

**REGULAR SESSION – MONDAY, APRIL 13, 2020
HELD BY A ZOOM WEBINAR**

The Yates County Legislature met in regular session by Zoom webinar on Monday, April 13, 2020 with Chairman Paddock presiding.

Minutes of the March 9th and March 25th meetings were approved as presented.

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

Airport Fund	\$ 6,895.32
Finance	\$6,884,652.22
Flint Creek	\$ -0-
Government Operations	\$ 116,895.36
Human Services	\$ 234,092.08
Prior to Audit	\$ 51,571.38
Public Safety	\$ 121,244.77
Public Works	\$ 523,087.05
Total	\$7,938,438.18

COMMITTEE REPORTS:

Mr. Bronson encouraged everyone to fill out the census information. Mr. Bronson also suggested that as long as everyone is home it would be a good time to get caught up on their online training.

Mr. Cutler reported he continues to oversee the Genesee Finger Lakes Regional Planning Council. There is an executive committee meeting next week that will be held by Zoom.

County Administrator Flynn reported on the financial impact from the COVID-19 virus and Yates County's finances. Ms. Flynn reported we are doing really well with the sales tax payments so far, but the sales tax we receive lags one month. The projection from NYSAC on the loss of our sales tax revenue can be anywhere from 8% to 15%. That equates to between \$1 million and \$2 million in lost sales tax for Yates County. The other impact would be the 2021 NYS Budget. The main impact is that now the Governor has executive authority to cut any New York State reimbursements to counties. He can cut up to 15%, for Yates County. That could equate to another \$1.2 million. This year our revenue losses could be significant.

Chairman Paddock reported Mr. Bronson already mentioned the census. In legislators' mailboxes there is a folder from a Michael Koplinka-Loehr who is the partnership specialist for this area regarding the census. He is encouraging us to complete the census. It is very advantageous for us to get a complete count in the county.

Chairman Paddock reported it is his intent to renew the State of Emergency Declaration. That is based on a discussion with the COVID-19 Task Force/EOC. It is recommended that this be renewed as it gives us some flexibility and it can be ended at any time.

Chairman Paddock thanked the Task Force members and their departments and all the people that are making the situation work here in the county as well as it can.

Deb Minor, Director of Public Health and Sara Christensen, Deputy Director of Public Health updated the Legislature on the COVID-19 pandemic. Deb reported as of this morning there are

five positive cases of COVID-19; of those five cases, two have recovered and have been released from isolation, two are hospitalized and one remains in isolation.

Sara reported there have been 109 negative tests and eight are in isolation or quarantine.

Mr. Multer questioned if a list could be compiled of what people can and cannot do to avoid the \$1,000 fine. Deb will work with the Sheriff and put something up on the County website.

Mr. Cutler questioned the executive order that all essential employees must wear face masks.

Chairman Paddock stated that the executive order was that essential businesses must provide their employees with face masks and they need to wear them when coming in contact with the public.

Deb confirmed what Chairman Paddock stated and added that they have not received a copy of the written executive order as yet.

Mr. Cutler questioned how the individuals in the Homestead contracted the virus when visitation had been limited.

Deb explained that visitation was allowed if it was an end of life situation. Also, some individuals may have the virus but have no symptoms, but they are still contagious. Deb explained that individuals are being tested but the source may never be known.

Ms. Chilson stated that staff in other places are being screened. Is that happening in this instance? Deb explained that yes, the screening has been and continues to occur.

PUBLIC COMMENT

A question was asked if Public Health would start identifying the towns in which there are positive cases. Deb explained that would not be done at this time. The reason is to not give false hope by saying there is a case here so others think it's ok to do whatever in their town. Everyone should stay home if possible, wear masks when in public, and still practice social distancing.

RESOLUTION NO. 145-2020

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

RECOGNIZE 2020 NATIONAL CRIME VICTIMS' RIGHTS WEEK

WHEREAS, the National Crime Victim's Rights Week is designated as April 19 – 25 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 *Seek Justice, Ensure Victims' Rights, Inspire Hope*; 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 1982 when President Reagan signed the 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; and

WHEREAS, the rights of crime victims are best protected when all participants in the criminal justice process—not only victims—are appropriately educated about victims’ rights; and

WHEREAS, crime can leave a lasting impact regardless of age, gender, sexual orientation, immigration or economic status, thus supporting victims of crime is crucial to the U.S. justice system because our support honors the experiences of victims and allows them to have dignity and respect to find autonomy and empowerment through achieving self-defined goals; and

WHEREAS, we must help victims access the justice, assistance, and support they need to rebuild their lives, and by providing advocacy by and for victims of crime it is itself a form of seeking justice, no less than justice sought in the courts; and

WHEREAS, the accomplishments of the victims’ rights movement—achieved through compassion and collaboration, and built on the courageous advocacy of individual victims and their families across the country—inspire in us hope for future progress and greater healing; and

WHEREAS, we are determined to respond to crime and violence by helping victims find not only support, recovery, and justice, but also a sense of hope for their future, providing an opportunity to recommit to ensuring that accessible, appropriate, and trauma-informed services are offered to all victims of crime; 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 19 – 25, 2020 and supports the rights of crime victims and survivors to be treated with dignity and fairness; and be it further

RESOLVED, that this Legislature thank 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 Marisa Rube, Director, Safe Harbors of the Finger Lakes; Caitlin Metz, Director of Victim/witness services at the D.A. office; Tiffany Worboys, Victim’s Advocate for the Sheriff’s Office; STOP DWI program VIP Coordinator Linda Wright; Probation Director Sharon Dawes; District Attorney Todd Casella and Sheriff Ron Spike.

VOTE: Unanimous

RESOLUTION NO. 146-2020

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

RECOGNIZE NATIONAL PUBLIC SAFETY

TELECOMMUNICATIONS WEEK FOR 2020

WHEREAS, **National Public Safety Telecommunications Week** has been designated by APCO (Association of Public-Safety Communications Officials) as April 12 – 18, 2020, celebrating all emergency telecommunications personnel's 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 duties job 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 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. 147-2020

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

RECOGNIZE YATES COUNTY SHERIFF'S OFFICER OF THE YEAR

WHEREAS, on March 14, 2020 the Johnson Costello Post 355 of the American Legion, Penn Yan after Sheriff's nomination has recognized Deputy Sheriff Seth Skelly as the 2019 Officer of the Year noting that Skelly graduated from Bath Haverling high school, attended Corning Community College, and then joined the US Army as a military police officer, and after became a VA hospital police officer. He joined the Yates County Sheriff Office in 2015 as Marine Patrol Officer and was appointed a deputy sheriff in 2016 graduating from the Elmira LE Academy assigned to the Road Patrol; and

WHEREAS, Skelly has received several letters of recognition, including arrests, and STOP DWI award of merit. On June 29, 2019, he responded to a swimming pool drowning call of a two-year-old boy in rural Italy Valley, and he arrived on scene in three minutes finding the boy unconscious. He immediately began CPR to the lifeless child and continued for an exhausting ten minutes not giving up. Then a Naples FD first responder arrived to help. Deputy Skelly retrieved his CPR mask from his patrol car and stated giving breaths. EMS arrived and 13 minutes later reported a pulse. The boy was medivac

helicopter to Strong Memorial Hospital where he survived. Additionally Skelly has completed 160 hours of advanced training, much of it being mathematics, and is part of the YCSO Accident Reconstruction Unit.

NOW, THEREFORE, BE IT RESOLVED that this Legislature joins Sheriff Spike and the American Legion in recognizing Deputy Sheriff Seth Skelly as county officer of the year for 2019, and thanks him for his public safety work, and proficiency in his policing skills; and be it further

RESOLVED, that a copy of the resolution be provided to Deputy Skelly, Personnel Officer, Council 82 Unit 1869 President and Sheriff Spike.

VOTE: Unanimous

RESOLUTION NO. 148-2020

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

AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH VERBATIM COURT REPORTING SERVICES, INC.

WHEREAS the District Attorney is required to retain a court reporter for transcription of the minutes of Grand Jury proceedings and Felony Preliminary Hearings and to obtain transcripts of these and other court or recorded proceedings or events; and

WHEREAS, the District Attorney wishes to retain the services of **Verbatim Court Reporting Services, Inc.** and to enter into a written agreement for those purposes at a cost of:

- a. Original transcript and one condensed copy of transcript produced at a rate of \$4.10 per page;
- b. There will be NO cost for an email PDF version of said transcripts upon request of the County;
- c. There will be NO appearance fees or expediting costs except a fee of \$60.00 for hearing under General Municipal Law 50-h; and
- d. There will be a charge of \$10.00 for shipping and handling, unless hand delivery of transcripts is practicable.

And

WHEREAS, the County requires that payment for the provision of these continuing services be under a written contractual agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is authorized to sign such contract; and be it further

RESOLVED, that the District Attorney and the Treasurer be provided with a copy of this resolution.

VOTE: Unanimous

RESOLUTION NO. 149-2020

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

DISCUSSION:

Mr. Button stated that he was going to support this resolution but will not be able to support the next one.

AUTHORIZE DIRECTOR OF EMERGENCY MANAGEMENT TO CREATE AND FILL A POSITION (EMERGENCY SERVICES COORDINATOR)

WHEREAS, Resolution 86-19 was duly adopted on February 11, 2019 authorizing the Director of Emergency Management to fill the part-time Emergency Services Coordinator position, however, as the result of recruitment difficulty the Director of Emergency Management has requested to create and fill a full-time Emergency Services Coordinator position; and

WHEREAS, Schuyler and Yates Counties are desirous of sharing the full-time Emergency Services Coordinator position to meet the needs of both Counties; and

WHEREAS, the estimated annual cost to fill the full-time position is \$56,103 which includes fringe benefits; and

WHEREAS, Schuyler County will reimburse Yates County on a quarterly basis for fifty percent (50%) of the actual salary and fringe for this position;

NOW, THEREFORE, BE IT RESOLVED, that effective April 13, 2020 the Director of Emergency Management is hereby authorized to create and fill a full-time Emergency Services Coordinator position; and be it further

RESOLVED, that Resolution 86-19 be rescinded; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 150-2020

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

ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER COUNTY CONCERNING EMERGENCY RELATED SERVICES PROVIDED BY THE YATES COUNTY EMERGENCY SERVICES COORDINATOR

WHEREAS, Yates County (hereinafter referred to as “Yates”) and Schuyler County (hereinafter referred to as “Schuyler”) are committed to providing essential emergency related services to their residents; and

WHEREAS, Article 5 – G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service; and

WHEREAS, given the mutual goal of Yates and Schuyler to work collectively towards fiscal responsibility balanced with emergency services delivery, Yates and Schuyler are desirous of entering into an inter-municipal agreement regarding the sharing of certain employees of Yates’ Office of Emergency Management with Schuyler; to wit: Yates’ Emergency Services Coordinator, to be utilized by Schuyler in its provision of emergency related services;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Yates County Legislature is authorized to execute and deliver on behalf of Yates County an inter-municipal agreement with Schuyler County regarding the sharing of Yates' Emergency Services Coordinator with Schuyler, to be utilized by Schuyler in its provision of emergency related services, for a term through December 31, 2022 and consideration to be paid to Yates by Schuyler to include an annual sum of \$28,051.30 plus 50% of Yates' applicable costs as is more further set forth in such agreement; and be it further

RESOLVED, that copies of this resolution be provided to the Yates County Administrator, Yates County Office of Emergency Management and Schuyler County.

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

RESOLUTION NO. 151-2020

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

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, 2021; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 152-2020

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

AUTHORIZE CHAIRMAN TO ENTER INTO A LEASE WITH DIANNE S. LOVEJOY FOR THE RENTAL OF OFFICE SPACE

BE IT RESOLVED, that upon approval by the County Attorney, the Chairman may enter into a written lease with Dianne S. Lovejoy for the rental from the County of office space located at the Yates County Office Building, 417 Liberty Street, Penn Yan, NY 14527, consisting of Suite 1055, with applicable contents and service infrastructure; with the term of the lease being for a period of January 1, 2020 and ending on December 31, 2020; at a rent of \$199.60 per month plus applicable reimbursements; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 153-2020

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

AUTHORIZE CHAIRMAN TO ENTER INTO A WRITTEN AGREEMENT WITH DIANNE S. LOVEJOY FOR THE ADMINISTRATION OF INDIGENT PERSON CONFLICT ASSIGNMENTS

BE IT RESOLVED, that upon approval by the County Attorney, the Chairman may enter into a written agreement with Dianne S. Lovejoy for the administration of indigent person conflict assignments as Assigned Counsel Administrator, for the time period beginning January 1, 2020 and ending December 31, 2020, for the sum of \$13,500; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 154-2020

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

AMEND RESOLUTION 531-19 ADOPT 2020 NON-UNION SALARY SCHEDULE (DEPUTY COUNTY HIGHWAY SUPERINTENDENT)

WHEREAS, Resolution 531-19 was duly adopted on December 30, 2019 which adopted the 2020 Non-Union Salary Schedule; and

WHEREAS, the County Highway Superintendent retired effective March 27, 2020, and as such, the Deputy County Highway Superintendent has taken on additional responsibilities as a result of the retirement; and

WHEREAS, the Yates County Legislature recognizes the additional responsibility;

NOW, THEREFORE BE IT RESOLVED, that effective March 27, 2020 the Deputy County Highway Superintendent will receive an additional \$9,420.00 annually, until further notice; and be it further

RESOLVED, that “Deputy County Highway Superintendent Add-On - \$9,420.00/annually” be added to Resolution 531-19 under “Deputy County Highway Superintendent - \$68,312”; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 155-2020

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

**AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING
(CSEA)**

WHEREAS, the Director of Emergency Management has presented to the Public Safety Committee justification for the position of Emergency Services Coordinator to be full-time; and

WHEREAS, it is necessary to add the said position to the current CSEA collective bargaining agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding the addition of the job title of Emergency Services Coordinator to Group IX of the current collective bargaining agreement; and be it further

RESOLVED, that copies of this resolution be given to the Director of Emergency Management, CSEA Union President, CSEA Union Representative, County Administrator, Treasurer and Personnel Officer.

VOTE: Unanimous

RESOLUTION NO. 156-2020

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

**ENTER INTO A NON-DISCLOSURE AGREEMENT WITH SPECTRUM NORTHEAST, LLC
AND/OR CHARTER COMMUNICATIONS, INC. IN FURTHERANCE OF BROADBAND
FEASIBILITY STUDY**

WHEREAS, Yates County has identified a need to meet rural and insufficient broadband service; and

WHEREAS, Tioga County, Schuyler County, Chemung County, and Steuben County are similarly situated with the same needs; and

WHEREAS, officials from said five counties have discussed proposed solutions, and recommend the obtaining of a feasibility study to determine the five-county broadband needs, projected financial models, business and partner structures, technology and design architecture, and business and network operating plans (hereinafter referred to as the "Feasibility Study"); and

WHEREAS, to this end, Southern Tier Network, Inc. (hereinafter referred to as "STN") will be procuring such a Feasibility Study; and

WHEREAS, the five counties have entered into an inter-municipal agreement to form a coalition to make regional, unified decisions to address insufficient access to broadband services in the region primarily in rural areas by way of providing financial contribution for the Feasibility Study and facilitating communication between the consultant conducting the Feasibility Study, STN and such counties, as well as bringing community representatives together to evaluate options, identify gaps in service, and report such communication back to each respective county and pursue all local, state and federal funding in support of the projects set forth by such coalition; and

WHEREAS, Spectrum Northeast, LLC and/or Charter Communications, Inc. (hereinafter collectively referred to as "Charter") possesses certain information relevant to the preparation of the Feasibility Study, to wit: per Charter, Charter agreed to build out to 145,000 addresses in New York

that are either unserved or underserved with respect to broadband service as part of the approval by the New York Public Service Commission of its merger with Time Warner Cable, Inc., and as part of settlements dated June 19, 2017 and April 19, 2019 (hereinafter referred to as the “Settlements”) Charter agreed to file a list containing the street level identification of the 145,000 addresses and update it every six months (hereinafter referred to as the “Information”); and

WHEREAS, per Charter, Charter considers the Information proprietary and confidential and has filed it as a trade secret confidential document with the Records Access Officer of the Broadband Program Office/Department of Public Service (hereinafter referred to as the “BPO/DPS”), and as part of the Settlements, agreed that BPO/DPS and Charter could release address information relevant to a particular municipality if such municipality requests it and agrees to enter into a confidentiality agreement to keep the Information confidential; and

WHEREAS, in furtherance of the Feasibility Study, Yates County wishes to obtain such Information; and

WHEREAS, to this end Charter requires a non-disclosure agreement to be executed between it and Yates County as a pre-requisite to the County obtaining such Information;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to execute on behalf of Yates County a non-disclosure agreement with Spectrum Northeast, LLC and/or Charter Communications, Inc. concerning the use and disclosure of the Information; and be it further

RESOLVED, that copies of this resolution be provided to the Yates County Administrator, Yates County Information Technology Director, STN and Spectrum Northeast, LLC/Charter Communications, Inc.

VOTE: Unanimous

RESOLUTION NO. 157-2020

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

AMEND RESOLUTION 366-19

WHEREAS, the Department of Social Services is required by regulation to provide childcare assistance for eligible Yates County residents; and

WHEREAS, the Department of Social Services is interested in contracting with Rainbow Junction Child Care Center for these services; and

WHEREAS, Resolution 366-19 contained an error in the listed rates;

NOW, THEREFORE, BE IT RESOLVED, that the childcare rates adopted in resolution 366-19 be amended to reflect the following:

Age	Weekly	Daily
6 Weeks-18 months	\$220.00	\$48.00
18-36 months	\$206.00	\$45.00
3-5 years	\$195.00	\$44.00
6-12 years out of school	\$180.00	\$39.00

And be it further;

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

VOTE: Unanimous

RESOLUTION NO. 158-2020

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

APPROPRIATE WORKFORCE DEVELOPMENT FUNDING

WHEREAS, the Department of Social Services has been authorized by the legislature to enter into a contract with the Workforce Investment Board by resolution 63-20; and

WHEREAS, the Department of Social Services must allocate total revenue in the amount of \$5,870 to fund Workforce Development for 2020;

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

CD6293.1C	(WIOA Title I Youth Staff Wage)	\$ 931.00
CD6293.4C	(WIOA Title I Youth Operating)	\$1,300.00
CD6293.8C	(WIOA Title I Youth Staff Fringe)	\$ 239.00
CD6293.11C	(WIOA Title I Youth Participant Wage)	\$2,800.00
CD6293.81C	(WIOA Title I Youth Participation Fringe)	\$ 600.00
CD6293.44791	(REVENUE)	\$5,870.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 159-2020

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

**AUTHORIZE AMENDMENT TO YATES COUNTY FOSTER CARE AND ADOPTION
SUBSIDY RATES**

WHEREAS, New York State has mandated a 3.5 percent increase in local agency operated foster home care and adoption subsidies for local Social Services districts effective April 1, 2019; and

WHEREAS, Yates County is complying with this directive;

NOW, THEREFORE, BE IT RESOLVED, that the following rate schedule be adopted and continue until further mandated MSAR rates are promulgated by New York State OCFS:

	<u>Foster Care Daily Rates</u>	<u>Adoption Subsidy Daily Rates</u>
	Level One Difficulty	Level One Difficulty
Children 0-3	\$15.51	\$16.57
Children 4-5	\$13.85	\$14.90
Children 6-11	\$15.35	\$16.83
Children 12-15	\$16.86	\$19.14
Children 16-21	\$16.86	\$19.14
	Level Two Difficulty	Level Two Difficulty
Children 0-3	\$24.55	\$25.60
Children 4-5	\$22.89	\$23.94
Children 6-11	\$22.89	\$24.37
Children 12-15	\$22.89	\$25.17
Children 16-21	\$22.89	\$25.17
	Level Three Difficulty	Level Three Difficulty
Children 0-3	\$31.84	\$32.89
Children 4-5	\$30.18	\$31.23
Children 6-11	\$30.18	\$31.66
Children 12-15	\$30.18	\$32.46
Children 16-21	\$30.18	\$32.46

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 160-2020

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

SIGN AGREEMENT WITH HEALTH RESEARCH INC. (HRI)

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

WHEREAS, said grant period will be for the period of March 5, 2020 – March 15, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is hereby authorized to sign an agreement with Health Research Inc. (HRI) for the period March 5, 2020 through March 15, 2021 for the COVID-19 Grant; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 161-2020

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

APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD AND THE MENTAL HEALTH SUB-COMMITTEE

WHEREAS, Jannine Philips residing at 1724 Twin Oaks Drive, Penn Yan, New York 14527 has been recommended for appointment to serve on the Yates County Community Services Board and has been recommended to serve on the Mental Health Subcommittee;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature appoint Jannine Philips to the Yates County Community Services Board and to the Mental Health Subcommittee for a first term ending 12/31/2024; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 162-2020

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

APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD

WHEREAS, Jacqueline M. Shrader residing at 292-C Strait Lane, Himrod, New York 14842 has been recommended for appointment to serve on the Yates County Community Services Board;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature appoints Jacqueline M. Shrader to the Yates County Community Services Board for a first term ending 12/31/2020; and be it further

RESOLVED, that copies of this resolution be provided to Jacqueline M. Shrader and the Yates County Department of Community Services.

VOTE: Unanimous

RESOLUTION NO. 163-2020

Mr. Banach offered resolutions, 163, 164 and 165-2020 and moved their adoption, seconded by Mr. Killen.

AWARD BID FOR COLD MILLING OF ASPHALT PAVEMENT

WHEREAS, bids were requested for Cold Milling of Asphalt Pavement and received on March 26, 2020 at 10:00 a.m. and four firms submitted bids to the Yates County Highway Department;

BIDDER:	Suit-Kote Corporation	Cold Springs Construction Co.	Donegal Construction Corp.	Villager Construction Inc.

Project #1 CR #31, Friend Road (5.18 miles)

3" depth, Estimated quantity: +/-69,920 sy

With County Supplied Trucking /sq yd:	NB	\$2.15	\$0.93	\$0.86
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Deduct for County Provided M&P of Traffic:	NB	-\$0.29	-\$0.09	-\$0.08
Total:		\$1.86	\$0.84	\$0.78

Project #2 CR #18, Italy Valley Road (6.53 miles)

3" depth, Estimated quantity: +/-88,110 sy

With County Supplied Trucking /sq yd:	NB	\$2.16	\$0.93	\$0.86
Deduct for County Provided M&P of Traffic:	NB	-\$0.31	-\$0.09	-\$0.08
Total:		\$1.85	\$0.84	\$0.78

NOW, THEREFORE BE IT RESOLVED, to award the bid for Project #1 and Project #2 to Villager Construction, Inc.; 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.

RESOLUTION NO. 164-2020

AWARD BID FOR LIQUID BITUMINOUS MATERIAL

WHEREAS, bids were requested for Liquid Bituminous Material and received on March 26, 2020 at 10:00 a.m. and three firms submitted a bid to the Yates County Highway Department;

		BIDDER:		
		Midland Asphalt Materials	Suit Kote Corporation	Vestal Asphalt Inc.
LIQUID EMULSIFIED ASPHALT MATERIALS "PER GALLON"				
702-3101	RS-2	2.915	2.777	2.805
*	HFRS-2P	3.175	3.077	2.905
702-3301	HFMS-2	3.274	2.846	3.255
*	HFMS-2ST	2.915	2.606	3.050
*	AEPM	2.250	1.982	2.260
702-4101	CRS-2	2.860	2.831	2.925
*	CRS-2P	3.155	3.091	3.225
MIX PAVER OPTION "APPLIED PER GALLON"				
702-4201	CMS-2	3.544	3.470	3.585
*	HFMS-2GH	3.634	3.514	3.555
CHIPPER RENTAL & APPLIED OIL PRICE PER GALLON				
Chipper	w/CRS-2	3.100	3.071	2.655
	w/RS-2	3.155	2.310	2.535
	w/HFRS-2	3.155	2.360	3.055
	w/HFRS-2ST	3.155	3.037	3.105
	w/HFMS-2ST	3.155	2.846	3.255
PUG MILL and PAVER OPERATIONS "APPLIED PER GALLON"				
702-3301	HFMS-2	3.874	3.476	3.555
*	HFMS-2C	3.874	3.426	NB
702-4201	CMS-2	3.854	3.510	3.655
*	HFMS-2GH	3.958	3.600	3.800
		Midland Asphalt Materials	Suit Kote Corporation	Vestal Asphalt Inc.

RENTAL OF EQUIPMENT INCLUDING OPERATOR

VIBRATORY DOUBLE DRUM ROLLER			
/DAY	NB	2,200.00	2,350.00
10-12 TON RUBBER TIRED ROLLER			
/DAY	1,900.00	2,000.00	2,150.00
MIX PAVER			
/DAY	2,900.00	4,500.00	5,000.00
ASPHALT PAVER			
/DAY	NB	3,200.00	3,500.00
MILLING MACHINE (75" DOWN CUT)			
/DAY	NB	5,400.00	NB
PUG MILL OPERATION			
/DAY	2,700.00	2,600.00	2,700.00
CHIPPER			
/DAY	2,400.00	2,400.00	2,400.00

NOW, THEREFORE, BE IT RESOLVED, to award the bid to: Suit Kote Corporation for Liquid Emulsified Asphalt Materials RS-2, HFMS-2, HFMS-2ST, AEPM, CRS-2 and CRS-2P. Mix Paver Options CMS-2 and 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 Vestal Asphalt Inc. for Liquid Emulsified Asphalt Materials HFRS-2P. 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. To Vestal Asphalt for Chipper; 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.

RESOLUTION NO. 165-2020

AWARD BID FOR HOT MIX ASPHALT CONCRETE

WHEREAS, bids were requested for Hot Mix Asphalt Concrete and received on March 26, 2020 at 10:00 a.m. and six firms submitted bids to the Yates County Highway Department,

BIDDER:	Seneca Stone Corporation	Spallina Materials Inc.	Hanson Aggregates NY	Northern Asphalt LLC	Dolomite Products DBA A.L.Blades	Dolomite Products Co. Inc.
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NYSDOT ITEM	ITEM	F.O.B Est. QUANT. (Tons)						
403.198902	Type 7F Top	500-1,000	\$65.00	\$66.45	\$70.50	\$65.50	\$64.00	\$64.00
403.178302	Type 6F Top	500-1,000	\$63.00	\$65.45	\$68.50	\$63.00	\$61.00	\$61.00
*	Fine Binder	500-1,000	\$58.00	\$64.00	\$62.75	\$60.00	\$61.00	\$61.00
403.138902	Type 3 Binder	500-1,000	\$58.00	\$57.75	\$60.75	\$58.00	\$58.00	\$58.00
402.097203	9.5 mm < 30	500-1,000	\$65.00	\$66.95	\$67.00	\$64.00	\$64.00	\$64.00
402.127203	12.5 mm < 30	500-1,000	\$63.00	\$65.95	\$65.50	\$61.00	\$61.00	\$61.00
402.197903	19.0 mm < 30	500-1,000	\$59.00	\$58.25	\$61.00	\$58.00	\$58.00	\$58.00

402.257903	25.0 mm < 30	500-1,000	\$57.00	\$57.75	\$57.50	\$57.00	\$58.00	\$58.00
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SPECIFIED IN-PLACE PROJECTS

Project #1 Friend Road

CR #31 From NYSR 364 to CR #29								
5.18 Mi. 13,475 tons 19 mm < 30 (4") Unit:	NB	\$54.59	\$49.50	\$54.54	\$71.00	NB		
5,585 tons 9.5 mm < 30 (1.5") Unit:	NB	\$61.25	\$57.15	\$59.37	\$80.50	NB		
Total:		\$1,077,681.50	\$986,195.25	\$1,066,507.95	\$1,406,317.50			

Project #2 Italy Valley Road

CR #18 From NYSR 364 southwesterly to South of Sliter Hill Rd								
6.53 Mi. 10,450 tons 19 mm < 30 (2") Unit:	NB	\$54.59	\$49.45	\$54.54	\$71.75	NB		
7,040 tons 9.5 mm < 30 (1.5") Unit:	NB	\$61.25	\$57.10	\$59.37	\$79.80	NB		
Total:		\$1,001,665.50	\$918,736.50	\$987,907.80	\$1,311,579.50			

BIDDER:	Seneca Stone Corporation	Spallina Materials Inc.	Hanson Aggregates NY	Northern Asphalt LLC	Dolomite Products DBA A.L.Blades	Dolomite Products Co. Inc.
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UNSPECIFIED IN-PLACE PROJECTS

403.198302	Type 7F3 Top	Base Bid:	\$85.00	\$110.00	\$98.60	\$86.00	NB	NB
403.178302	Type 6F3 Top	Base Bid:	\$83.00	\$105.00	\$97.55	\$84.00	NB	NB
*	Fine Binder	Base Bid:	\$78.00	\$103.00	\$91.15	\$79.00	NB	NB
403.138902	Type 3 Binder	Base Bid:	\$78.00	\$103.00	\$91.10	\$79.00	NB	NB
402.097203	9.5 mm < 30	Base Bid:	\$85.00	\$115.00	\$100.25	\$86.00	NB	NB
402.127203	12.5 mm < 30	Base Bid:	\$83.00	\$112.00	\$97.05	\$83.00	NB	NB
402.197903	19.0 mm < 30	Base Bid:	\$79.00	\$108.00	\$91.95	\$79.00	NB	NB
402.257903	25.0 mm < 30	Base Bid:	\$77.00	\$106.00	\$89.55	\$77.00	NB	NB

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 #2 shall be awarded to Hanson Aggregates NY LLC. Unspecified In Place Projects to Seneca Stone Corporation for all and to Northern Asphalt LLC for 12.5mm<30, 19.0mm<30, and 25.0mm<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 on Resolution 165-2020.

RESOLUTION NO. 166-2020

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

AUTHORIZE LEGISLATURE CHAIRMAN TO SIGN 2020 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 2020 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, to authorize the Chairman of the Yates County Legislature 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. 167-2020

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

DESIGNATE DEPUTY HIGHWAY SUPERINTENDENT AS THE RESPONSIBLE LOCAL OFFICIAL (RLO) FOR PURPOSES OF THE NYSDOT'S EBO SOFTWARE

WHEREAS, by this Resolution the Yates County Legislature designates Craig Prior, Yates County Deputy Highway Superintendent, as the County's Responsible Local Official (RLO) for purposes of the NYS Department of Transportation's Equitable Business Opportunities software (EBO), which streamlines and reduces the efforts required by the construction industry to satisfy civil rights reporting requirements; and

WHEREAS, in his position as Yates County Deputy Highway Superintendent, Craig Prior has frequent contact with NYS Department of Transportation (NYSDOT) personnel thereby making him the most appropriate County employee to oversee NYSDOT's EBO software;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature designates responsibility as the Responsible Local Official for purposes of NYSDOT's EBO software to Craig Prior; and be it further

RESOLVED, that copies of this resolution be sent to the Yates County Highway Department and the New York State Department of Transportation.

VOTE: Unanimous

RESOLUTION NO. 168-2020

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

DISCUSSION:

Mr. Cutler stated this is one of the resolutions that was discussed in Finance Committee where he questioned whether it is critical to spend these funds right now, until we have a better idea of what our financial situation is going to be.

Chairman Paddock stated these are 50/50 grant matching funds; the 50% funds from Yates County are

matched by the towns. This is also in the shared services plan.

County Administrator Flynn explained that we are not spending the whole \$45,000. The county's share is \$12,500.

Mr. Cutler stated that he still has not received an answer to his question if this is critical or not. Also, have the towns that are participating also considered what their financial situation may be coming out of this.

Mrs. Church stated that all of the towns and villages are hopefully participating in the future. They have already put up some financial support for this. We have been working on this project for approximately a year or more. As it became a shared service project, of course the not knowing what the state of state is going to be moving forward, and she knows that is Tim's concern. The next grant that we would apply for would be a 90% grant. As we all look forward to water quality and public water systems this will be a good tool to have because then we can look at it as a regionally and not town by town project. That is where the important part of this piece is

Mr. Cutler stated he is for the project, but all of the decisions that support this direction, including the shared services, were all made prior to the current situation and what we may experience in coming out of it. Those assumptions are up in the air, especially those that involve NYS reimbursements. Under the current circumstances we cannot count on that.

Chairman Paddock stated that he does think there is an exact answer for Mr. Cutler. The amount for Yates County is in the \$11,000 to \$12,000 range depending on what the contributions from the towns end up being and it would be something looked at moving forward. It is scheduled for 2020 completion and funding by the state under shared services.

Mr. Cutler questioned if there was assurance that that will go unchanged once we start coming into this new economic reality.

County Administrator Flynn stated that the shared services funding was in the state's budget.

Mr. Cutler stated so we can be sure that the reimbursement will come from the state.

County Administrator Flynn stated that she cannot say that 100% because the Governor can pull anything back that he wants.

Mr. Cutler explained that he has heard that also and that is why he is concerned. We shouldn't just keep going like we were going before. The assumptions that we had when we were putting the budget together are no longer valid.

Ms. Chilson wonder if there is any way to put this off for a month and talk with the different towns and see what is happening with the finances.

Chairman Paddock stated that we can move to postpone this if that is what Ms. Chilson would like to do.

Mr. Button echoed Mr. Cutler's comments and was willing to second a motion if Ms. Chilson wanted to bring one forward.

Mr. Button questioned Mrs. Church as to what the amount that the Town of Potter had committed. He is in support of this. Mrs. Church explained that she does not have the exact figure in front of her but Potter was supportive in being a participant. Mrs. Church further explained that this resolution is only to

change the consultant who used to be Larson Design. This has been in the works for about two years and then it was put into the shared services plan with Nonie's help. There is no new money right now that is going into this other than other towns that would be participating. It is a huge savings for the towns that are participating. One of the things that we had to come up with in order for it to be in the shared services was how much each town would save had they had to do this themselves. If a town were to do this on their own it would cost each town approximately \$15,000. Given the pressures on public water needs throughout the county it was felt that this would be a good option to meet the needs requirements by the state for shared services. The shared service plan is also required by state law.

Mr. Holgate stated he echoed what Mrs. Church was saying and we might be able to put this off for a little bit but are there any worries that the grant could go away?

Administrator Flynn stated that the water grant was a NYS grant. It is not just eight of the nine towns participating in this shared services, we have the Village of Penn Yan and the Village of Dundee. Each partner was going to contribute \$11,250 and that is supposed to come back to each municipality as part of the shared services plan.

Chairman Paddock stated that the \$11,250 was a total combined for all 10 partners.

Administrator Flynn clarified that it was \$1,125 from each of the 10 partners.

Mrs. Church stated that she understands Tim's concerns, but as we all know, we are going to have to look further into things as we get changes. But to not award the position of consultant to the project doesn't have anything to do with the funding. Clark Patterson Lee has been involved in these projects throughout our state and are very experienced. Yes, we know we may have to revisit the funding piece and there may not be money for it and then we will have to decide where the project goes. But Mrs. Church feels this is really important to the county and the towns and villages that we look at this on a countywide scale.

Chairman Paddock suggested as an alternative to pass the resolution and hold off on signing the contract with Clark Patterson Lee until we have some assurance that the state funding will be present.

Ms. Chilson questioned if there was anything that needed to be changed within the resolution itself.

Chairman Paddock stated that he did not believe so.

HIRING OF CLARK PATTERSON LEE AS THE CONSULTING ENGINEERING FIRM TO UNDERTAKE THE COUNTY-WIDE WATER INFRASTRUCTURE STUDY

WHEREAS, Yates County has been awarded a grant by New York State to undertake a County-wide Water Infrastructure Study; and

WHEREAS, Municipal Solutions located at 62 Main Street, Leroy, NY 14482, was to assist the County in the preparation of the Study in conjunction with Larson Design Group as sub-consultant; and

WHEREAS, Larson Design Group is no longer able to provide consulting engineering in support of the Study; and

WHEREAS, Clark Patterson Lee located at 205 Saint Paul Street, Rochester, NY 14604, has agreed to provide the necessary engineering support portion for the Study for the previously-established fee of \$45,000.00 under the Grant award;

NOW, THEREFORE, BE IT RESOLVED, that Clark Patterson Lee be named as the consulting engineer for the County-wide water infrastructure study; and be it further

RESOLVED, the Chairman is authorized to sign the required contracts and other documentation necessary to execute the Grant and resulting Study after review by the County Attorney; and be it further

RESOLVED, that copies of this resolution be given to Municipal Solutions, Clark Patterson Lee, the County Treasurer and the County Planner.

VOTE: Unanimous

RESOLUTION NO. 169-2020

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

DISCUSSION:

Mr. Cutler does not feel it is critical at this time to spend this money.

Chairman Paddock stated the policy says we may spend up to 15%.

Ms. Chilson stated that maybe we should postpone this one as it isn't critical. It could be something that could go ahead in the future but it maybe something that we choose not to do.

Mr. Button would support changing some of the wording to include the 15% spending.

Chairman Paddock explained that the 15% is in the policy so to change that the policy would have to be amended.

Mrs. Church clarified that the funding for this comes from the occupancy tax. These funds have already been budgeted for this year. It is the revenues from last year that were collected. Mrs. Church questioned that if the funds were put in a reserve fund they cannot be spent on anything else.

Administrator Flynn stated that the funds are not put in a reserve fund. They are put in a budget line. They could be spent on something else but we would be violating the policy.

Mrs. Church stated this is the only way the Legislature is able to support the needs that the funding is being used for. Without this we are not able to afford this.

Mr. Multer moved to postpone the resolution until next month, seconded by Ms. Chilson.

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

NATURAL AND RECREATIONAL RESOURCE PROTECTION GRANT – SELECTION OF GRANT AWARDEES AND FUNDING AMOUNTS FOR 2020

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) Yates Community Center, Recreational Park Project, \$24,996.00;
- 2) Finger Lakes Museum and Aquarium, Wetlands Trail Project, \$19,000.00;

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.

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

RESOLUTION NO. 170-2020

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

2020 BUDGET TRANSFERS

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

From:	To:	Amount:
A1430.54019 PERS-EAP	A1430.51661 PERS-Comp Time BO	\$ 57.00
A1430.54501 PERS-Advertising	A1430.51661 PERS-Comp Time BO	\$ 50.00
A1430.54516 PERS-Printing	A1430.51661 PERS-Comp Time BO	\$ 50.00
A1430.54660 PERS-Travel	A1430.51661 PERS-Comp Time BO	\$ 50.00
A1430.54501 PERS-Advertising	A1430.51661 PERS-Comp Time BO	\$ 50.00
A1430.54572 PERS-Comp Access	A1430.51661 PERS-Comp Time BO	\$ 56.65
A1625.58303 B&G-Med INS CSEA	A1625.51520 B&G-Ins BO CSEA	\$ 216.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 171-2020

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

APPROPRIATE CARRYOVER OF 2019 LEAD GRANT (PUBLIC HEALTH)

WHEREAS, the Department of Public Health received a LEAD grant for the year 2019 and a balance of \$15,505.38 remained at the end of 2019; and

WHEREAS, these funds are not part of the 2020 budget and can be carried over to the 2020 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$15,505.38;

Revenue:		
A4010.44457 PH-LEAD	\$	15,505.38
Appropriation		
A4010.54109 PH-LEAD	\$	15,505.38

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. 172-2020

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

APPROPRIATE CARRYOVER OF 2019 MENTAL HEALTH GRANT (COMMUNITY SERVICES)

WHEREAS, the Community Services Department received a Mental Health Grant for the year 2019 and a balance of \$10,957.56 remained at the end of 2019; and

WHEREAS, these funds are not part of the 2020 budget and can be carried over to the 2020 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$10,957.56;

Revenue:		
A4320.44491 CS-Suicide Prevention Coalition	\$	10,957.56
Appropriation		
A4320.54282 CS-Suicide Prevention	\$	10,957.56

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. 173-2020

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

ACCEPT AND APPROPRIATE STATE INTEROPERABLE GRANT FY 2019 (SHERIFF)

WHEREAS, the Office of Sheriff has been awarded a grant from the NYS Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications; and

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

NOW THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$328,425.00;

Revenue:		
A3020.43323 SH-SICG FY19		\$ 328,425.00
Appropriation		
A3020.52954 SH-SICG FY19		\$ 328,425.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 174-2020

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

ACCEPT AND APPROPRIATE LIVE SCAN STATE GRANT (SHERIFF)

WHEREAS, the Office of Sheriff has been awarded a Live Scan state grant to upgrade current fingerprinting equipment; and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$7,050.00;

Revenue:		
A3110.43325 SH-Legislative Initiative		\$ 7,050.00
Appropriation		
A3110.52965 SH-Legislative Initiative		\$ 7,050.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 175-2020

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

**APPROPRIATE CARA SFY 2019-2020
(SOCIAL SERVICES)**

WHEREAS, the Department of Social Services is to receive additional NYS aid for the behavioral specialist CARA program for the 2019-20 state fiscal year; and

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

NOW THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$50,000.00;

Revenue:		
A6010.44610 DSS-Social Service Admin		\$ 50,000.00
Appropriation		
A6010 54065 DSS- Social Service Admin		\$ 50,000.00

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. 176-2020

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$1,800.00;

Revenue:		
A6010.44610 DSS-Social Service Admin		\$ 1,800.00
Appropriation		
A6010 54135 DSS- Non Cust Emp Program		\$ 1,800.00

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. 177-2020

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

ENTER INTO A NON-DISCLOSURE AGREEMENT WITH SPECTRUM NORTHEAST, LLC AND/OR CHARTER COMMUNICATIONS, INC. IN FURTHERANCE OF RURAL UTILITIES SERVICE RECONNECT PROGRAM GRANT

WHEREAS, Yates County has applied for and been awarded grant financial assistance pursuant to the Rural Utilities Service ReConnect Program, concerning the construction of a broadband infrastructure project to serve rural areas where at least 100% of the households are without sufficient access to broadband (hereinafter referred to as the “Grant”); and

WHEREAS, Spectrum Northeast, LLC and/or Charter Communications, Inc. (hereinafter collectively referred to as “Charter”) possesses certain information relevant to the achievement of the goals to be effectuated through such Grant, to wit: per Charter, Charter agreed to build out to 145,000 addresses in New York that are either unserved or underserved with respect to broadband service as part of the approval by the New York Public Service Commission of its merger with Time Warner Cable, Inc., and as part of settlements dated June 19, 2017 and April 19, 2019 (hereinafter referred to as the “Settlements”) Charter agreed to file a list containing the street level identification of the 145,000 addresses and update it every six months (hereinafter referred to as the “Information”); and

WHEREAS, per Charter, Charter considers the Information proprietary and confidential and has filed it as a trade secret confidential document with the Records Access Officer of the Broadband Program Office/Department of Public Service (hereinafter referred to as the “BPO/DPS”), and as part of the Settlements, agreed that BPO/DPS and Charter could release address information relevant to a particular municipality if such municipality requests it and agrees to enter into a confidentiality agreement to keep the Information confidential; and

WHEREAS, in furtherance of the goals to be effectuated through such Grant, Yates County wishes to obtain such Information; and

WHEREAS, to this end Charter requires a non-disclosure agreement to be executed between it and Yates County as a pre-requisite to the County obtaining such Information;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to execute on behalf of Yates County a non-disclosure agreement with Spectrum Northeast, LLC and/or Charter Communications, Inc. concerning the use and disclosure of the Information; and be it further

RESOLVED, that copies of this resolution be provided to the Yates County Administrator, Yates County Planner and Spectrum Northeast, LLC/Charter Communications, Inc.

VOTE: Unanimous

RESOLUTION NO. 178-2020

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

AUTHORIZATIONS PERTAINING TO A GRANT AND SECURITY AGREEMENT WITH THE UNITED STATES OF AMERICA, AND OTHER DOCUMENTATION, REGARDING THE RECEIPT OF A GRANT PURSUANT TO THE RURAL UTILITIES SERVICE RECONNECT PROGRAM

WHEREAS, Yates County (hereinafter the “County”) has applied for and been awarded grant financial assistance pursuant to the Rural Utilities Service ReConnect Program, in an amount not to exceed \$10,324,875.00, concerning the construction of a broadband infrastructure project to serve rural areas where at least 100% of the households are without sufficient access to broadband (hereinafter referred to as the “Grant”); and

WHEREAS, in order to effectuate the Grant, the County’s execution of a grant and security agreement with the United States of America, acting through the Administrator of the Rural Utilities Service is required; and

WHEREAS, to this end, a grant and security agreement entitled: “RUS Project Designation: NY 1702-A61, ReConnect Program, Grant and Security Agreement, dated as of March 5, 2020, between Yates County and The United States of America, United States Department of Agriculture, Rural Utilities Service”, consisting of the County and the United States of America, acting through the Administrator of the Rural Utilities Service as parties (said agreement hereinafter referred to as the “Grant and Security Agreement”) has been presented to the County for execution; and

WHEREAS, in furtherance of the Grant and Security Agreement, the County’s execution of a deposit control agreement (hereinafter referred to as the “Deposit Control Agreement”) and UCC-1 and UCC-1AD with attachments (hereinafter collectively referred to as the “Financing Statements”) are also required; and

WHEREAS, the County wishes to designate USNY Bank as the bank depository of the Grant funds, which shall be pledged to United States of America and held in accordance with the provisions of the Grant Security Agreement and Deposit Control Agreement;

NOW, THEREFORE, BE IT RESOLVED, that Yates County borrow from the United States of America, acting through the Administrator of the Rural Utilities Service, an amount not to exceed \$10,324,875.00 to be used for such purposes as approved by the Rural Utilities Service; and be it further

RESOLVED, that Yates County accept a grant in the amount of \$10,324,875.00 from the United States of America to be used for such purposes as approved by the Rural Utilities Service; and be it further

RESOLVED, that the County is authorized to enter into the Grant and Security Agreement, a Deposit Control Agreement and Financing Statements; and to this end, be it further

RESOLVED, that the Chairman of the Yates County Legislature, upon the approval of the County Attorney, is hereby authorized on behalf of Yates County to execute and deliver, as many counterparts, respectively, as shall be deemed advisable, the following documents: the Grant and Security Agreement, Deposit Control Agreement and Financing Statements, and any other ancillary documentation related to the Grant and Security Agreement, Deposit Control Agreement or Financing Statements as may be required by the Rural Utilities Service; and be it further

RESOLVED, that a separate account be opened in USNY Bank, and all proceeds of said loan/grant shall be deposited in such account which shall be pledged to the United States of America and held in accordance with the provisions of the Grant and Security Agreement and Deposit Control Agreement; and be it further

RESOLVED, that the Chairman of the Yates County Legislature, or his designee, be and is authorized in the name and on behalf of Yates County, to execute all such instruments, make all such

payments and do all such other acts as in the opinion of the Chairman may be necessary or appropriate in order to carry out the purposes and intent of this resolution herein; and be it further

RESOLVED, that this resolution herein shall amend Resolution No. 517-19 issued on December 17, 2019; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 179-2020

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

AUTHORIZE CHAIRMAN TO SIGN ADDENDUM TO THE SOUTHERN TIER BROADBAND COALITION INTER-MUNICIPAL AGREEMENT (IMA)

WHEREAS, Resolution #42-2020 authorized the Chairman of the Legislature to execute on behalf of Yates County an inter-municipal agreement (IMA) with Tioga County, Schuyler County, and Steuben County for effectuating the purposes of a Feasibility Study; and

WHEREAS, the Participating Counties wish to allow Chemung County to participate in the Agreement; and

WHEREAS, the Participating Counties have agreed to certain adjustments to the Agreement, thereby reducing the cost to Yates County; and

WHEREAS, all other terms and conditions set forth in the Agreement shall remain the same;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to execute on behalf of Yates County an addendum to the Southern Tier Broadband Coalition IMA; and be it further

RESOLVED, that copies of this resolution be provided to the County Administrator and the Yates County Attorney.

VOTE: Unanimous

RESOLUTION NO. 180-2020

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

AUTHORIZE SHERIFF AND CHAIRMAN TO SIGN AMENDMENT FOR JAIL TELEPHONE SERVICES

BE IT RESOLVED, that upon the approval of the County Attorney, the inmate telephone services agreement with GTL company provider per Resolution No. 61-15 and as amended by Resolution No. 54-19 be further amended regarding call rates, tablet utilization, etc. for enhanced technology services that currently extends to March 16, 2021 unless acted upon; and be it further

RESOLVED, that the Sheriff and Chairman be and hereby are authorized to sign an amendment to the inmate telephone services agreement with GTL; and be it further

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

VOTE: Unanimous

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

1. collective bargaining involving Council 82 and CSEA unions with members of the legislature, County Administrator, Sheriff, Personnel Officer, Information Technology Director and the County's labor attorney present by phone, as appropriate;
2. matters which will imperil the public safety if disclosed with members of the legislature, County Administrator, Sheriff and Information Technology Director present by phone, as appropriate.
- 3.

It is not anticipated that there will be a resolution or resolutions forthcoming.

Seconded by Mrs. Church

VOTE: Unanimous

Meeting adjourned at 3:06 p.m.