL- AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS**

WHEREAS, a project for the Bridge NY (2) Bridge Rehab (BIN 3335660) East Sherman Hollow Road over Sugar Creek, Town of Jerusalem, Yates County P.I.N. 6755.34 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, the County of Yates will design, let and construct the Project; and

WHEREAS, the County of Yates desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof;

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of the County of Yates does hereby approve the above subject project; and be it further

RESOLVED, that the Legislature of the County of Yates hereby authorizes the County of Yates to pay 100% of the cost of Design, Right of Way Incidentals, Right of Way Acquisition and Construction work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and be it further

RESOLVED, that the sum of \$890,734 is hereby appropriated from the Yates County 2021 annual budget and made available to cover the cost of participation in the above phase(s) of the project; and be it further

RESOLVED, that the Legislature of the County of Yates hereby agrees that the County of Yates shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the County of Yates; and be it further

RESOLVED, that in the event the project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Legislature of the County of Yates shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that County of Yates hereby agrees that construction of the project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and be it further

RESOLVED, that the Chairperson of the Legislature of the County of Yates be and is hereby authorized to execute on behalf of the County of Yates all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the project and providing for the administration of the project and the County of Yates' funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all project costs within appropriations therefor that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the project; and be it further

RESOLVED, that this Resolution shall take effect immediately.  
VOTE: Unanimous

#### **RESOLUTION NO. 161-21**

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

DISCUSSION:

Mr. Killen has concerns on increasing the costs for the County.

Mr. Button agreed with Mr. Killen on the cost increase to the County and also agreed with Mr. Prendergast in that we continue down the road of being further away from the people we represent.

Ms. Chilson asked Chairman Paddock to clarify what the purpose of this resolution is.

County Administrator Flynn, explained that one of the towns came to the county, it was not a power grab for the county. One of the towns came to the county because their assessor left and they are in dire need of an assessor. They wanted to talk to us about the possibility of the county offering this service to the town. This is not a problem in just Yates County but all across New York State where a lot of the assessors are part-time and are retiring. A lot of the counties have had a difficult time filling the assessor position with a part time position. In other counties in the state, they have been able to hire a county assessor that can offer this service to the towns. The county gets reimbursed for this service. There are advantages to this as well, the disadvantage is getting away from the local level. One advantage is, if other towns have this need where their assessor leaves, we would have a county assessor that would be willing to help out with the towns. We have a lot more resources available within our Real Property Department for town assessors. If we had a variety of assessors we could have one assessor that has experience in assessing lake value, one that could have experience in assessing farm value. We could bring more expertise to the towns if we were to offer this service.

Chairman Paddock stated that the key to this is it allows the County to negotiate with a town but it is ultimately the decision of the town.

Mr. Button stated that the Town of Potter assessor is going to be leaving and they have hired a new assessor that will be assessing the Town of Potter and the Town of Jerusalem. Mr. Button understands being proactive and feels that we should not be involved in town business at this time.

Ms. Chilson stated what helped her understand this a little more is that we are authorizing the Chairman to negotiate an agreement with any town. It's not that we are saying all towns. It's those towns that are having difficulty. So that the supervisor is not in the lurch, the people are not in the lurch, they are not scrambling to find somebody to fill that position that doesn't know what they are doing.

**AUTHORIZE YATES COUNTY TO NEGOTIATE AN AGREEMENT WITH ANY TOWN FOR ASSESSMENT SERVICES, PER RPTL 1537**

WHEREAS, Yates County has nine towns that are assessing units; and

WHEREAS, Yates County can negotiate an agreement for assessing services per RPTL 1537 with any town;

NOW, THEREFORE, BE IT RESOLVED, that, upon approval of the County Attorney, the Chairman is authorized to negotiate such an agreement with any Town in Yates County for assessment services for parcels located within the Towns; and be it further

RESOLVED, that copies of this resolution be provided to the County Administrator, the County Real Property Tax Services Director, the County Attorney and the Towns.

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

**RESOLUTION NO. 162-21**

Mr. Holgate offered resolutions 162 thru 166-21 and moved their adoption, seconded by Mr. Bronson.

**2021 BUDGET TRANSFERS**

BE IT RESOLVED, that the following transfers be made in the 2021 budget:

From:	To:	Amount:
A1430.54920 PERS-State Fees	A14300.51661PERS-Comp Time BO	\$ 60.18

And be it further

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

VOTE: Unanimous

**RESOLUTION NO. 163-21**

**APPROPRIATE CARRYOVER OF 2020 COVID RESPONSE FEDERAL AID  
(PUBLIC HEALTH)**

WHEREAS, Public Health was awarded additional federal aid for the COVID19 Response Grant in 2020 and a balance of \$78,004.69 remained at the end of year; and

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

NOW, THEREFORE, BE IT RESOLVED that the following accounts be increased by \$78,004.69;

Revenue:		
A4010.44489 PH-Disaster Planning		\$ 78,004.69
Appropriation		
A4010.54320 PH-Emergency Expenditures		\$ 78,004.69

And be it further

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

**RESOLUTION NO. 164-21**

**APPROPRIATE CARRYOVER OF 2020 ELC FEDERAL AID  
(PUBLIC HEALTH)**

WHEREAS, Public Health was awarded additional federal aid for the Epidemiology and Laboratory Capacity (ELC) COVID19 Grant in 2020 and a balance of \$185,861.43 remained at the end of year; and

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

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

Revenue:		
A4010.44487 PH-ELC COVID19		\$ 185,861.43
Appropriation		
A4010.51305 PH-PH Nurse		\$ 121,283.04
A4010.58100 PH-FICA/Medicare		\$ 45,000.00
A4010.54470 PH-Office Supplies		\$ 10,000.00
A4010 51506 PH-Phone Work		\$ 9,578.39

And be it further

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

#### **RESOLUTION NO. 165-21**

#### **APPROPRIATE CARRYOVER OF 2020 FLU STATE AID (PUBLIC HEALTH)**

WHEREAS, Public Health was awarded additional state aid for the Supplemental Flu Grant in 2020 and a balance of \$12,156.00 remained at the end of year; and

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

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

Revenue:		
A4010.43401 PH-State Aid		\$ 12,156.00
Appropriation		
A4010.54107 PH-Small Equipment		\$ 2,045.00
A4010.54107 PH-Immunization Program		\$ 10,111.00

And be it further

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

#### **RESOLUTION NO. 166-21**

**APPROPRIATE CARRYOVER OF 2020 NYSHF COVID STATE AID  
(PUBLIC HEALTH)**

WHEREAS, Public Health was awarded additional state aid for the New York State Health Foundation for COVID Response in 2020 and a balance of \$4,341.80 remained at the end of year; and

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

NOW, THEREFORE, BE IT RESOLVED that the following accounts be increased by \$4,341.80;

Revenue:		
A4010.43402 PH-NYSHF COVID Response Funding	\$	4,341.80
Appropriation		
A4010.54115 PH-NYSHF COVID Response Funding	\$	4,341.80

And be it further

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

VOTE: Unanimous

**RESOLUTION NO. 167-21**

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

**APPROPRIATE CARRYOVER OF COLUMBIA UNIVERSITY GRANT  
(COMMUNITY SERVICES)**

WHEREAS, Community Services received revenue from Columbia University for the HEALing Communities Grant in 2020 and a balance of \$20,190.22 remained at the end of the year; and

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

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

Revenue:		
A4320.41688 CS- Columbia University HEALing	\$	20,190.22
Appropriation		
A4320.51605 CS- Director of Community Services	\$	9,565.00
A4320.54263 CS-Columbia University HEALing	\$	10,625.22

And be it further

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

VOTE: Unanimous

**RESOLUTION NO. 168-21**

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

**APPROPRIATE CARRYOVER OF 2020 MENTAL HEALTH FEDERAL AID  
(COMMUNITY SERVICES)**

WHEREAS, Community Services received a Mental Health Grant for the year 2020 and a balance of \$10,730.26 remained at the end of year; and

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

NOW, THEREFORE, BE IT RESOLVED that the following accounts be increased by \$10,730.26;

Revenue:

A4320.44491 CS- Suicide Prevention \$ 10,730.26

Appropriation

A4320.54282 CS-Suicide Prevention \$ 10,730.26

And be it further

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

VOTE: Unanimous

**RESOLUTION NO. 169-21**

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

**APPROPRIATE ADDITIONAL CODE BLUE REVENUE  
(SOCIAL SERVICES)**

WHEREAS, the Department of Social Services has been awarded additional revenue for Code Blue in the amount of \$25,000.00; and

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

NOW, THEREFORE, BE IT RESOLVED that the following accounts be increased by \$25,000.00;

Revenue:

A6010.41810 DSS-Repay-Administration \$ 25,000.00

Appropriation

A6010.54027 DSS-Misc. Contractual Expenses \$ 25,000.00

And be it further

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

VOTE: Unanimous

**RESOLUTION NO. 170-21**

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

**AUTHORIZE CHAIRMAN TO EXECUTE FEDERAL GRANT AGREEMENT AND RELATED DOCUMENTS**

**PROJECT: ACQUIRE DEICING EQUIPMENT FAA PROJECT NO. 3-36-0094-0XX-2021**

WHEREAS, Yates County will receive a grant from the Federal Aviation Administration (FAA) for financial assistance for the Acquire Deicing Equipment project referenced above at the Penn Yan-Yates County Airport; and

WHEREAS, the total project cost would be \$129,327, with a maximum Yates County share of five percent (5%), or \$6,467;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the FAA grant agreement and any other necessary documents in connection with the advancement or approval of the aforementioned project at Penn Yan-Yates County Airport; and be it further

RESOLVED, that copies of this resolution be given to the Yates County Treasurer and Passero Associates.

VOTE: Unanimous

**RESOLUTION NO. 171-21**

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

**AUTHORIZE CHAIRMAN TO EXECUTE AGREEMENT WITH TEXTRON GSE**

**PROJECT: ACQUIRE DEICING EQUIPMENT**

WHEREAS, bids were received for Aircraft Deicing Equipment for use at the Penn Yan-Yates County Airport; and

WHEREAS, the bids were reviewed for correctness and completeness by Passero Associates; and

WHEREAS, the low bid was submitted by Textron GSE in the amount of \$112,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature, upon execution of the federal grant agreement providing funding for the aforementioned project at

Penn Yan-Yates County Airport, is authorized to execute an agreement with Textron GSE in the amount of \$112,000.00; and be it further

RESOLVED, that copies of this resolution be given to the Yates County Treasurer and Passero Associates.

VOTE: Unanimous

#### **RESOLUTION NO. 172-21**

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

#### **AUTHORIZE CHAIRMAN TO ENTER INTO A LEASE AGREEMENT WITH PRECISION AVIATION, INC. FOR THE LEASE OF THE COUNTY'S NORTH HANGAR LOCATED AT PENN YAN-YATES COUNTY AIRPORT**

BE IT RESOLVED, that upon approval by the County Attorney, the Chairman may enter into a written lease with Precision Aviation, Inc. for the rental of property from the County commonly known as the North Hangar located at the Penn Yan-Yates County Airport, in the Town of Milo, County of Yates, for a term of three (3) years commencing May 15, 2021; and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 173-21**

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

#### **AUTHORIZE CHAIRMAN TO ACCEPT ADDITIONAL STOA 5311 FUNDING FROM THE DEPARTMENT OF TRANSPORTATION CONTRACT #C004102 2018 OPERATING ASSISTANCE**

WHEREAS, the Department of Transportation has completed processing of additional STOA funding for the County Transportation System (YTS) for 2018 in the amount of \$57,000.00 with no local share required; and

WHEREAS, to receive such funding a resolution and signed authorization to release funds has been requested by the DOT;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman be authorized to sign and accept such additional operational assistance funding on behalf of Yates Transit System; and be it further

RESOLVED, that copies of this resolution be forwarded to the Department of Transportation, the County Planner and Yates Transit Services.

VOTE: Unanimous

#### **RESOLUTION NO. 174-21**

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

**DISCUSSION:**

Mr. Button stated the original contract is for \$20,000 and we are going over that by 50%. He understands there was extra work requested. Mr. Button asked what made the agreement go up so much and drag out.

Mr. Long reviewed the circumstances that lead to the additional work requested.

Mr. Bronson questioned when Mr. Long anticipated having the final document. Mr. Long stated there was a meeting today and he expects Bergman could wrap up the assessment by the end of the week.

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT EXTENSION WITH BERGMANN ASSOCIATES, PC FOR PUBLIC SAFETY BUILDING NEEDS ASSESSMENT**

WHEREAS, Yates County has entered into a contract with Bergmann Associates, PC, 280 East Broad Street, Suite 200, Rochester, NY 14604 for the purpose of performing a facility needs assessment for the Public Safety Building; and

WHEREAS, the Contract term was set to expire on December 31, 2020 and additional work items were requested of Bergmann related to the needs assessment not included in the scope of the original contract, which required additional time to complete and additional fees not to exceed \$10,000;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is hereby authorized to sign the Contract Extension to allow for Bergmann to complete their work and remain under contract with the County; and be it further

RESOLVED, the copies of this resolution be forwarded to Bergmann Associates, PC and the County Planner.

VOTE: Unanimous

**RESOLUTION NO. 175-21**

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

**DISCUSSION:**

Mr. Willson stated based on the state budgets and the fact that there is currently a \$15 per month broadband mandate coming out of Albany for which there does not appear to be any subsidy to the service providers, he would like to postpone this resolution.

Mr. Willson move to post pone this resolution for 60 days, seconded by Mr. Button.

**DISCUSSION:**

There was a lengthy discussion on this topic with Legislators, Chilson, Willson, Killen Church Cutler, Bronson, Button, Paddock, Banach, Percy and Holgate commenting on the proposal to amend. Most of the comments supported growing forward with the resolution.

VOTE on motion to postpone: Roll Call – Chilson, Button, Willson voting “Yes”; Killen, Cutler, Bronson, Gleason, Church, Banach, Holgate, Multer, Percy, Harper, Paddock voting “No”.

Motion lost.

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH NEW YORK ENGINEERING SERVICES FOR ENGINEERING SERVICES ON THE YATES COUNTY USDA/RUS RECONNECT BROADBAND PROJECT**

WHEREAS, Yates County has been awarded a grant through the USDA Rural Utility Services ReConnect program; and

WHEREAS, the purpose of the grant is the construction of a fiber-to-the-premises for those in the County who are considered under and un-served with regard to internet access; and

WHEREAS, New York Engineering Services has submitted a proposal to provide engineering and construction supervision services consistent with the requirements of USDA/RUS; and

WHEREAS, said proposal has been reviewed by the Yates County Broadband Committee and the Committee recommends that it be accepted;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney and the USDA/ RUS, the Chairman of the Legislature is authorized to enter into a contract with New York Engineering Services using RUS Form 217 – Postloan Engineering Services Contract – Telecommunications Systems contingent upon New York Engineering Services obtaining NYS licensure; and be it further

RESOLVED, that said contract fees for New York Engineering Services are budgeted for \$1,059,095.85 for the services mentioned and are to be paid using ReConnect Grant monies; and be it further

RESOLVED, that copies of this resolution be provided to New York Engineering Services, County Administrator, Treasurer, Budget Officer, USDA/RUS, the Planner and the Grant Specialist.

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

### **RESOLUTION NO. 176-21**

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

#### **DISCUSSION:**

Chairman Paddock explained that this resolution came in late today and that is why it was not discussed at committee.

### **AUTHORIZE CHAIRMAN TO EXECUTE FEDERAL GRANT AGREEMENT AND RELATED DOCUMENTS for**

### **AIRPORT CORONAVIRUS RESPONSE GRANT PROGRAM (ACRGP) GRANT OFFER, GRANT NO.3-36-0094-040-2021**

WHEREAS, Yates County will receive a grant from the Federal Aviation Administration (FAA) for the Penn Yan-Yates County Airport as referenced above; and

WHEREAS, the total grant amount is \$23,000, with no required match by Yates County;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the FAA grant agreement and any other necessary documents in connection with the advancement or approval of the aforementioned grant for Penn Yan-Yates County Airport; and be it further

RESOLVED, that copies of this resolution be given to the Federal Aviation Administration (FAA), Yates County Treasurer and Passero Associates.

VOTE: Unanimous

Eric Wies, from Clark, Patterson, Lee gave a presentation on the County Wide Water Feasibility Study.

Mr. Willson moved to enter into executive to discuss:

- The financial history of a particular corporation or corporation, with members of the legislature, the County Administrator and County Information Technology Director present or in attendance by Zoom.
- Lease or sale negotiations with another municipality, with members of the legislature, the County Administrator and County Information Technology Director present or in attendance by Zoom.
- The employment history of a particular person or persons with members of the legislature, the County Administrator and County Information Technology Director present or in attendance by Zoom.

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

VOTE: Unanimous

Meeting adjourned at 3:34 p.m.