

SPECIAL SESSION – THURSDAY, APRIL 29, 2021

The Yates County Legislature met in special session, Thursday, April 29, 2021 with Chairman Paddock presiding and Legislators Multer, Button, Chilson, Church, and Banach absent.

RESOLUTION NO. 177-21

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

**INTRODUCING PROPOSED LOCAL LAW NO. 1 OF 2021 ENTITLED,
A LOCAL LAW ADOPTING A PILOT YOUTH DEER HUNTING PROGRAM,
AND SETTING A DATE FOR A PUBLIC HEARING THEREON**

WHEREAS, Environmental Conservation Law § 11-0935 establishes a pilot program wherein a hunting license holder who is 12 or 13 years of age may hunt deer with a crossbow, rifle, shotgun or muzzle loading firearm in areas where and during the hunting season in which such implements may be used; and

WHEREAS, Environmental Conservation Law § 11-0935 requires that in order to be an “eligible area”, a county must pass a local law authorizing participation in the pilot program; and

WHEREAS, according to a 2011 U.S. Fish and Wildlife Service study, the community spends approximately \$4.95 billion per year in the State of New York in pursuit of sporting activities, and sporting activities are responsible for the support of approximately 56,000 jobs across New York State; and

WHEREAS, sporting activities have a positive impact on the local and statewide economy; and

WHEREAS, public interest and participation in sporting activities, including deer hunting, has significantly increased, including the number of individuals completing hunter education programs and purchasing hunting and other sporting licenses; and

WHEREAS, the universal hunting age of 12 is supported by the 2012 – 2016 NYS Deer Management Plan and the draft 2021 – 2025 NYS Deer Management Plan; and

WHEREAS, prior to the adoption of Environmental Conservation Law § 11-0935, 49 out of 50 states, with New York being the exception, permitted 12 and 13 year olds to participate in hunting under varying circumstances; and

WHEREAS, hunting with youth provides quality time for parents, guardians and other mentor figures to bond with their children, other family members and friends in an outdoor setting and presents an excellent opportunity to introduce youth to nature, stewardship, conservation, and responsible wildlife management; and

WHEREAS, hunting with youth provides an opportunity to mentor and instruct youth hunters regarding safe and responsible hunting; and

WHEREAS, the Yates County Legislature supports Yates County opting-in to the provisions of Environmental Conservation Law § 11-0935;

NOW, THEREFORE, BE IT RESOLVED, that a proposed Local Law, identified as Local Law No. 1 of 2021, entitled “A LOCAL LAW ADOPTING A PILOT YOUTH DEER HUNTING PROGRAM”, is hereby introduced before the Yates County Legislature; and be it further

RESOLVED, that the Yates County Legislature shall hold a Public Hearing on May 10, 2021 at 1:05 p.m. in the Legislature Chambers, 417 Liberty Street, Penn Yan, NY 14527 on the matter of the adoption of such proposed Local Law; and be it further

RESOLVED, that the Clerk of the Legislature be and hereby is directed to give notice of such Public Hearing in the manner prescribed by law.

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY

Local Law Filing
12231 (Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underling to indicate new matter.

County
City of Yates
Town
Village

LOCAL LAW 1-2021 ENTITLED: A LOCAL LAW ADOPTING A PILOT YOUTH DEER HUNTING PROGRAM

Be it enacted by the Legislature of the

County
City of Yates as follows:
Town
Village

SECTION 1. TITLE

This Local Law shall be known as “A Local Law Adopting a Pilot Youth Deer Hunting Program.”

SECTION 2. LEGISLATIVE INTENT

The intent of this Local Law is to authorize Yates County to permit 12 and 13 year old individuals to participate in the new and safe hunting opportunities in accordance with Environment Conservation Law § 11-0935. The enacted 2021-2022 New York State Budget includes a pilot program allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2023 if a county authorizes such action within their municipality. Yates County is passing this local law as hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

SECTION 3. PILOT PROGRAM AUTHORIZATION

Pursuant to Environmental Conservation Law, ECL 11-0935, Yates County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2023.

SECTION 4. STATE REQUIREMENTS TO ADHERE ONCE AUTHORIZED

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, age 21 years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, age 21 years or older, with a crossbow during the times when other hunters may use crossbows; and
- Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- All licensed twelve (12) and thirteen (13) year old hunters as well as their adult supervisors shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and
- All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year old with a firearm or crossbow.

SECTION 5. LOCAL LAW FILING REQUIREMENTS

A copy of this local law shall be sent to the New York State Department of Environmental Conservation as well as the New York State Department of State.

SECTION 6. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 7. EFFECTIVE DATE

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

VOTE: Unanimous

RESOLUTION NO. 178-21

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

AUTHORIZE COUNTY TREASURER TO CREATE AND FILL TEMPORARY PART-TIME DEPUTY TREASURER POSITION

WHEREAS, the Treasurer has requested to create and fill a temporary part-time Deputy Treasurer position due to the anticipated vacancy that will occur on June 1, 2021 as the result of a resignation; and

WHEREAS, the County Treasurer through the vacancy review process has identified the need to create and fill a temporary part-time Deputy Treasurer position in order to allow for a seamless transition for personnel; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$35,221;

NOW, THEREFORE, BE IT RESOLVED, effective April 29, 2021 the County Treasurer is hereby authorized to create and fill a temporary part-time Deputy Treasurer position; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 179-21

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

**AMEND RESOLUTION 10-21
ADOPT 2021 NON-UNION NON-EXEMPT EMPLOYEE WAGE SCHEDULE**

WHEREAS, Resolution 10-21 was duly adopted on January 11, 2021 which amended the 2021 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; and

WHEREAS, as a result of the Deputy Treasurer submitting her resignation to be made effective June 1, 2021 the County Treasurer has requested authorization to create and fill a temporary part-time Deputy Treasurer position;

NOW, THEREFORE, BE IT RESOLVED, that “Senior Account Clerk Typist (*Treasurer*)...\$25.50” be amended to “Senior Account Clerk Typist (*Treasurer*)...\$35.00”; and be it further

RESOLVED, that “Deputy Treasurer (*Temporary Part-Time*)...\$35.00” be added after “Deputy Sheriff...\$21.70; and be it further

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

VOTE: Unanimous

This portion of the meeting recessed at 1:50 p.m.

At 2:00 p.m. the Legislature resumed its session with Chairman Paddock presiding, Legislator Church attending by Zoom and Legislators Multer, and Button absent.

Senator Thomas O'Mara and Assemblyman Phil Palmesano attended the meeting at this time.

Assemblyman Palmesano spoke a few minutes regarding April being Organ Donation month and how one person that is an organ donator can save eight lives.

Assemblyman Palmesano and Senator O'Mara went on to review the recently passed state budget and answer various questions that legislators asked. The audio of the meeting can be found on the County website at www.yatescounty.org.

Meeting adjourned at 3:30 p.m.