

REGULAR SESSION-MONDAY, MAY 8, 2023

The Yates County Legislature convened in regular session Monday, May 8, 2023 at 1:00 p.m. with Chairwoman Church presiding and Mr. Killen & Mr. Willson on Zoom.

Legislative Zoom Attendees: 2 Other Zoom Attendees: 8

Minutes from the April 10th meetings were approved as presented.

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

April 2023	
Airport Fund	\$ 11,560.88
Finance	\$ 573,707.28
Flint Creek	\$ 0
Government Operations	\$ 46,130.05
Human Services	\$ 619,061.49
Prior to Audit	\$ 873,949.86
Public Safety	\$ 422,712.19
Public Works	\$ 984,346.39
Total	\$ 3,531,468.14

COMMITTEE REPORTS

Mr. Harper reported that last Thursday they approved the resolution for the signing of the easement for the airport, and he did want to let them know that that easement was signed by the property owners, and has been sent off to the FAA.

Ms. Flynn reported a quick update on the recently adopted New York State budget, and how it is impacting Yates County in negative ways. There will be some increases in the mandates. One is that New York State will now require counties to pay more into the States Medicare/Medicaid program, and that will amount to at least over half a 1 million each year. That's going to be phased in over the next 3 years. New York State also is not going to pay the counties in the State what's been withheld since their state fiscal year 2016-2017 of eFMAP refunds from the reconciliation that are due to the counties, and that amounts to about 1.3 million dollars. The last mandate that New York State put on them is they increased the 18 B assigned council program provider rates. Those attorneys, historically, has been paid \$75 an hour, and that's been increased to a \$158 per hour, and New York State is only going to cover 50 of that increase. So once again, New York State is putting more mandates on the counties, and it's especially difficult for this year, because it's going to have a huge fiscal impact for them on a budget that they already adopted, and there's not one county that saw this coming for this year. The recently adopted budget certainly has a negative impact here locally, and it's very unfortunate to see these mandates increase. Right now of their County tax bill that everyone's paying about almost 70% of it is mandates, and those are programs. They're not necessarily bad programs, but their New York State programs where New York State controls the guidelines for these programs. The County has no input on how these programs can be handled within their county, and some of the programs might be more appropriate for around New York City that aren't appropriate for a rural county for Yates County.

Mr. Cutler reported that for the Keuka Lake Association, Maria Hudson has resigned as President, the Board elected Steve Brigham as President, and elected Mike Gow as Vice President.

Mr. Bronson reported that at the Pro Action meeting last month, they had a report from their auditors. They gave Pro Action a clean audit, there were no modifications or adjustments.

Mr. Morris reported that at the SWIO meeting on April 27th that they updated the watershed report and one of the key things was a study from Hobart that was made visible about PFAS (perfluoroalkyl and polyfluoroalkyl substances) that are getting into the environment. Right now, they're seeing them in fish. He saw another report last week from the DEC and they're highly concerned about what the impact on the environment is going to be, and it's going to drive additional filtration of water as one thing.

Ms. Chilson reported that the Director of Cornell Cooperative Extension has resigned, and the Board is currently searching for a new director. Each of the villages will be having a parade and celebration, and their district is requesting their presence. She sent an email out a little bit ago. She has heard back from a couple of legislators, not just their presence, but their volunteerism, where they can help in that district. The 4 dates: July 15th is Dresden's, July 20th is Dundee's, August 12th is Penn Yan's, and August 26th is Rushville's.

Lisa Minns, Director of Transportation for YTS, gave the following presentation:

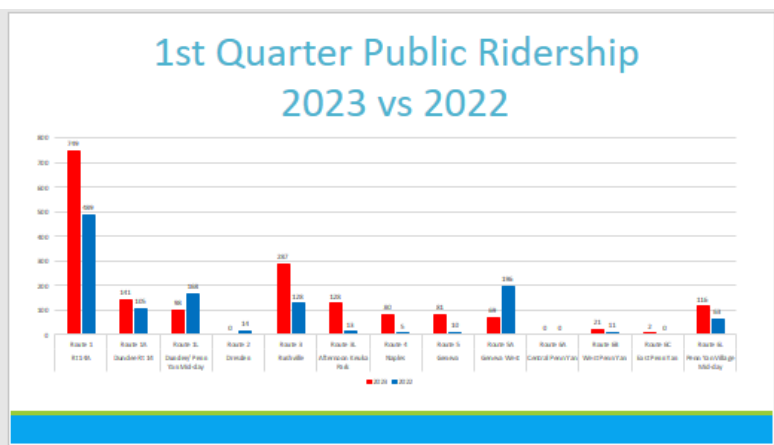
YTS
2023 1st Quarter
May 8, 2023
Public Transportation Update
www.yatestransit.com

Updates

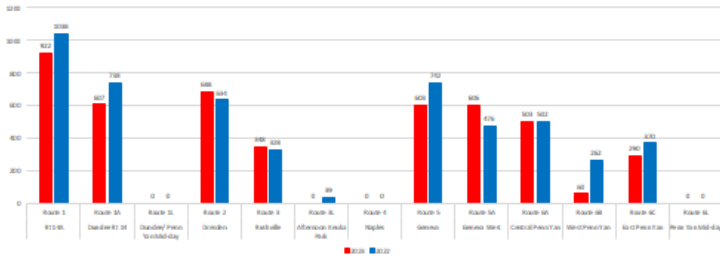
- State reimbursement requests have been submitted:
 - CARES ACT - \$132,212.28
 - 2018 Bus purchase \$39,329
 - Bus Stop signs \$4,050
 - Software System \$21,549
 - Tablet Purchase \$22,878
 - 2020 Bus purchase \$139,037
- Reimbursement requests to submit:
 - 2018 Operating Expenses
 - 2019 Operating Expenses

STOA Quarterly Report

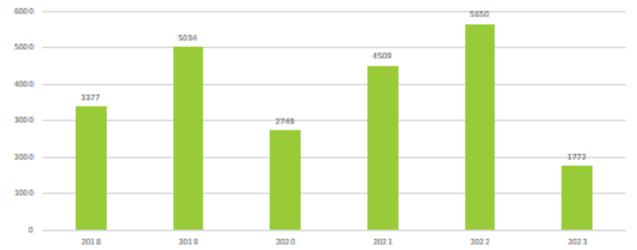
2023 Q1 STOA				2022 Q1 STOA			
Ridership	Public	Contract		Ridership	Public	Contract	
January	556	1598		January	310	1471	
February	533	1457		February	438	1709	
March	683	1572		March	445	1950	
TOTAL	1772	4627		TOTAL	1202	5130	
		6399	\$ 5.68			6332	\$ 5.68
			\$ 4,351.32				\$ 4,305.74
Revenue Miles				Revenue Miles			
January	16246			January	11948		
February	14312			February	11933		
March	15939			March	13286		
TOTAL	46497			TOTAL	37167		
			\$ 51.15				\$ 51.15
			\$ 53,471.55				\$ 42,742.05
			STOA DUE: \$ 57,822.87				STOA DUE: \$ 47,047.81



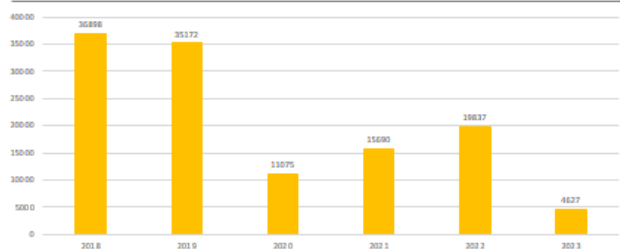
1st Quarter Contract Ridership 2023 vs 2022



Public Ridership



Contract Ridership



Questions ?

PUBLIC COMMENT

Joy Schank stated that first State legislators sued New York State regarding the regulation that gave the State the power to force people into quarantine without any proof of infection, and at the place of their choosing. The regulation states, someone can be held for an indefinite period. Unfortunately, even though the State legislators won, Governor Hochul is appealing this decision. The Federal Government has approved 4 Covid shots, 2 regular, and 2 boosters to be given to children, starting at 6 months of age. Her fear is Governor Hochul will mandate it. It should be a parents right to choose which medications they give their children. There are known side effects of these shots, including a decrease in the function of their immune system, and that makes them more prone to infection, and it also increases the risk of cancer. There are also neurologic side effects, and of course, heart disease, especially affecting young men. Last point, over 40 counties in New York voted for Lee Zeldin. If a network could be formed, all these counties could unite and be a powerful force to vocalize. Rejection of things like Medicaid costs being placed on the counties and other problems with the State.

RESOLUTION NO. 226-23

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

AUTHORIZE PROBATION DIRECTOR TO SIGN A USE AND DISSEMINATION AGREEMENT WITH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, the New York State Division of Criminal Justice Services (hereinafter referred to as “DCJS”) requires that in order to allow an agency to obtain criminal history information from DCJS there be an updated Use and Dissemination Agreement between it and such agency; and

WHEREAS, the Yates County Probation Department obtains criminal history information pursuant to its department operations, and as such, it is necessary for the Yates County Probation Department to execute such an agreement with DCJS in order to continue obtaining criminal history information;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Probation Director is authorized to execute an updated Use and Dissemination Agreement between DCJS and the Yates County Probation Department; and be it further

RESOLVED, that copies of this resolution be provided to the Probation Director.
VOTE: Unanimous

RESOLUTION NO. 227-23

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

AUTHORIZE CHAIRWOMAN TO ENTER INTO AN AGREEMENT WITH TETRA TECH, INC.

WHEREAS, the County’s Department of Emergency Services is in need of contracting for the provision of professional services consisting of assistance and support to the County Department of Emergency Services with disaster/emergency planning activities, training and exercise program development and support for a cost not to exceed \$135,000.00 which is covered by a federal grant; and

WHEREAS, Broome County currently has a contract with Tetra-Tech, Inc. for the provision of the above recited professional services to such county (Contract CA 2824 Item #18);

NOW, THEREFORE, BE IT RESOLVED, that on behalf of Yates County, and upon approval of the County Attorney, the Chairwoman of the Legislature may enter into an agreement with Tetra Tech, Inc. for the provision of professional services to the County’s Department of Emergency Services consisting of assistance and support to the County Department of Emergency Services with disaster/emergency planning activities, training and exercise program development and support; with such agreement being through the contract between Broome County and Tetra Tech, Inc. in accordance with all applicable provisions of the General Municipal Law and County Law in this regard; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 228-23

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

RECOGNIZE PEACE OFFICERS' MEMORIAL DAY

WHEREAS, the Congress and President have designated May 15 as Peace Officers Memorial Day during National Police Week recognizing that law enforcement plays an essential role in safe guarding the rights and freedoms of citizens while members understand their duties, responsibilities, hazards, sacrifices, and duty to serve and safeguard life and property against violence and disorder, and that local law enforcement provides an essential public safety service; and

WHEREAS, in this year 2023 law enforcement and all related public safety services our men and women are serving in challenging times with increases in vulnerability to the risks of the profession;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature extends their appreciation to the men and woman of local law enforcement, corrections and public safety related duties on this national week and observance of May 15 where public law 103-322 directs flags at government buildings be at half-staff in observance of this recognition; and be it further

RESOLVED, that copies of this resolution be provided Sheriff Spike, Buildings and Grounds Supt. Reed, and to Presidents of all local Council 82 unions #1869, #086, and #9010.
VOTE: Unanimous

RESOLUTION NO. 229-23

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

RECOGNIZE NATIONAL CORRECTIONAL OFFICERS' AND EMPLOYEES' WEEK

WHEREAS, the first full week of May, the 7- 13 is recognized as National Correctional Officers' and Employees' Week by President Reagan's proclamation commencing in 1984 to honor the work of correctional officers as peace officers, and correctional personnel working at jails and court houses nationwide guarding, transporting and supervising offenders in the facility, the community, and preparing offenders for their return to their communities are critical to protecting public safety, while related personnel prepare meals, laundry services, education, recreation and related inmate care and custody often working under demanding circumstances facing danger in their daily lives;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature joins with the Sheriff and recognizes the contributions made by the men and women who work in our county jail in various capacities protecting and serving our community 24X7 during this national week and thank them for their essential public service; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff, and President of the Council 82 #086.
VOTE: Unanimous

RESOLUTION NO. 230-23

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

AUTHORIZE SHERIFF AND CHAIRPERSON TO SIGN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER COUNTY FOR WGI EVENT

WHEREAS, the Schuylers County Sheriff requires emergency deputy sheriffs and personnel as mutual aid for racing events at the Watkins Glen International (WGI) Race track and a covenant is required for use of manpower, wages, reimbursements, insurances, and related equipment, etc.;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the county attorney, the Chairwoman is hereby authorized to sign said inter-municipal agreement for the period of July 1, 2023 through June 30, 2028 with Schuylers County and its Sheriff; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 231-23

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

AUTHORIZE SHERIFF TO PURCHASE SECURITY CAMERA

WHEREAS, the county of Yates authorized a contract with Integrated Systems, Inc. per Res. 68-23 to update security camera systems; and

WHEREAS, this resolution recognized a bid by Broome County awarded to Integrated Systems, and its relevance; and

WHEREAS, per this same bid Integrated Systems will provide a camera system for the Sherman Tower Site and 9-1-1 PSAP backup for a cost of \$6,598.47 with support that has been deemed a security solution by the IT Director and the Sheriff;

NOW, THEREFORE, BE IT RESOLVED, the Sheriff is authorized to purchase this security camera for this amount using grant funding provided by the NYS Department of Homeland Security; and be it further

RESOLVED, that a copy of this resolution be provided the Director of Finance, the IT Director, the Building Maintenance Supervisor, and the Sheriff.

VOTE: Unanimous

RESOLUTION NO. 232-23

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

**AMEND RESOLUTION NO. 136-22
(Sherman Hollow and Public Safety Building tower site construction (Contract 4))**

WHEREAS, Resolution No. 136-22 authorizing Sherman Hollow and Public Safety Building tower site construction (Contract 4) for the Public Safety Communications Project was duly adopted on April 11, 2022; and

WHEREAS, the total amount of the contract authorized to Kaplan-Schmidt Electric, Inc. (hereinafter referred to as “Kaplan”) in said Resolution was \$408,830; and

WHEREAS, additional efforts and materials have been required to complete the project and Kaplan has prepared a change order for the necessary changes in the amount of \$39,800.35; and

WHEREAS, C & S Engineers, Yates County’s consultant, has reviewed the said change order and found it to be reasonable;

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 136-22 be amended to change the total contract amount to \$448,630.35; and be it further

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

VOTE: Unanimous, with Mr. Button abstaining.

RESOLUTION NO. 233-23

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

AMEND RESOLUTION NO. 180-22 (Bluff Point and Ovid tower site construction)

WHEREAS, Resolution No. 180-22 authorizing Bluff Point and Ovid tower site construction for the Public Safety Communications Project was duly adopted on May 9, 2022; and

WHEREAS, the total amount of the contract authorized to Kaplan-Schmidt Electric, Inc. (hereinafter referred to as “Kaplan”) in said Resolution was \$247,630; and

WHEREAS, Resolution No. 425-22 increased the total contract amount by \$121,379 to \$369,009 due to the need for modifications to the tower at Ovid and to the tower and foundation at Bluff Point; and

WHEREAS, propane regulators for both Bluff Point and Ovid and relocation of the existing shelter from Bluff Point to the Public Safety Building have been required and Kaplan has prepared a change order for the necessary changes in the amount of \$14,432.50; and

WHEREAS, C & S Engineers, Yates County’s consultant, has reviewed the said change order and found it to be reasonable;

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 180-22 be amended to change the total contract amount to \$383,441.50; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Sheriff, County Administrator/Budget Officer, Director of Emergency Services, Highway

Superintendent, Information Technology Director, Director of Finance, Treasurer, C & S Engineers and Kaplan-Schmidt Electric, Inc.

VOTE: Unanimous, with Mr. Button abstaining.

RESOLUTION NO. 234-23

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

AMEND RESOLUTION NO. 137-23 (Mid-State Communications)

WHEREAS, Resolution No. 137-23 was duly adopted by the Yates County Legislature on March 13, 2023; and

WHEREAS, said Resolution authorized the Yates County Sheriff to issue purchase orders to Mid-State Communications of Oriskany, NY for professional services in an aggregate amount not to exceed \$55,000; and

WHEREAS, additional efforts and materials are required to complete the project and Mid-State Communications has prepared an estimate for the necessary changes in the amount of \$13,000.00; and

WHEREAS, C & S Engineers, Yates County's consultant, has reviewed the said estimate and found it to be reasonable;

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 137-23 be amended to change the total aggregate amount to \$68,000.00; and be it further

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

VOTE: Unanimous, with Mr. Button abstaining.

RESOLUTION NO. 235-23

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

AUTHORIZE INSURANCE RENEWAL

WHEREAS, various insurance policies on behalf of the County expire on May 15th, 2023; and

WHEREAS, the total premium amount for the period May 15th, 2023 to May 15th, 2024 is \$378,469.07;

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

RESOLVED, that the Clerk of the Legislature is hereby authorized to renew said policies with the Stork Insurance Agency with an expiration date of May 15th, 2024; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 236-23

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

DISCUSSION:

Mr. Button stated that hopefully, they could get a report some time from wherever it would come from, on what Yates County actually does to help push back. He's seen people where they have people monitoring where boat launches are. But he was wondering about what actually Yates County and Steuben County contribute to it. So maybe sometime. He remembers in the past, they've had stream monitoring funding with to Steuben County, so he didn't know in the future, if there's things that they're doing.

NEW YORK STATE INVASIVE SPECIES AWARENESS WEEK/ GREAT LAKES LANDING BLITZ WEEK

WHEREAS, New York State and Yates County are rich in its lands and waters and that terrestrial and aquatic invasive species pose a threat to Yates County and are harmful to its vital robust agriculture and tourism industries and detract from its reputation as a desired recreational destination; and

WHEREAS, the citizens of Yates County are pleased to support initiatives through which we can illustrate our ongoing commitment to protect these valuable resources which reflect our noble heritage; and

WHEREAS, the quality of these lands and waters are put at risk by all invasive species which have been introduced to New York State and Yates County and spread, harming the environment, the economy and even human health; and

WHEREAS, increased awareness, education and public outreach are needed to prevent further spread and introduction of invasive species and to encourage a cooperative spirit and to promote environmental stewardship throughout New York State and among its regional partners in alliance with private and nonprofit organizations, universities, local, State and Federal agencies, to help protect its lands and waters; and

WHEREAS, we share a concern for the safety and wellbeing of our environment and economic prosperity, and all citizens and visitors alike are encouraged to increase their knowledge, understanding and awareness of invasive species and their damaging environmental, societal and economic impact on New York State and the entire Nation; and

WHEREAS, summer marks the high season of tourism, boating, hiking, camping agricultural productivity in New York State and two national prevention campaigns are about to begin both of which provide an opportunity for all to express support for the goals of these

observances and to extend appreciation to the agencies, businesses, environmental groups, community organizations and volunteer that are taking action against the introduction and spread of invasive;

NOW, THEREFORE, BE IT RESOLVED, that in coordination with other counties and regions of the State of New York as well as neighboring States in the Great Lakes Basin, Yates County hereby designates the week of June 5 – 11, 2023 as New York State Invasive Species Awareness Week and period of June 30-July 9, 2023 as Regional Great Lakes Aquatic Invasive Species Landing Blitz in Yates County; and be it further

RESOLVED, that copies of this resolution be provided to the Boards of Cornell Cooperative Extension of Yates County, the Keuka Lake Association, Seneca Lake Pure Waters Association, Canandaigua Lake Watershed Association, and local media.

VOTE: Unanimous

RESOLUTION NO. 237-23

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

AUTHORIZE CHAIR TO SEND LETTER REQUESTING APPROVAL TO REGISTER YatesCountySheriff.gov DOMAIN (.GOV Domain Registration – Reston, VA)

WHEREAS, in response to ongoing Cyber Security threats and attacks against State & Local entities in addition to Public Safety entities as a large target, we are requesting a new .GOV Domain to address a new web site and mobile app need for the Sheriff's office.; and

WHEREAS, we are also requesting the YatesCountySheriff.gov domain receive an exclusion to the requirement of adding the additional State identifier of NY to the end of the domain name. We have researched the name "Yates County" and found that this County name is unique to our location here in NY and therefore not needed; and

WHEREAS, the request for the YatesCountySheriff.gov domain is required to be signed and submitted by the highest-ranking county official;

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to sign a letter requesting approval to obtain the YatesCountySheriff.gov domain at no cost to the county; and be it further

RESOLVED, that a copy of this resolution be given to the Sheriff & IT Director.

VOTE: Unanimous

RESOLUTION NO. 238-23

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

AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL PART-TIME EMPLOYMENT AND TRAINING ASSISTANT POSITION

WHEREAS, the Part-Time Employment and Training Assistant position will become vacant effective May 11, 2023 as the result of a resignation; and

WHEREAS, the Commissioner of Social Services through the vacancy review process has identified the continued need for the position and is requesting that the vacancy be filled; and

WHEREAS, the estimated cost to fill the position, including fringe is, \$23,028 with approximately 80% reimbursement the total estimated cost to the County is \$4,606;

NOW, THEREFORE, BE IT RESOLVED, that effective May 11, 2022 the Commissioner of Social Services is hereby authorized to fill the Part-Time Employment and Training Assistant position; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 239-23

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

AMEND 2023 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE

WHEREAS, Resolution 491-22 was duly adopted on December 12, 2022 adopting the Non-Union Exempt Employee Salary Schedule; and

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

NOW, THEREFORE, BE IT RESOLVED, that effective April 11, 2023, “Probation Director...\$77,605” be amended to “Probation Director...\$72,280”; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 240-23

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

AMEND YATES COUNTY ADMINISTRATIVE GUIDE (Yates County Administrative Guide)

WHEREAS, the Administrative Guide is in need of modification;

NOW, THEREFORE, BE IT RESOLVED, that effective May 8, 2023 that Section 406 Exempt Non-Union Flex Time Procedure, Subsection 2.B., 4 be amended to incorporate the following language;

2. Eligibility –

A. Exempt Non-Union Department Heads – The Exempt Non-Union Flex Time Procedure shall apply to the following Department Head positions:

- | | |
|---|------------------------------------|
| a. Building Maintenance Supervisor | k. Director of Veterans Services |
| b. Clerk of the Legislature | l. Elections Commissioners |
| c. Commissioner of Social Services | m. Highway Superintendent |
| d. County Administrator | n. Information Technology Director |
| e. County Attorney | o. Personnel Officer |
| f. Director of Community Services | p. Planner |
| g. Director of Emergency Services | q. Probation Director |
| h. Director of Finance | r. Public Defender |
| i. Director of Public Health | |
| j. Director of Real Property Tax Services | |

B. Exempt Non-Union Non-Department Heads – In accordance with the federal Fair Labor Standards Act (FLSA), the following non-department head positions are considered exempt non-union and therefore, the implementation of the Exempt Non-Union Flex Time Procedure shall be at the discretion of the Department Head:

- | | |
|--|---|
| a. Assistant District Attorney (First) | h. Deputy County Treasurer |
| b. Assistant District Attorney | i. Deputy Highway Superintendent |
| c. Assistant Public Defender (First) | j. Deputy Public Health Director |
| d. Assistant Public Defender | k. Director of Children & Family Services |
| e. Chief Corrections Officer | l. Director of Income Maintenance |
| f. Confidential Assistant to the Sheriff | m. Undersheriff |
| g. Deputy County Clerk | n. Social Services Attorney |

And be it further

RESOLVED, that Resolution 179-23 be rescinded and replaced with this one; and be it further

RESOLVED, that the revised Administrative Guide be made available to Department Heads and designees by means of the Intranet; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 241-23

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

AUTHORIZE DISTRICT ATTORNEY TO CREATE AND FILL ASSISTANT DISTRICT ATTORNEY POSITION

WHEREAS, the District Attorney has requested to create and fill a full-time Assistant District Attorney position; and

WHEREAS, the District Attorney through the vacancy review process has identified the need to create and fill the Assistant District Attorney position to allow for a seamless transition for personnel and to ensure public safety enforcement is upheld; and

WHEREAS, as a result of the 2020 Criminal Justice Reform local governments were forced to hire additional legal personnel to sustain the increase in workload, which additionally is now causing a ripple effect that plagues New York State local governments as we are all struggling to recruit and retain attorney's; and

WHEREAS, due to the increase in demand for attorney's, to compete as a contender with other local governments, the District Attorney is requesting the salary for the position be increased to be commensurate with experience; and

WHEREAS, the estimated cost to fill the position, including fringe, is \$82,486 to \$108,314, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, effective May 8, 2023 the District Attorney is hereby authorized to create and fill the full-time Assistant District Attorney position; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 242-23

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

AUTHORIZE DISTRICT ATTORNEY TO CREATE AND FILL FIRST ASSISTANT DISTRICT ATTORNEY POSITION

WHEREAS, the District Attorney has requested to create and fill a full-time First Assistant District Attorney position due to an anticipated vacancy that will occur on December 31, 2023 as the result of a resignation; and

WHEREAS, the District Attorney through the vacancy review process has identified the need to create and fill a full-time First Assistant District Attorney position to allow for a seamless transition for personnel and to ensure public safety enforcement is upheld; and

WHEREAS, as a result of the 2020 Criminal Justice Reform local governments were forced to hire additional legal personnel to sustain the increase in workload, which additionally is now causing a ripple effect that plagues New York State local governments as we are all struggling to recruit and retain attorney's; and

WHEREAS, due to the increase in demand for attorney's, to compete as a contender with other local governments, the District Attorney is requesting the salary for the position be commensurate with experience; and

WHEREAS, the estimated cost to fill the position, including fringe, is \$99,808 to \$125,637, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, effective May 8, 2023 as a means to start recruiting for the anticipated vacancy, the District Attorney is hereby authorized to create a full-time Assistant District Attorney position; and be it further

RESOLVED, the position shall not be filled prior to November 20, 2023; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 243-23

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

AUTHORIZE CHAIRWOMAN TO SIGN AN AGREEMENT WITH GREAT EASTERN CONSULTING

WHEREAS, a proposal for the purpose of consulting and coaching has been submitted by Great Eastern Consulting; and

WHEREAS, the County Administrator has reviewed said proposal and recommends that it be accepted;

NOW, THEREFORE, BE IT RESOLVED, that the proposal dated May 1, 2023 submitted by Great Eastern Consulting be accepted in an amount not to exceed \$4,000.00; and be it further

RESOLVED, that upon approval by the legislature, the Chairwoman is authorized to sign said agreement; and be it further

RESOLVED, that copies of this resolution be sent to the Great Eastern Consulting Officer, the Director of Finance, and the County Administrator.

VOTE: Unanimous

RESOLUTION NO. 244-23

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

AUTHORIZATION TO SIGN ANNUAL UPDATE AND 4-YEAR PLAN REVIEW AND APPROVAL FOR THE YATES COUNTY AREA AGENCY ON AGING

WHEREAS, it is required that the Yates Area Agency on Aging, Pro Action of Steuben and Yates, Inc., submit an Annual Update to the 4-Year Plan; and

WHEREAS, Expanded In-home Services for the Elderly Program and the Community Services for the Elderly Program have been approved in the 2023 Yates County Budget for the Pro Action Yates Office for the Aging; and

WHEREAS, that 2023 Annual Update to the 4-Year Plan process requires Local Executive Review and Approval to receive State and Federal funds for the Expanded In-home Services for the Elderly Program or the Community Services for the Elderly Program;

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson of the Legislature be authorized to sign the 2023 Annual Update to the 4-Year Plan; and be it further

RESOLVED, that copies of this resolution be forwarded to the Pro Action Yates Office for the Aging.

VOTE: Unanimous

RESOLUTION NO. 245-23

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

AUTHORIZE CONTRACT WITH CAYUGA CENTERS

BE IT RESOLVED, that after review by the County Attorney, the Youth Bureau Director and the Chair of the Legislature be authorized to sign contracts with the following agency for the time frame 4/1/2023-3/31/2024:

<u>Agency/Organization</u>	<u>Program</u>	<u>Amount</u>
Cayuga Centers, Family Enrichment Services		Not to exceed \$21,418 per month

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 246-23

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

AMEND RESOLUTION NO. 186-23 (Authorize Contracts)

WHEREAS, Resolution 186-23 authorized the Chairwoman of the Legislature to sign a contract with Our Town Rocks for \$3,100; and

WHEREAS, the amount in the resolution was incorrect;

NOW, THEREFORE, BE IT RESOLVED, that the cost of the contract will be \$6,188; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 247-23 (WITHDRAWN)

AUTHORIZE CONTRACT WITH CAYUGA CENTERS

BE IT RESOLVED, that after review by the County Attorney, the Commissioner of Social Services and the Chair of the Legislature be authorized to sign contracts with the following agency for the time frame 4/1/2023-3/31/2024:

<u>Agency/Organization</u>	<u>Program</u>	<u>Amount</u>
Cayuga Centers, Family Enrichment Services		Not to exceed \$21,418 per month

And be it further

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

RESOLUTION NO. 248-23

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

AUTHORIZE CONTRACT WITH RESEARCH FOUNDATION FOR MENTAL HYGIENE

BE IT RESOLVED, that after review by the County Attorney, the Commissioner of Social Services and the Chair of the Legislature be authorized to sign contracts with the following agency for the time frame 8/31/22-8/30/23:

<u>Agency/Organization</u>	<u>Program</u>	<u>Amount</u>
Research Foundation for Mental Health		\$68,547

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 249-23

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

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH THE COUNCIL ON ADDICTIONS OF THE FINGER LAKES (FEDERAL SALARY SHARING)

WHEREAS, Yates County Community Services wishes to enter into a contract with the Council on Addictions of the Finger Lakes to provide additional funds for coordination and

support for the Yates Prevention Coalition, school-based alcohol and substance abuse prevention and education services to the Marcus Whitman, Dundee and Penn Yan School Districts; and

WHEREAS, the funds of \$30,000 were received from OMH Federal Salary Sharing;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairperson of the Legislature is authorized to enter into an agreement with the Council on Addictions of the Finger Lakes; and be it further

RESOLVED, that a copy of this resolution be sent to Community Services, the Public Health office, Council on Addictions of the Finger Lakes, the Finance Director, and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 250-23

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

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH THE FINGER LAKES ADDICTION COUNSELING AND REFERRAL AGENCY (OPIOID SETTLEMENT)

WHEREAS, Yates County Community Services wishes to enter into a contract with the Finger Lakes Addiction Counseling and Referral Agency to assist in the purchase of naloxone storage boxes and related materials to provide lifesaving measures that rapidly reverses opioid overdoses; and

WHEREAS, the funds of \$2,208.14 were received from the National Opioid Abatement Trust II settlement;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairperson of the Legislature is authorized to enter into an agreement with the Finger Lakes Addiction Counseling and Referral Agency; and be it further

RESOLVED, that a copy of this resolution be sent to Community Services, the Public Health office, Finger Lakes Addiction Counseling and Referral Agency, the Finance Director, and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 251-23

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

AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO RECLASSIFY A POSITION (Registered Nurse)

WHEREAS, the Director of Public Health is requesting to reclassify an existing employees job title from Registered Professional Nurse, to Public Health Nurse; and

WHEREAS, the particular employee successfully obtained her Bachelors of Science in Nursing degree effective March 4, 2023 and as a result, is now eligible for the title of Public Health Nurse; and

WHEREAS, the estimated cost increase to the County budget is \$587, including fringe benefits; and

NOW, THEREFORE, BE IT RESOLVED, that effective March 4, 2023, Ashley Leshure's job title be reclassified from Registered Nurse to Public Health Nurse; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 252-23

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

RECOGNIZING MAY 26, 2023 AS NATIONAL POPPY DAY IN YATES COUNTY

WHEREAS, May 26, 2023, marks the observation of National Poppy Day in Yates County; and

WHEREAS, the American Legion adopted the poppy as a symbol of freedom and the blood sacrificed by troops in wartimes at the end of World War I. Poppies serve as a symbolic tribute to our fallen and the future of living veterans and service members; and

WHEREAS, the use of the poppy symbolically comes from a poem in Flanders Fields, which movingly begins, "In Flanders Fields the poppies blow, between the crosses, row on row," written by Lieutenant Colonel John McCrae (a Canadian army doctor) referring to the poppies that sprang up in the churned earth of battlefields across Belgium and France where soldiers died fighting; and

WHEREAS, The American Legion Family has long utilized the red poppy as its official flower, symbolizing the blood shed by those who have served in our U.S. military, and the meaning and symbolism of the poppy, mirroring the manner in which the poppy is symbolically showcased in England and Canada in celebratory fashion on their Remembrance Day, also known as Armistice Day and Poppy Day; and

WHEREAS, wearing a poppy will unite citizens from across the country who decide to show their patriotism; and

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature does hereby proclaim May 26, 2023, as "National Poppy Day" encouraging citizens, residents, and visitors of Yates County to join in observing this day to honor every service member who has died in the name of liberty, freedom and democracy while also showing their support for living veterans, service members, and their families.

VOTE: Unanimous

RESOLUTION NO. 253-23

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

DISCUSSION:

Mr. Button stated that he hopes people still remember the 31st.

PROCLAIMING MAY 29TH AS MEMORIAL DAY IN YATES COUNTY

WHEREAS, Memorial Day each year serves as a solemn reminder of the scourge of war and its bitter aftermath; and

WHEREAS, this day is devoted to paying homage to loved ones who lie in hallowed graves; and

WHEREAS, we come to honor the brave and selfless individuals who, when duty called, willingly put themselves in harm's way to defend the lives and liberties of others; and

WHEREAS, their abiding patriotism and enduring devotion to the ideals on which the United States was founded can never fail to inspire us; and

WHEREAS, on Memorial Day, our Nation comes together to honor those who in the immortal words of President Abraham Lincoln "gave the last full measure of devotion" and commemorate the legacy of profound service and sacrifice they have upheld in pursuit of a more perfect Union; and

WHEREAS, we should not forget their sacrifice now, nor let it be forgotten by future generations; and

WHEREAS, on May 29th we are reminded of our solemn obligation for us the living to rededicate ourselves to the cause for which they died; and

WHEREAS, as it was proclaimed in the first Memorial Day Proclamation, issued by President Dwight D. Eisenhower, in order to insure proper and widespread observance of this day, all Veterans, Veterans' organizations, and the entire citizenry will wish to join hands in the common purpose;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature and all citizens join together to observe Memorial Day on May 29th and to honor the special men and women who have given their lives in defense of our country; and be it further

RESOLVED, that copies of this resolution be provided to all Yates County Veteran organizations and the Director of Veterans' Services.

VOTE: Unanimous

RESOLUTION NO. 254-23

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

PROCLAIMING JUNE 12TH AS WOMEN VETERANS DAY IN YATES COUNTY

WHEREAS, Seventy-four years ago, on June 12, 1948, President Harry S. Truman signed into law the Women's Armed Services Integration Act of 1948 (P.L. 625-80th Congress); this law ensured that women would have a permanent place in the Army, Navy, Air Force and Marines; and

WHEREAS, Women have always answered the call to duty, serving The United States of America with integrity and respect; and

WHEREAS, Women make up over 17% of today's active duty military; 22% of the United States Coast Guard and United States Reserve forces are women; and

WHEREAS, Women from New York who have served in the Armed Forces of the United States have made countless contributions and tremendous sacrifices; and

WHEREAS, It is important to recognize the contributions of New York women veterans and educate the people of New York concerning the role of women in our military; and

WHEREAS, Women serving in the military continue to demonstrate their professionalism, dedication, leadership, and skills, as well as the patriotism and love for their country as they mobilize in record numbers to support Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn, Operation Inherent Resolve and the Global War on Terrorism; and

WHEREAS, Among the Armed Forces, there are estimated 64,482 women veterans in the State of New York and 87 women veterans in Yates County; and

WHEREAS, Women have served this country in uniform, during wartime and peacetime service, have earned our respect and thanks; and

WHEREAS, Women Veterans Day honors those who have served in the cause of America's Freedom so unselfishly and advance the spirit of the united purpose and shared concern which is the unalterable manifestation of our American experience;

NOW, THEREFORE, BE IT RESOLVED, that this Legislative Body pause in its deliberations to honor the bravery, patriotism and sacrifice made by women, both those still living and those who died in service of our great country; and most proudly commemorate the 75th Anniversary of the signing of the Women's Armed Services Integration Act of 1948; and be it further

RESOLVED, that the Yates County Legislature, in patriotic tradition, recognizes the importance of honoring all Yates County Women Veterans who served in battle and on the home front and acknowledges the immeasurable sacrifices that helped to preserve freedom.

VOTE: Unanimous

RESOLUTION NO. 255-23

Ms. Chilson offered the following resolution and moved its adoption, seconded by Mrs. Percy. Veterans present were asked to stand and Mr. Gleason read the resolution aloud.

PROCLAIMING JUNE 14TH AS US ARMY BIRTHDAY IN YATES COUNTY

WHEREAS, a resolution of the Continental Congress on June 14th, 1775, authorized enlistment of expert riflemen to serve the United Colonies by saying "Resolved, That six companies of expert riflemen, be immediately raised in Pennsylvania, two in Maryland, and two in Virginia... and as soon as completed, shall march and join the army near Boston, to be there employed as light infantry, under the command of the chief Officer in that army."; and

WHEREAS, The delegates then prescribed an oath of enlistment that required soldiers to swear: “I have this day voluntarily enlisted myself as a soldier in the American continental army for one year unless sooner discharged: And I do bund myself to conform, in all instances, to such rules and regulations, as are, or shall be established for the government of the said Army.”; and

WHEREAS, the Army has changed over the last 248 years, the unyielding commitment to protecting the lives of our citizens and the interests of our nation has remained constant with its purpose, by congressional mandate, to be this nation’s rapid response force. From humanitarian relief efforts to combat operations, the Army is always ready to answer our nation’s call; and

WHEREAS, The Army is America’s Senior Service, and multitudes have borne the name “Soldier” protecting this great nation;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature extends its gratitude to all soldiers, past and present, their families and loved ones, who continue to sacrifice for our liberty and freedoms, by proclaiming June 14, 2023 as “US Army Birthday” in Yates County; and be it further

RESOLVED, that copies of this resolution be given to the Veterans’ Services Director and all Yates County Veteran organizations.

VOTE: Unanimous

RESOLUTION NO. 256-23

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

AUTHORIZE LEGISLATURE CHAIRWOMAN TO SIGN AGREEMENT WITH CONSTELLATION NEW ENERGY, INC.

WHEREAS, Yates County signed a contract with Constellation New Energy, Inc. for an Electricity Supply Agreement to supply fixing energy pricing for the highway facility in Benton Center, the Torrey Landfill and the Guyanoga Highway Barn starting in November 2020; and

WHEREAS, the current contract will expire in October 2023; and

WHEREAS, Constellation New Energy, Inc. has provided updated fixed electric rate options via the Municipal Electric and Gas (MEGA) Purchasing Group for a new three-year agreement for review by the County;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into an agreement and execute all necessary documents with Constellation New Energy, Inc. to supply electricity to the Yates County Highway Department, the Torrey Landfill and the Guyanoga Highway Barn; and be it further

RESOLVED, that said contract will run from October 2023 through October, 2026 and be billed at the rates set forth in the agreement; and be it further

RESOLVED, that copies of this resolution be provided to the Director of Finance, the County Administrator, the Building Maintenance Supervisor, the Highway Superintendent and Constellation New Energy, Inc.
VOTE: Unanimous

RESOLUTION NO. 257-23

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

DECLARE SURPLUS EQUIPMENT

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

WHEREAS, the following equipment shall be declared surplus property;

<u>Unit:</u>	<u>Year/Make/Model:</u>	<u>Miles:</u>	<u>VIN #:</u>
Truck 3	2020 Chevrolet Silverado 1500	63,122	1GCRYDED0LZ265651
Truck 8	2018 Chevrolet Silverado 1500	46,001	1GCVKREH1JZ252520

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

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

RESOLUTION NO. 258-23

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

AUTHORIZE THE ESTABLISHMENT OF A CAPITAL EQUIPMENT RESERVE FUND FOR THE REPLACEMENT OF THE TRI-COUNTY PAINT STRIPING TRUCK & ASSOCIATED EQUIPMENT

WHEREAS, Yates County currently shares ownership of a Paint Striping Truck and Broom Truck with the counties of Steuben and Schuyler through an Inter-Municipal Agreement; and

WHEREAS, the current 2007 Paint Striping Truck will be in need of replacement in the near future; and

WHEREAS, a replacement plan has been collectively developed by all three (3) counties to replace said truck in the year 2028 at an approximate cost not to exceed \$550,000; and

WHEREAS, Yates County will be responsible for approximately 18.37% of this cost per the proportionate percentages set forth in the current Tri-County Paint Truck inter-municipal agreement, whereby Yates County would pay approximately \$101,035 towards the replacement cost of this equipment; and

WHEREAS, the Highway Superintendent has requested that a Capital Equipment Reserve Fund be established to place funds in reserve for the sole purpose of replacing this equipment; and

WHEREAS, this account will be known as the “Capital Equipment Reserve Fund”; and

WHEREAS, the Highway Superintendent has recommended placing \$20,300 per year into this capital reserve fund for the next five (5) years including the 2024, 2025, 2026, 2027 and 2028 budgets for a total of \$101,500;

NOW, THEREFORE, BE IT RESOLVED, that the Director of Finance is hereby authorized under section 6-c of the General Municipal Law to create this Capital Equipment Reserve Fund; and be it further

RESOLVED, that any interest earned or capital gains realized on the monies so deposited in the fund shall accrue and become part of this fund; and be it further

RESOLVED, that the County Legislature may authorize the transfer of excess funds from this fund to another capital reserve account after sufficiently satisfying all outstanding claims from the purchase and procurement of the paint striping truck; and be it further

RESOLVED, that copies of this resolution be provided to the Yates County Director of Finance, the Yates County Administrator, the Yates County Highway Superintendent, the Steuben County Manager, the Steuben County Commissioner of Public Works, the Schuyler County Administrator and the Schuyler County Highway Superintendent.

VOTE: Unanimous

RESOLUTION NO. 259-23

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

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH RURAL NET

WHEREAS, THE County has the dark fiber networks point of presence (POP) in the basement of the County Office Building; and

WHEREAS, the Yates County has leased space in the POP to Rural Net for the past five years and the agreement is due to expire;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into an agreement with the Rural Net to lease space in the County Office Building POP; and be it further

RESOLVED, that said contract will run from 6/15/23 to 6/14/28 for an amount of \$200 per month; and be it further

RESOLVED, that copies of this resolution be provided to the Rural Net, Director of Finance, Treasurer and the Building Maintenance Supervisor.

VOTE: Unanimous

RESOLUTION NO. 260-23

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

**ENTER INTO A MASTER SERVICES AGREEMENT FOR TELCO
REARRANGEMENT MAKE READY WITH H. RICHARDSON & SONS, LLC FOR
THE RECONNECT PROJECT**

WHEREAS, Yates County (hereinafter referred to as "County") has been awarded a USDA ReConnect grant to enable design and construction of a fiber-to-the premises broadband network to reach the unserved and underserved with regard to internet access; and

WHEREAS, the product of the One Touch Make Ready Services performed by LaBella Associates are utility pole Make Ready packages; and

WHEREAS, these packages, of roughly 100 poles each, specify all the work (electrical, tree trimming and telecommunications) that need to be performed on each pole in order to obtain an attachment license from the pole owner and ultimately make it ready to accept our fiber; and

WHEREAS, the Pole Attachment Agreements the County previously executed with the utility pole owners require that the County hire a contractor from an approved list of contractors; and

WHEREAS, upon guidance from the County Attorney the process for hiring Yates County's make ready contractor is being managed as a professional service with quotes being obtained from multiple approved contractors and awarding the construction contract to the lowest qualified quote; and

WHEREAS, H. Richardson & Sons, LLC (hereinafter referred to as "Richardson") is a telco rearrangement approved contractor and has provided the County with the lowest qualified quote on at least one Make Ready package; and

WHEREAS, the County anticipates 40+ Make Ready packages and thus 40+ Make Ready quoting and contracting cycles where each Make Ready package has a 120-day expiration date; and

WHEREAS, a Telco Rearrangement Master Services Agreement, specific to each awarded contractor, with specific Make Ready packages, awarded via work orders would expedite and streamline the process;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into a Telco Rearrangement Master Services Agreement with Richardson where the specific Make Ready packages will be awarded via work orders; and be it further

RESOLVED, that copies of this resolution be provided to Richardson, the County Administrator, the Finance Director, the Treasurer, the County Planner, and the Broadband Project Manager.

VOTE: Unanimous

RESOLUTION NO. 261-23

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

**AUTHORIZE CHAIRWOMAN TO SIGN INTER-MUNICIPAL AGREEMENT WITH
SCHUYLER COUNTY FOR HOUSEHOLD HAZARDOUS WASTE AND
ELECTRONICS DAY SERVICES**

WHEREAS, Schuyler County and Yates County will be holding a joint Household Hazardous Waste and Electronics Day for residents of Yates and Schuyler Counties; and

WHEREAS, Schuyler County has agreed to pay \$4,500 for its residents' participation in the event;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman is hereby authorized to sign an inter-municipal agreement with Schuyler County; and be it further

RESOLVED, that a copy of this resolution be provided to the Schuyler County Planner, the Yates County Planner and the Yates County Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 262-23

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

2023 BUDGET TRANSFERS

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

From:	To:	Amount:
A1990.54905 Contingent	A8160.54213 REF-Solid Waste Mgmt.	\$ 1,069.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 263-23

Mr. Holgate offered resolutions 263-23 through 265-23 and moved their adoption, seconded by Dr. Cutler.

**APPROPRIATE ADDITIONAL STATE AID
(DSS)**

WHEREAS, the Social Service department has received revenue over the 2023 budgeted amount from NY State Rental Supplement Program (RSP) for March's allocation with corresponding expenditures; and

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

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

Revenue:		
A6010.43610 DSS- Social Service Admin		\$ 5,457.78
Appropriation		
A6010.54027 DSS- Miscellaneous		\$ 5,457.78

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 264-23

**APPROPRIATE ADDITIONAL STATE AID
(DSS)**

WHEREAS, the Social Service department has received revenue over the 2023 budgeted amount from NY State Rental Supplement Program (RSP) for April's allocation with corresponding expenditures; and

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

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

Revenue:		
A6010.43610 DSS- Social Service Admin		\$ 6,509.82
Appropriation		
A6010.54027 DSS- Miscellaneous		\$ 6,509.82

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 265-23

**APPROPRIATE ADDITIONAL STATE AID
(DSS)**

WHEREAS, the Social Service department has received revenue over the 2023 budgeted amount from NY State Rental Supplement Program (RSP) for May's allocation with corresponding expenditures; and

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

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

Revenue:		
A6010.43610 DSS- Social Service Admin	\$	5,221.02
Appropriation		
A6010.54027 DSS- Miscellaneous	\$	5,221.02

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 266-23

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

APPROPRIATE ADDITIONAL FEDERAL AID (DSS)

WHEREAS, the Social Service department has received revenue over the 2023 budgeted amount from Adult Protective Services ARPA 2 Grant with corresponding expenditures; and

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

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

Revenue:		
A6010.44610 DSS- Social Service Admin	\$	5,000.00
Appropriation		
A6010.54027 DSS- Miscellaneous	\$	5,000.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 267-23

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

APPROPRIATE INFRASTRUCTURE RESERVE FUNDS

WHEREAS, the Sheriff needs to appropriate \$300.00 of the Infrastructure Reserve Funds to pay the lease for the Angus tower; and

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

Budgetary Account:		
A878.I (Infrastructure Reserve)	\$	300.00
Appropriation Account:		
A3020.54965 SH- Leases; TS-Angus	\$	300.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 268-23

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

**AMEND RESOLUTION NO. 215-23
2023 BUDGET TRANSFERS**

BE IT RESOLVED, that Resolution No. 215.23 be amended to correct the following transfer to be made in the 2023 budget:

From:	To:	Amount:
D5010.54156 HWY- Training	D5010.51661 HWY- Comp. Time B/O	\$ 650.10

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 269-23

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

**AMEND RESOLUTION NO. 158-23
APPROPRIATE ADDITIONAL STATE AID
(SHERIFF)**

WHEREAS, Resolution No. 158-23 authorized the appropriation of state aid for the Sheriff's department for State Law Enforcement Terrorism Prevention (FY22 SLETPP) with corresponding expenditures; and

WHEREAS, Resolution No. 158-23 contained an error in the listed account numbers;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts appropriated in Resolution No. 158-23 be amended to reflect the following:

Revenue:		
A3110.44340 SH- FY22 SLETPP		\$ 34,143.00
Appropriation		
A3110.52968 SH- FY22 SLETPP		\$ 34,143.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 270-23

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

AUTHORIZE ASSIGNMENT OF UNASSIGNED FUND BALANCE

WHEREAS, the Yates County Legislature and the County Administrator held a countywide projects prioritization workshop on April 10, 2023; and

WHEREAS, the Yates County Legislature wishes to appropriate additional monies from the Unassigned General Fund Balance toward the Emergency Management/Highway/Public Health building and future upgrades in the Public Safety building; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Finance be, and hereby is, authorized to transfer \$7,200,000 from the Unassigned General Fund balance to the following funds:

A878.B Building Reserve Fund:	\$7,200,000.00
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And be it further

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

VOTE: Unanimous

RESOLUTION NO. 271-23

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

DISCUSSION:

Mr. Button asked if they have a county match for this, too, or is this all paid for?

Mr. Harper stated that he thinks this project is paid for it. He thinks the project would initially have had a county match, but he believe it's being covered. Worst case will be 5%.

Mr. Button stated that he is for putting his 5% in there, and doesn't want to hold the project up that's where he was at.

**ACCEPT BID FOR THE PENN YAN – YATES COUNTY AIRPORT TERMINAL
APRON CONSTRUCTION**

PROJECT NO. FAA 3-36-0094-39-21

WHEREAS, a specification was generated, and bids were solicited for the Terminal Apron Rehabilitation Project No. FAA 3-36-0094-39-21 at the Penn Yan – Yates County Airport; and

WHEREAS, on April 17, 2023 at 2:00 p.m. bids for the airport terminal apron rehabilitation were received, opened, read aloud and documented, as follows:

Bidder	Base Bid \$ Amount
Villager Construction	597,500
Dolomite	394,270
Seneca Stone Corporation	310,000

And

WHEREAS, the low bid is from Seneca Stone from Seneca Falls, New York; and

WHEREAS, the County’s project consultant, Passero Associates, has reviewed the bids and recommends accepting the Terminal Apron bid from Seneca Stone Corporation;

NOW, THEREFORE, BE IT RESOLVED, that the above Seneca Stone Corporation bid is hereby accepted, contingent upon the execution of a written contract related thereto between Yates County and Seneca Stone Corporation, and to this end, the Chair of the Legislature, upon the approval of the FAA (project grantor) and the County Attorney, is authorized to sign such a contract on behalf of the County, as well as any other necessary documents with Seneca Stone Corporation to enable construction for the Penn Yan – Yates County Terminal Apron grant, including, but not limited to change orders; and be it further

RESOLVED, that total contract shall not exceed \$310,000; and be it further

RESOLVED, that copies of this resolution be furnished to the Airport Council, Highway Supervisor, Director of Finance, Treasurer, Passero Associates, C&S Companies and all bidders.
VOTE: Unanimous

RESOLUTION NO. 272-23

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

APPROVE MORTGAGE TAX APPORTIONMENT

WHEREAS, this Legislature is in receipt of the Mortgage Tax Report showing the amounts to be credited to each tax district of the County, of the money collected during the period October 1, 2022 to March 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 53 of the Tax Law, this Legislature issue a Tax Warrant for the payment to the respective tax districts of the amounts

so credited and authorize and direct the County Director of Finance to make payments of said amounts so credited and to the respective districts in accordance with the report:

Total Tax Collected	\$301,847.75
Recording Officer's Expense	\$15,245.40
Treasurer's Expense	
Interest Received	\$5,328.23
Adj and refunds	
Net amount of Distribution	\$291,930.58

Town	Net After	To Towns	Village	To Village	Total
Barrington	\$17,585.60	\$17,585.60			\$17,585.60
Benton	\$41,513.20	\$39,378.52	Penn Yan	\$2,134.68	\$41,513.20
Italy	\$12,190.86	\$12,190.86			\$12,190.86
Jerusalem	\$49,406.95	\$49,081.35	Penn Yan	\$325.60	\$49,406.95
Middlesex	\$23,580.93	\$23,580.93			\$23,580.93
Milo	\$66,237.19	\$50,675.53	Penn Yan	\$15,561.66	\$66,237.19
Potter	\$17,808.04	\$16,358.54	Rushville	\$1,449.50	\$17,808.04
Starkey	\$30,933.24	\$26,112.21	Dundee	\$4,821.03	\$30,933.24
Torrey	<u>\$32,674.57</u>	<u>\$30,945.44</u>	Dresden	<u>\$1,729.13</u>	<u>\$32,674.57</u>
	\$291,930.58	\$265,908.98		\$26,021.60	\$291,930.58

And be it further

RESOLVED, that copies of this resolution be given to the County Clerk, Treasurer, Budget Officer, Director of Finance, and all Yates County Towns and Villages.

VOTE: Unanimous

RESOLUTION NO. 273-23

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

AUTHORIZE 2023 YATES COUNTY YOUTH BUREAU CONTRACTS

BE IT RESOLVED, that after review by the County Attorney, the Youth Bureau Director and the Chair of the Legislature are authorized to sign contracts with the following agencies for approved Youth Bureau Sports Opportunity funding for the time frame 1/1/2023-9/30/2023:

<u>Agency/Organization</u>	<u>Amount</u>
Finger Lakes Museum	\$2,500
Penn Yan Youth Baseball and Softball, Inc.	\$5,200
Elevate/Yates Community Center	\$4,575

And be it further

RESOLVED, that copies of this resolution be given to the Youth Bureau Director and the Yates County Director of Finance and the Yates County Treasurer.

VOTE: Unanimous

PUBLIC COMMENT

Joy Schank stated that the army is a group, and she doesn't think, or she doesn't believe that they should separate out women. The reason the army is a group, and if there's any sex that should be honored, the most it should be the men, because they're the ones that really spilled the blood for this country.

John Prendergast stated that he mentioned last week, that Governor Hochul said she would not raise their taxes in her budget statement. Now, the money that they are taking away from the county is something in a neighborhood of a half a million dollars. That's just for this year you did mention and this is going to be for the next 2 years following. If he is correct, another 1.3 million, so it's a 1 million and a half plus 1.3 that the taxpayers of this county are going to incur in the coming year, that they're going have to make up.

Ms. Flynn stated that the half 1 million that's being added to the County budget is being spread out over 3 years. Governor Hochul initially wanted to do it all within this year, but they got it to be spread out over 3 years, and then they will never get that again, so that's forever. Then the almost 1.3 million is money that Yates County taxpayers have already paid for Medicaid. However, it was Federal funding, and they were waiting for New York State to do the reconciliation, going back to 2016. Once that reconciliation was done, all of the counties throughout the State were supposed to get that money from New York State. It was being withheld, and in this budget there's nothing in there to give the counties the money that she feels they are entitled to because it was Federal money intended for Medicaid reimbursement. It'll just disappear, but she's keeping a record of what's owed every year. She believe other counties are as well and it's millions and millions of dollars.

John Prendergast stated on the record, he is once again saying that Kathy Hochul is a liar. She is, from what he's read, the money that's not going to be paid is going to cost the counties across the State someplace between 8% and 14% tax increase in the coming year. Is that fair? The \$543,000 a year, and it's a 3.4% increase over their tax levy. Those on the Internet, etc. please, those who are reporting this in the news, please report that Kathy Hochul lied to the people of New York State.

Ms. Flynn stated that she tends to agree that there's definitely some falsehoods going on. The biggest thing, she thinks is even more important than just stating falsehoods is the fact that they're actually stealing the money. That is, that they're taking the eFMAP, money that is actually Federal funds that are meant for the counties that New York State is capturing and not passing along. So that's wrong.

Mr. Holgate stated maybe they should get together with their representatives in the Senate and let them know how they feel about the fact that the Federal funds, which are owed to the county, are going through the State, and they don't want to go through the State anymore, and he thinks that Schumer and Gillibrand should get involved.

Chairwoman Church stated that when Philip Palmesano and O'Mara we're there last week they did discuss that, and they're working on it. They haven't talked to Tenney, Schumer, and Gillibrand, but they should for sure.

Ms. Chilson stated that they did hear from one of their community members, Joy, who said, over 40 of the counties in New York voted for Zeldin. If they unite together to reject this Medicaid cost, it would be more powerful than just standing alone, and she thinks that's a great idea to join, together with the thoughts that were expressed here from the Legislature.

Kevin Moravec, President of Barney Moravec Inc., stated that he just has more of a question than anything else. There's been a lot of different changes in the Federal level with incentives for clean energy systems. He is right that the pipeline and all of the construction budgets were approved last month for Benton. Was there any kind of follow up with the changes to the IRA that would have injected about 40% of the cost to build the mechanical system for those buildings was that brought to this group in place of a gas pipeline to refundable tax credit through the IRA and he knows it's not changing this, it's more for future questions.

Mr. Banach stated that the question was asked twice to their engineers in regards to heating systems, and the question was asked about thermo heat. They said, no, it wasn't good for them to do that. The best way to do it is just use a regular gas system with propane or natural. He hasn't seen anything in regards to any municipality getting any rebates or anything back from any Federal government or State program. Those guys are involved with this stuff daily and he is surprised if there was something out there that they didn't pick up on it.

Kevin Moravec stated that it's relatively new. When they passed the IRA last August the old tax credit piece for commercial projects was 10% which isn't an awful lot to move a needle. They made technologies like ground source compatible with the solar side, and made it refundable to entities that don't pay taxes, so it's schools, county buildings, not for profit churches, and so it's a dollar for dollar return to the county. If they had spent, say 2.3 million dollars on their mechanical system for that project as opposed to running the pipeline, they would have received a 40% refundable cash payment from the government. It's relatively new and with the clean heat programs which NYSEG oversees, they would also be eligible for significant incentives through their side to reduce the cost of construction on a project like this, or any project that they explore over the next couple of years. He is also a board member for New York Geothermal. So he has his hands in a lot of this at the State level. A lot of crazy things going on at state levels, everybody knows.

The consensus of the legislature is for Kevin Moravec to forward information to Mr. Banach, as he is the Chair of the Public Works Committee, and for Doug Rapalee, Highway Superintendent to have conversations with the engineers in regards to this.

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

1. The employment history of a particular individual, attendees being members of the legislature and the County Administrator;
2. The employment history of a particular individual, attendees being members of the legislature.

Seconded by Mrs. Percy.

VOTE: Unanimous

Meeting adjourned at 2:51 p.m.