

REGULAR SESSION-MONDAY, JULY 10, 2023

The Yates County Legislature convened in regular session Monday, July 10, 2023 at 1:00 p.m. with Chairwoman Church presiding and Mr. Willson absent.

Legislative Zoom Attendees: 0 Other Zoom Attendees: 4

*For full and complete discussion please listen to the audio available at www.yatescounty.org

PUBLIC COMMENT

John Prendergast, Yates County Republican Party, commented on Resolution number 324-23, which is the appointment of Sheila Burt to the position taking place of Rob Schwarting. He mentioned that he will be presenting them with some financials on the surrounding counties for what their commissioners are paid. He is bringing it up at this time, because they all have budget meetings coming in August and he wants them to be prepared for that. Hopefully, they'll have the dollars and numbers in place by that time. With some of the state regulations that are going to be coming forth, they will probably be asking for full time positions for the deputy clerks. The Republican Party supports their actions.

Tracy Mitrano stated that about 18 months ago, she came during this public comment to make people aware of the concerns that they have on that Lerch Road. Concerns such as speed, safety, sound, and other concerns, because, unlike every other artery into the Village of Penn Yan route, 54 has no traffic coming on it, and so vehicles, in particular trucks coming in change speed right around the Lerch road at 50 to 30, but many of them are going much faster, and there's also the acceleration when they head south. They're very concerned. Just one part of Lerch Road that's 30 miles an hour, and the other part of Lerch Road is 50 miles an hour. There are a lot of vacationers that come during the summer in particular, and they're not aware. She doesn't want to wait for an accident, or God for a bid of death. There are children in the area during the summer especially. So she just wanted them to know that the people in this area are putting together a small petition. They really insist that the department of Transportation for the State address this matter. A trucker is going to take that road in because it's the most expedient and that means that they have the traffic, too. They're going to be contacting their State representatives and she hopes to contact anyone else in the State Government who might be interested. They will certainly be speaking with Mr. McDowell over in Hornell who controls this area for the traffic for the State. They would really like the legislatures support.

Mr. Banach stated that they have asked the State to do something, begged the State to do something, and they finally reduced it to 50 miles an hour. He's in complete support of it and he can't speak for the rest of the board, but they can write letters and whatever needs to be done.

Alex Andrasik, speaking on behalf of the Finger Lakes Justice Partnership and the Penn Yan Action coalition, stated that they would like to express their gratitude to the Legislature and their Migrant Arrival Committee for their work on a response plan. They appreciate their serious efforts to put a plan in place to address the eventuality of people arriving in the community. So that in the event, that they do have the opportunity to welcome newcomers to their communities, they won't need to resort to an emergency plan to do so. They would like to inform them all that they are ready and willing to help in any way they can in this process. For the past several weeks, both before and after the release of the plan, they've been meeting with and rallying local

organizations, agencies, businesses and individuals, to produce a community based response plan to address arrivals needs in a holistic and humane set of ways. Organizations who have committed to working with them include Keuka Compass, the Living Well, Milly's Pantry, Keuka Food Pantry, Keuka Housing Council, the Once Again Shop, The Literacy Volunteers, Volunteers of Ontario Yates, several County libraries, Catholic Charities, the Penn Yan Area Council of Churches, Saint Mark's Episcopal Church, St. Paul's, Lutheran Church, Penn Yan Church of the Nazarene, and Yatesville Methodist Church. Several other major institutions have expressed willingness to meet and cooperate with these efforts as well. These organizations represent immense resources, expertise and goodwill, and they are grateful for their participation. We will be continuing this work, and we would like to connect our efforts with yours. The plan so far represents an excellent framework for action. While the organizations and individuals they've been rallying have demonstrated the capacity and willingness to fulfill the needs that they've identified. More to that end, they would respectfully ask that representatives be added from their network to the Response Planning Committee. That they have set up to more closely tie their projects together. Grassroots efforts and government action have great potential to complement and enhance each other. They would like the opportunity to support their efforts to greet, settle, and integrate newcomers to their community in the event that groups of any kind ever do arrive in Yates County. Alex asked if they can commit during this meeting, to add at least one of their representatives to the committee, and if not, can they hold a meeting sometime to discuss this matter within the next week or so. If they need to communicate with their network, the legislature can reach them at FLXJustice21@gmail.com.

Joy Schank stated that just to reiterate, she is all for welcoming legal immigrants to their county, but not illegals. The problem is, their border is wide open. How many people would it take to bankrupt Yates County?

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

June 2023	
Airport Fund	\$ 10,454.25
Finance	\$ 818,409.52
Flint Creek	\$ 0
Government Operations	\$ 58,208.57
Human Services	\$ 369,075.73
Prior to Audit	\$ 1,001,090.62
Public Safety	\$ 1,389,337.75
Public Works	\$ 3,728,926.95
Total	\$ 7,375,503.39

COMMITTEE REPORTS

Mr. Jayne reported that he had to resign from the Yates County Community Center Board. Serving on this board and on their board while they're in contract talks is a concern. The County Attorney told him that he couldn't be on that board as a voting member. The County Attorney's recommendation is that none of the legislators should be on that board.

Mr. Harper reported that as a follow up, he mentioned last at the committee meetings that the bid opening for the deice pad was going to be extended. It will be now July 18th, at 2 p.m.

Mr. Button reported that the Flint Creek Committee met in Gorham. Ms. Mullins was there along with the rest of the Committee. It was a good meeting, they talked about their financial, environmental concerns going forward, and some of their projects for the upcoming year. Wednesday they have the Farm Preservation Protection meeting in Cornell Cooperative Extension. They are getting to the end of being able to present to the public.

Mr. Morris reported that the next SWIO Meeting is scheduled for July 31st at 7 p.m. SWIO stands for the Seneca Watershed Improvement Organization.

Ms. Chilson reported that the Bicentennial Committee is meeting regularly. Their first event is in Dresden, this weekend, and the parade starts at 1:00 p.m. They're asking that all legislators be there, arrive around 9:00 a.m. or 9:15 a.m. because of street closures, and to dress in their outfits. They are planning on, possibly having a wagon drawn by a truck.

Mr. Banach reported that he attended the Finger Lakes Wildlife Management Board meeting. There was a lot of discussion on the fisher population in the Southern Tier of New York and the southern portion of Yates County. Fishers are a vicious animal, they will attack chickens, dogs, big dogs, small dogs, and they don't lose. If they see one, they should let the DEC know that they've got it, but the residents have a right to protect their property. There was a lot of lot of discussion, a lot of concern about one getting into a chicken coop and a wiping the entire chicken coop out in 10 minutes. A good thing that Mr. Banach reported was that the fish are biting in the Finger Lakes. Every person from each county that has a lake in it reported that the fishing is good.

Chairwoman Church opened the Public Hearing regarding the CDBG Application at 1:19 p.m.

PUBLIC HEARING PUBLIC COMMENT

Dave Prete, Executive Director for Keuka Housing Council, stated that he has decided in collaboration with the Yates County to go forward with submitting the Community Development Block Grant (CDBG). The CDBG grant is to repair or replace septic systems as well as wells and is funded through New York State. They will be applying on behalf of Yates County and they would be the lead agency for the grant if awarded.

Mr. Killen asked if there be information linked off their website, or something shared to let people know. It's usually income eligibility or elderly? So if they could put that information out so that the Community has that some place they could look it up, that'd be great.

Dave stated sure thing, yep. The grant is due August 17th and he doesn't know how long after that it takes, could take a month or it could take several. As soon as he is notified of the award, assuming they get it, they will definitely put that information out there so people can contact them to apply.

Mr. Button stated that he is trying to remember if it was discussed in committee or not. Do they know about what the amount of the grant could be for septic's?

Dave stated that it is \$20,000 for septic's and a little less for wells, on an average, and that also builds in some of the staff time, the personnel, and contractor fees and stuff like that. They're hoping to have 12 to 14 total.

Mr. Holgate stated that once again, he'd like to just thank Jeff Ayers. The Finance Committee kind of put him under the gun and said, they want it done, and he did it within a week. He thanked Jeff very much for getting it done, and hopefully they'll get a good grant.

Dave thanked Jeff and everybody there for supporting them, they appreciate it.

Chairwoman Church stated that she would leave the Public Hearing open until the end.

RESOLUTION NO. 316-23

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

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT (William DiFabio)

BE IT RESOLVED, that after approval by the County Attorney, the Chairwoman of the Legislature is hereby authorized to sign the agreement contract with William DiFabio to serve as a Certified Instructor Coordinator and or Practical Evaluator for Emergency Medical Services Training, Sponsored by Yates County Emergency Services for calendar year 2023; and be it further

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

RESOLVED, that a copy of this resolution be given to the Director of the Office of Emergency Management and the Finance Officer.

VOTE: Unanimous

RESOLUTION NO. 317-23

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

AUTHORIZE SHERIFF/CHAIRPERSON TO SIGN MOU WITH DUNDEE SCHOOL FOR 2023-24 SRO SERVICES

WHEREAS, the Sheriff provides a police/peace officer performing youth related School Resource Officer tasks assigned to, and for the Dundee Central School District whose services is reimbursed by the school district as agreed for 2023-24 in the amount of \$ 57,380.40, that includes wage, fringe, and insurances; and

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney that the Sheriff and Chairperson are authorized to sign the Memorandum of Understanding with the Dundee School Superintendent, and or representative for SRO services and liability insurance is waived; and

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

VOTE: Unanimous

RESOLUTION NO. 318-23

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

AUTHORIZE CHAIRWOMAN TO SIGN SOFTWARE MAINTENANCE AGREEMENT RENEWAL

WHEREAS, the Yates County Probation Department operates the computer software program Caseload Explorer, owned by AutoMon Corporation and requires an annual agreement for software maintenance;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman is authorized to sign the AutoMon Corporation Software Maintenance Agreement renewal for one year beginning July 20, 2023 at a cost of \$7374.10; and be it further

RESOLVED, that a copy of this resolution be sent to the Probation Director, Budget Officer, and the Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 319-23

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

**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO CREATE AND FILL FULL TIME POSITION
(Public Health Specialist or Public Health Nurse)**

WHEREAS, the Director of Public Health through the position review process has identified the need to create and fill a full time position and is requesting the position be filled with the most appropriate title based on the candidate's qualifications; and

WHEREAS, the estimated annual cost to fill a Public Health Specialist or Public Health Nurse position, including fringe, is \$69,823 to \$96,952, depending on health insurance; through the New York State Department of Health Public Health (NYSDOH) Strengthening Infrastructure, Workforce and Data Systems Grant, the County will receive 100% reimbursement for the salary and fringe, therefore the estimated annual cost to the County is \$0;

NOW, THEREFORE, BE IT RESOLVED, that effective July 10, 2023 the Director of Public Health is hereby authorized to create and fill a position with a candidate who meets the minimal qualifications for either Public Health Nurse or Public Health Specialist; and be it further

RESOLVED, the Director of Public Health is authorized to start the candidate at either STEP one (1) or STEP two (2) of the current CSEA CBA Salary Schedule, should the candidate meet the eligibility for a higher starting rate of pay; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 320-23

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

AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO CREATE AND FILL FULL TIME ACCOUNT CLERK TYPIST POSITION

WHEREAS, the Director of Public Health through the position review process has identified the need to create and fill a temporary full time Account Clerk Typist position and is therefore requesting the current part time position be increased to full time; and

WHEREAS, the estimated annual cost to fill the Account Clerk Typist position, including fringe, is \$43,408 to \$70,536; the County receives 100% reimbursement from State Aide, therefore the estimated annual cost to the County including fringe, is \$0;

NOW, THEREFORE, BE IT RESOLVED, that effective July 10, 2023 the Director of Public Health is hereby authorized to create and fill a full-time Account Clerk Typist position; 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. 321-23

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

AUTHORIZE COUNTY HIGHWAY SUPERINTENDENT TO FILL POSITION (WORKING SUPERVISOR)

WHEREAS, a Working Supervisor vacancy was created effective June 22, 2023 as a result of a retirement; and

WHEREAS, the County Highway Superintendent through the vacancy review process has identified the continued need for the Working Supervisor position and is requesting that the vacancy be filled; and

WHEREAS, the estimated annual cost to fill the Working Supervisor position is \$62,951 to \$103,925, depending on health insurance and what particular "Step" an employee is at should a promotion occur within;

NOW, THEREFORE, BE IT RESOLVED, that effective July 10, 2023 the County Highway Superintendent is hereby authorized to fill a Working Supervisor position; and be it further

RESOLVED, that the County Highway Superintendent is also authorized to fill any subsequent vacancies that occur through promotion of an employee into the vacant position, if applicable; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 322-23

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

**AUTHORIZE COUNTY HIGHWAY SUPERINTENDENT TO FILL POSITION
(HEAVY EQUIPMENT OPERATOR)**

WHEREAS, a Heavy Equipment Operator vacancy was created effective June 29, 2023 as a result of a resignation; and

WHEREAS, the County Highway Superintendent through the vacancy review process has identified the continued need for the Heavy Equipment Operator position and is requesting that the vacancy be filled; and

WHEREAS, the estimated annual cost to fill the Heavy Equipment Operator position is \$57,907 to \$97,872, depending on health insurance and what particular "Step" an employee is at should a promotion occur within;

NOW, THEREFORE, BE IT RESOLVED, that effective July 10, 2023 the County Highway Superintendent is hereby authorized to fill the vacant Heavy Equipment Operator position; and be it further

RESOLVED, that the County Highway Superintendent is also authorized to fill any subsequent vacancies that occur through promotion of an employee into the vacant position, if applicable; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 323-23

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

**AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL ACCOUNT CLERK
TYPIST POSITION**

WHEREAS, an Account Clerk Typist position will become vacant as the result of a pending promotion of a current employee; and

WHEREAS, the Commissioner of Social Services through the vacancy review process has identified the need to refill the Account Clerk Typist position and is requesting that the position be filled; and

WHEREAS, the estimated cost to fill the position, including fringe, is \$43,408 to \$70,536, depending on health insurance; with the 80% reimbursement the cost to the County is \$8,682 to \$14,107;

NOW, THEREFORE, BE IT RESOLVED, effective July 10, 2023 the Commissioner of Social Services is hereby authorized to fill a full-time Account Clerk Typist position; and be it further

RESOLVED, that the Commissioner of Social Services is also authorized to fill any subsequent vacancy that will occur as the result of a promotion of an employee into the vacant Account Clerk Typist position; and be it further

RESOLVED, that copies of this Resolution be given to the Commissioner of Social Services, Personnel Officer, County Administrator, and Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 324-23

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

APPOINT REPUBLICAN ELECTION COMMISSIONER (Burt)

WHEREAS, the Chair of the Yates County Republican Committee filed with this Legislature a certificate in accordance with Election Law, Section 31, certifying that the recommendation by majority of said committee that Sheila M. Burt residing at 242 Pre-Emption Road, Penn Yan, NY 14527 (Town of Benton) is suitable and qualified for appointment to the office of Commissioner of Elections and recommends such appointment be made; and

WHEREAS, the salary is as included in the salary schedule for non-represented employees;

NOW, THEREFORE, BE IT RESOLVED, that Sheila M. Burt is hereby appointed as Commissioner of Elections for Yates County for a term commencing January 1, 2024 through December 31, 2025, or such term length as determined by the County or State Legislative bodies (EL 3-202); and be it further

RESOLVED, that a copy of this resolution be provided to the County Administrator, Personnel Officer, County Clerk, Sheila M. Burt, Director of Finance, Yates County Republican Committee Chair and the Yates County Republican Committee Secretary.

VOTE: Unanimous

RESOLUTION NO. 325-23

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

REQUESTING VETO OF THE PROPOSED CHANGES IN THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

WHEREAS, Bill 1725A was brought in front of the New York State Senate and introduced by Harkham, Fernandez and Hoylman-Sigal on January 13, 2023; and

WHEREAS, the proposed changes would now make an Article 15 permit through the New York Department of Environmental Conservation necessary for all streams classified C or higher, statewide; and

WHEREAS, while the believed intention of this bill is to counteract federal deregulation and to protect the pristine water quality in New York State, it will have negative impacts on habitat improvement, sediment and nutrient reduction through stabilization practice implementation, as well as public and private infrastructure through flooding impacts; and

WHEREAS, the Soil and Water Conservation Districts are already required to apply for Article 15 permits on C(t) and higher classified streams. These permits currently take anywhere from 4 to 12 months to be approved due to New York State Department of Environmental Conservation back log; and

WHEREAS, the new proposed regulations although well intended would create the need for permitting on over 40,000 miles of additional streams statewide. There are 52,000 intersections between Class C streams and public roads in New York State. This legislation would require a permit to change any of these culverts. This is more than 40 times the current number of applications going to the NYS DEC. Based on the current back log and time frame for permitting this would hold projects up 26 months at minimum; and

WHEREAS, the permit applications submitted by NYS Soil and Water Conservation Districts to NYS DEC have never changed the implementation or practices installed on the project through the permit process; and

WHEREAS, sediment and nutrient loading are creating health concerns and loss of recreation due to Harmful Algae Blooms; and

WHEREAS, climate change is creating devastating flooding impacts annually. NYS Soil and Water Conservation Districts have proven to be the lead agency heading recovery efforts and implementing thousands of projects annually to help mitigate future impacts.; and

WHEREAS, if this bill is passed, NYS Soil and Water Conservation Districts will be unable to implement programs and projects to combat these issues. Flooding impacts will increase exponentially and billions of dollars of public and private infrastructure will be lost;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature formally requests Governor Hochul veto this bill for a second time; and be it further

RESOLVED, that copies of this Resolution be provided to Governor Kathleen Hochul, New York State Committee on Environmental Conservation, Senator Thomas O'Mara, Assemblyman Philip Palmesano, New York State Farm Bureau, New York State Soil and Water Conservation District Employees' Association, New York State Association of Conservation Districts, and the Yates County Highway Association.

VOTE: Unanimous

RESOLUTION NO. 326-23

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

Received Date

Standard Work Day and Reporting Resolution for Elected and Appointed Officials

Employer Location Code
 10057

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

RS 2417-A
 (Rev. 11/19)

BE IT RESOLVED, that the Yates County Legislature / 10057 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Jon Van Dermark			Coroner	1/1/23-12/31/26	7	3.40	<input type="checkbox"/>	Bi-Weekly	<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
Appointed Officials:									
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>

I, Emilee D. Miller, secretary/clerk of the governing board of the Yates County Legislature, of the State of New York,
(Name of Secretary or Clerk) (Circle one) (Name of Employer)

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 10 day of July, 2023 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Yates County on this day of July, 2023
(Name of Employer)

(Signature of Secretary or Clerk)
Affidavit of Posting: I, Emilee D. Miller being duly sworn, deposes and says that the posting of the Resolution began on and continued for at least 30 days. That the Resolution was available to the public on the:
(Name of Secretary or Clerk) (Date)

- Employer's website at: www.yatescounty.org
- Official sign board at:
- Main entrance Secretary or Clerk's office at:

(seal)

VOTE: Unanimous

RESOLUTION NO. 327-23

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

**AUTHORIZE CHAIR OF THE LEGISLATURE TO SIGN CONTRACT
 (Entre Computer Services, Rochester, NY)**

WHEREAS, Yates County has budgeted for computer technical services and support to include network and system engineering, Datto backup system support, network upgrades, vulnerability and risk Remediation & Exchange email support;

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to sign a contract with Entre Computer Services of Rochester, NY for computer technical assistance, effective July 1, 2023 through December 31, 2023 at a cost not to exceed \$23,200; and be it further

RESOLVED, that a copy of this resolution be given to Entre Computer Services and to the IT Director.

VOTE: Unanimous

RESOLUTION NO. 328-23

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

AUTHORIZE SHERIFF TO FILL DEPUTY SHERIFF SERGEANT POSITION

WHEREAS, a Deputy Sheriff Sergeant position will become vacant effective August 31, 2023; and

WHEREAS, the Sheriff through the vacancy review process has identified the need to refill the Deputy Sheriff Sergeant position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the Sergeant position, including fringe, is \$88,424 to \$115,552, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective August 31, 2023 the Sheriff is hereby authorized to fill a Deputy Sheriff Sergeant; and be it further

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

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

VOTE: Unanimous

RESOLUTION NO. 329-23

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

**AMEND RESOLUTION NO. 287-23
(Authorize Contracts)**

WHEREAS, Resolution 287-23 authorized the Chair of the Legislature to sign a contract with the Finger Lakes Workforce Investment Board for \$69,148 for Admin/Adult/Dislocated funding; and

WHEREAS, the amount in the resolution was incorrect;

NOW, THEREFORE, BE IT RESOLVED, that the cost of the contract will be \$74,148; 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. 330-23

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

RENEW CONTRACT WITH CANANDAIGUA DRIVING SCHOOL

WHEREAS, the Department of Social Services assists with driving instruction for eligible individuals;

NOW, THEREFORE, BE IT RESOLVED, that after the approval of the County Attorney, the Chair of the Legislature and the Social Services Commissioner is authorized to sign a contract with Canandaigua Driving School for the provision of driver training services to eligible clients of the Department of Social Services for the period July 1, 2023-June 30, 2024, at the rate herein identified:

Driving Lessons

Pick up within 15 miles of the school	\$90.00
Pick up between 16-20 miles of the school	\$100.00
Pick up between 21-30 miles of the school	\$110.00

Road Test/90 Minute Lesson

Pick up within 15 miles of the school	\$125.00
Pick up between 16-20 miles of the school	\$135.00
Pick up between 21-30 miles of the school	\$145.00

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 331-23

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

**RENEW RESIDENTIAL SERVICES CONTRACTS
FROM JULY 1, 2023- JUNE 30, 2025**

WHEREAS, the Department of Social Services is required to pay for children in foster care;

NOW, THEREFORE, BE IT RESOLVED, that contingent on the approval of the County Attorney, the Chair of the Legislature and the Social Services Commissioner be authorized to sign contracts for residential services for eligible youth at the amended daily rates as shown below, or as adjusted by OCFS (New York State), and at the following institutions as listed below for the time frame July 1, 2023- June 30, 2025, at rates set by New York State:

St. Anne's Institute	HTP Institution	\$465.84
St. Catherine's Center for Children	Regular FBH	\$51.53
	Therapeutic FBH	\$76.70
House of the Good Shepherd	Emergency Institution	\$673.29
	HTP Institution	\$812.43
Northeast Parent and Child Society, Inc.	Regular GH	\$478.59
	Therapeutic FBH	\$70.41
Cayuga Home for Children, Inc.	Regular FBH	\$50.50
	Therapeutic FBH	\$125.53

Pathways, Inc.	Therapeutic FBH	\$100.64
Children Awaiting Parents	Therapeutic FBH	\$80.73
Elmcrest Children's Center	HTP Institution	\$590.93
Children's Home for Wyoming Conference	Regular FBH	\$81.32
	Therapeutic FBH	\$81.32
Toomey Residential Services	Regular FBH	\$18.21
	Therapeutic FBH	\$67.43
William George Agency of Children's Services	HTP Girls Institution	\$718.57
	Regular FBH	\$39.95
Glove House, Inc.	Therapeutic FBH	\$85.16
	HTP Institution	\$766.27
Villa of Hope, Inc.	Regular GH	\$610.78
	Regular GH	\$317.05
Venderhyden Hall	Regular Institution	\$362.07
	Regular FBH	\$50.13
	Snell Farm Institution	\$468.32
Hillside Children's Center	Therapeutic FBH	\$92.22

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 332-23

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

AUTHORIZE CONTRACTS WITH THE FOLLOWING AGENCIES/PERSONS

WHEREAS, Yates County and the Yates County Department of Social Services wishes to enter into contract with the following agencies/persons; and

WHEREAS, the term of these contracts is July 6, 2023, through December 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chair of the Yates County Legislature and Commissioner of Social Services are authorized to sign contracts with the following agencies/persons:

- Steuben County Department of Social Services for the provision of non-secure detention at a cost not to exceed \$117,245

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 333-23

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

AUTHORIZE CONTRACT FOR CLIENT TRANSPORTATION

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

WHEREAS, the term of these contracts is July 1, 2023, through December 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chair of the Yates County Legislature and Commissioner of Social Services are authorized to sign a contract with:

- Mike Smith, for client transportation, \$20.00 per hour waiving liability insurance

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 334-23

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

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT (Solix Inc., Parsippany, NJ)

WHEREAS, as rural health care providers seek creative ways to deliver top quality patient care with decreased budgets; and

WHEREAS, the Federal Communications Commission's Rural Health Care Program (FCCRHC) enables access to and discounts for telecommunications and broadband service including up to a 65% discount for eligible broadband expenses; and

WHEREAS, Solix, Inc. has a unique understanding of program regulations and application guidelines and will assist the Public Health Department to navigate the complex application processes, with their understanding of the program requirements, and thus maximize potential funding; and

WHEREAS, the nature of the services rendered by Solix are professional services; and

WHEREAS, Solix Inc. will receive 23% of the realized savings, thus not increasing expenses for the Public Health Department;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is hereby authorized to execute a contract with Solix, Inc. for the Public Health Department to apply to the FCCRHC Program for discount of our broadband expenses for the term January 1, 2023 through December 31, 2026; and be it further

RESOLVED, that a copy of this resolution be given to Solix Inc., the Finance Director, the County Treasurer and the Director of Public Health.

VOTE: Unanimous

RESOLUTION NO. 335-23

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

AUTHORIZE CHAIRWOMAN TO SIGN AGREEMENT WITH DAWN MARTIN, SPEECH LANGUAGE PATHOLOGIST

WHEREAS, Yates County Public Health seeks to sign an agreement with Dawn Martin, Speech Language Pathologist, to provide services to children with developmental delays and disabilities in the Preschool Program;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the County Attorney, the Chairwoman of the Legislature be herby authorized to sign an agreement with Dawn Martin, Speech Language Pathologist at the following all-inclusive rates: \$67.00 in 2023, \$68.00 in 2024, \$69.00 in 2025, and \$70.00 in 2026, for the period 7/1/2023 to 12/31/2026; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 336-23

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

AUTHORIZE CHAIRWOMAN TO SIGN AGREEMENT WITH JUVENTAS PHYSICAL, OCCUPATIONAL, AND SPEECH THERAPY SERVICES, PLLC

WHEREAS, Yates County Public Health seeks to sign an agreement with Juventas Physical, Occupational, and Speech Therapy Services, PLLC to provide services to children with developmental delays and disabilities in the Preschool Program;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the County Attorney, the Chairwoman of the Legislature be herby authorized to sign an agreement with Juventas Physical, Occupational, and Speech Therapy Services, PLLC at the following all-inclusive rates:

Speech Therapy - \$66.00 in 2023, \$67.00 in 2024, \$68.00 in 2025, \$69.00 in 2026;

Occupational Therapy - \$66.00 in 2023, \$67.00 in 2024, \$68.00 in 2025, \$69.00 in 2026;

Physical Therapy - \$66.00 in 2023, \$67.00 in 2024, \$68.00 in 2025, \$69.00 in 2026; and be it further

RESOLVED, that said contract will run from 8/1/2023 to 12/31/2026; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 337-23

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

PROCLAIMING AUGUST 4TH AS US COAST GUARD BIRTHDAY IN YATES COUNTY

WHEREAS, the Coast Guard's history began on August 4th, 1790, when a resolution of the Continental Congress authorized the construction of ten vessels to enforce federal tariff and trade laws and to prevent smuggling. Known variously through the nineteenth and early twentieth centuries as the Revenue Marine and the Revenue Cutter Service, the Coast Guard expanded in size and responsibilities as the nation grew; and

WHEREAS, the service received its present name in 1915 under an act of Congress that merged the Revenue Cutter Service with the Life-Saving Service, thereby providing the nation with a single maritime service dedicated to saving life at sea and enforcing the nation's maritime laws. In 1946 Congress permanently transferred the Commerce Department's Bureau of Marine Inspection and Navigation to the Coast Guard, thereby placing merchant marine licensing and merchant vessel safety under their purview; and

WHEREAS, The Coast Guard is one of the oldest organizations of the federal government and until Congress established the Navy Department in 1798 they served as the nation's only armed force afloat. The Coast Guard protected the nation throughout their long history and served proudly in every one of the nation's conflicts. Their national defense responsibilities remain one of the most important functions even today; and

WHEREAS, 2023 is the US Coast Guard's 233rd Birthday and their motto is Semper Paratus "Always Ready";

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature extends its gratitude to all "Coasties", past and present, their families and loved ones, who continue to sacrifice for our liberty and freedoms, by proclaiming August 4, 2023 as "US Coast Guard 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. 338-23

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

DISCUSSION:

Ms. Chilson stated that they had planned on having Doug read the resolution and have Purple Heart recipients there today. Doug has changed that to their August 7th Committee meeting, as that is the day that this is celebrated which would be more appropriate to have it read on that day. August 5th there is going to be a car show and Purple Heart recipient presentation at the American Legion, and the public is invited to attend that.

PROCLAIMING AUGUST 7, 2023 AS NATIONAL PURPLE HEART DAY IN YATES COUNTY

WHEREAS, on August 7, 1782, General George Washington issued an order establishing the Badge of Military Merit to honor merit, particularly among enlisted soldiers; and

WHEREAS, on February 22, 1932, the Badge of Merit was renamed the Purple Heart, which is awarded to any member of the United States Armed Forces wounded or killed in combat by a declared enemy of the United States; and

WHEREAS, many citizens of our community have been awarded the Purple Heart Medal as a result of their being wounded or killed while engaged in combat with an enemy force; and

WHEREAS, States, Counties, and Cities pause in recognition of the service and sacrifice of their local sons and daughters; and

WHEREAS, August 7, 2023, also known as National Purple Heart Day, has been officially designated as the day in Yates County to remember, recognize and honor the brave men and women who were either wounded on the battlefield or made the ultimate sacrifice by giving their lives in the defense of our Country; and

WHEREAS, the Yates County Legislature seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature proclaims Yates County as a Purple Heart Community, honoring the service and sacrifice of our Nation's men and women in uniform who were wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans; and be it further

RESOLVED, that the Yates County Legislature hereby declare August 7th as National Purple Heart Day in Yates County.

VOTE: Unanimous

RESOLUTION NO. 339-23

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

Mr. Button stated that in committee he made a point that in the future, whether it's Penn Yan School District or other entities that apply for these funds. The ones that don't go into their general fund. They need to have an accounting of how they're used and what they're used for. He thinks it's pretty reasonable, they should just have further discussion on that in the committee meeting.

Ms. Chilson stated that Mr. Rhodes only had, like 4 min in the whole committee in human services. They were up against the clock, and she realized that because there's some other resolutions there that he didn't get to explain to either.

AUTHORIZE CHAIR TO SIGN CONTRACT WITH THE PENN YAN CENTRAL SCHOOL DISTRICT (OPIOID SETTLEMENT)

WHEREAS, Yates County Community Services wishes to enter into a contract with the Penn Yan Central School District to assist in substance abuse prevention education and prevention related activities for all youth; and

WHEREAS, the funds of \$6,011.04 were received from the 2022 Opioid settlement; and

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chair of the Legislature is authorized to enter into an agreement with the Penn Yan Central School District; and be it further

RESOLVED, that said contract will run from 1/1/2023 to 12/31/2023; and be it further

RESOLVED, that a copy of this resolution be sent to Community Services, the Public Health office, Penn Yan Central School District, the Finance Director, and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 340-23

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

DISCUSSION:

Mr. Button stated that the resolutions coming forward that they didn't have a lot of discussion on what they're going to use that money for. He's going to vote "No" on it.

Ms. Chilson stated that she agrees with Terry, there wasn't an awful lot of time to talk about this. This is an awful lot of money without much accountability of them knowing where it is going. She thinks that this should be presented in committee and discuss where this money is designated to go.

Mr. Morris made a motion to table this resolution, seconded by Mr. Button.

VOTE: Roll Call –Chilson, Banach, Holgate, Jayne, Percy, Button, Church voting "Yes"; Bronson, Paddock, Banach, Harper, Killen, Cutler, voting "No". Motion failed.

*Must have 8 votes to pass a motion

Mr. Button stated that he took time yesterday to come in to the office and pull the contract. The contract wasn't there. Went to community services, wasn't in there. Went the public health, it's not in there. He thinks about what they've seen at the State and the Federal level, how some people said, well, they need to pass this to know what's in it. They don't know exactly what's in it, he has asked. He knows all the rest of the people know what's in it. He's a "No" vote, because they know.

Ms. Chilson stated that she doesn't think it's going to hurt them to wait a month to have a presentation from Mr. Roets to know exactly what they're voting on. This is a lot of money they're passing and she thinks it's going to be of the benefit of the County to know what they're voting on.

Mr. Killen stated that if this is renewal of, or continuation of a grant accepting the funds, they could have a continued discussion of the appropriate use of the funds while still accepting the grant. That would make sense in his mind rather than reject.

Mr. Button stated that however this vote turns out it would be good for somebody to find a contract.

Dr. Cutler doesn't disagree with getting more information, because clearly some legislators well, first of all, they may not have been there when they got the original one. He agrees that they can go ahead and approve this and then still learn more. They can give direction as to what this is appropriately or not appropriately used for. He was going to say that he would be willing to vote "yes", on the inhibit contingent upon coming back with more information that the next meeting. He thinks what Pat was suggesting is a good idea.

Mr. Holgate stated that it's an ongoing grant. There's no reason that they should not accept a grant and if people have more questions as to how it's being used, asked the questions in committee.

SIGN AMENDMENT #3 WITH THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK

WHEREAS, Yates County Community Services has received notice of the grant award for Year 5 with Columbia University in the amount of \$527,468.00; and

WHEREAS, said grant award will be for the period of July 1, 2023 – March 31, 2024;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Chair of the Legislature is hereby authorized to sign an agreement with The Trustees of Columbia University in the City of New York for the period July 1, 2023 through March 31, 2024 for AMENDMENT #3; and be it further

RESOLVED, that a copy of this resolution be sent to the Community Services Office, Public Health office, the Finance Director, and the Treasurer.

VOTE: Roll Call –Morris, Paddock, Banach, Holgate, Percy, Harper, Church, Killen, Cutler, Bronson voting "Yes"; Chilson, Jayne, Button voting "No". Motion carried.

RESOLUTION NO. 341-23

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

Mr. Button stated that yes, this is another one of the ones it is. There's no follow, Mr. Roets had only 4 minutes to report. They need to give him, maybe first on the list the next time, so he can help them with the questions and discussions. But this same resolution is, it says countywide projects and activities that's pretty vague. He'd like to know what they are, he'd like to know what they're buying, what the taxpayers and the public needs to, needs to help them do better, and how they, it might be explained a little better. That's a little vague. And also, if this is approved, the date is incorrect, it should say, July 1st. When they have discussions like this, it's good. He tells the public to look at the agendas, give them questions, go back, listen to what was said there, and hold them accountable because they record it. That's what he tells them, don't go by his opinion. He said they should do their own homework and draw their own research.

Ms. Chilson stated the resolution with the amendment or direction of the date and she thinks he needs to also present on this during next session, and explain a little bit more.

**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH FINGER LAKES
ADDICTIONS COUNSELING AND REFERRAL AGENCY**

WHEREAS, the County is desirous of engaging the services of Finger Lakes Addictions Counseling and Referral Agency to assist in county-wide project activities for the HEALing Communities grant through Columbia University as outlined in the Statement of Work; and

WHEREAS, the costs of such services of \$527,468.00 are 100% funded through the awarded grant;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chair of the Legislature is authorized to enter into a contract with Finger Lakes Addictions Counseling and Referral Agency; and be it further

RESOLVED, that said contract will run from 07/01/2023 to 03/31/2024 for an amount not to exceed the allowable 95% of total grant funds which can be used to subcontract for the services of Project Manager and Data Surveillance Coordinator positions and associated costs and for Community Impact Dollars; and be it further

RESOLVED, that copies of this resolution be provided to Community Services Office, the Public Health office, the Finance Director, the Treasurer and FLACRA.

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

RESOLUTION NO. 342-23

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

Ms. Chilson stated that she’s wondering what the normal mile is that they retire the vehicles, it seems kind of low.

Mr. Bronson stated that it is every 3 years, they rotate them out.

DECLARE SURPLUS EQUIPMENT

WHEREAS, the Yates County Highway Department has a vehicle 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/Hrs.:</u>	<u>VIN #:</u>
CG-3	2020 Chevy Equinox	15,922 miles	2GNAXSEV3L6210837

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 and the Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 343-23

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

DISCUSSION:

Mr. Jayne stated that he's not trying to beat up on it, he just maybe missed the discussion. When he's reading through it, this says that it's not going to increase the budget of the cost of the building, but the allowance line is going up. He asked if he is reading it wrong, they are going to give them more money if they need it, but it won't go over their prime budget, and if he's reading it right.

Ms. Flynn stated that when all the contracts were awarded, they all included in a small allowance that is part of the contract. If it doesn't get used, they don't pay them, but if they need it, it's in there in the original contract awards that we're done in April.

Mr. Reed stated that they did already approve that when they approved the budget, but there was question about who gets to authorize the use of funds if such funds are needed.

Mr. Button asked if this amount is coming out of the contingent or is this a separate line item in their contracts.

Mr. Bronson stated that it's a separate line in their contract, their base contract plus allowance.

NEW HIGHWAY, OFFICE OF EMERGENCY SERVICES / PUBLIC HEALTH FACILITY ALLOWANCE ALLOCATION AUTHORIZATION

WHEREAS, Resolution No. 502-22 and Resolution No.'s 196-23 through 201-23 authorized construction contracts with several companies for the Construction services associated with the New Yates County Highway, Office of Emergency Services and Public Health Facility Project; and

WHEREAS, each individual contract included an Allowance line item varying from twenty-thousand (\$20,000) to fifty-thousand (\$50,000) dollars for miscellaneous revisions to the construction documents; and

WHEREAS, the Legislature has provided the Highway Superintendent and Building Maintenance Supervisor authorization to expend the funds within the aforementioned allowance line items as deemed necessary; and

WHEREAS, the funds allocated and expended will not exceed the current contract value of each individual prime contract; and

WHEREAS, the Highway Superintendent and Building Maintenance Supervisor will review and coordinate all allocations with C&S Engineers and Watchdog Building Partners for their concurrence and acceptance;

NOW, THEREFORE, BE IT RESOLVED, that the Highway Superintendent and Building Maintenance Supervisor are authorized to proceed with the aforementioned allowance allocations; and be it further

RESOLVED, that copies of this resolution be provided to C & S Engineers, Inc., the Office of Emergency Services Director, the Highway Superintendent, the Director of Public

Health, the Director of Finance, the Building Maintenance Supervisor, the County Administrator and Watchdog Building Partners.

VOTE: Unanimous with Mr. Jayne and Mr. Button abstaining

RESOLUTION NO. 344-23

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

DISCUSSION:

Mr. Button stated that he is glad Meghan brought this to them and she can next year each out to the towns and hopefully their town boards might adopt it.

SET DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW 1-2023 ENTITLED “A LOCAL LAW INCREASING THE INCOME LIMITS OF THE TAX EXEMPTION FOR PERSONS 65 YEARS OF AGE OR OVER”

BE IT RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed Local Law 1-2023 entitled “A LOCAL LAW INCREASING THE INCOME LIMITS OF THE TAX EXEMPTION FOR PERSONS 65 YEARS OF AGE OR OVER”, said proposed Local Law being set forth herein; and be it further

RESOLVED, that said public hearing shall be held August 14, 2023 at 1:10 p.m. in the Yates County Legislative Chambers, 417 Liberty Street, Penn Yan, NY.

LOCAL LAW NO. 1 OF THE YEAR 2023

A LOCAL LAW INCREASING THE INCOME LIMITS OF THE TAX EXEMPTION FOR PERSONS 65 YEARS OF AGE OR OVER

BE IT ENACTED, by the County of Yates Legislature as follows:

Local Law No. 3-73 Section 5(a) as last amended by Local Law 1-89, 3-08, Local Law 1-09 and Local Law 4-15 is hereby amended to read as follows:

SECTION 5. Limitations on Exemption

The amount of income to determine eligibility for tax exemption under section 467 of the Real Property Tax Law is increased to \$20,000.00.

The income eligibility sliding scale set forth under section 467(b)(1), (b)(2), and (b)(3) of the Real Property Tax Law shall continue for property owners exceeding the \$20,000.00 income eligibility level.

<u>Annual Gross Income</u>		<u>Percentage Assessed Valuation Exempt From Taxation</u>	
\$0	to	\$20,000.00	50%
\$20,000.01	to	\$20,999.99	45%
\$21,000.00	to	\$21,999.99	40%
\$22,000.00	to	\$22,999.99	35%
\$23,000.00	to	\$23,899.99	30%
\$23,900.00	to	\$24,799.99	25%

\$24,800.00	to	\$25,699.99	20%
\$25,700.00	to	\$26,599.99	15%
\$26,600.00	to	\$27,499.99	10%
\$27,500.00	to	\$28,399.99	5%
\$28,400.00	or more		0%

This local law shall take effect upon its filing with the Secretary of State, with the increased limits being applied initially to the 2024 assessment rolls.

VOTE: Unanimous

RESOLUTION NO. 345-23

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

RESOLUTION TO PROVIDE NOTICE OF THE EIGHT-YEAR REVIEW OF AGRICULTURAL DISTRICT #1 AND SUBSEQUENT 30 DAY PUBLIC REVIEW PERIOD

WHEREAS, in accordance with Article 25 AA Sec. 303-a of the New York State Agriculture and Markets law, this Legislature is required to conduct a review of Yates County’s Agricultural Districts every eight years; and

WHEREAS, the 146,784 acres that make up Yates County Agricultural District #1 are located in the Towns of Barrington, Benton, Italy, Jerusalem, Middlesex, Milo, Potter, Starkey, Torrey, and the Villages of Dresden, Dundee, Penn Yan, and Rushville; and

NOW, THEREFORE, BE IT RESOLVED, that the Legislature hereby schedules a 30 day public review period for Yates County Agricultural District #1, commencing July 10th, 2023 and ending August 9th, 2023, notice of which shall be published in newspapers in the county with general circulation; and be it further

RESOLVED, that said notice and a map of the existing district shall be posted and open to the public inspection at the Yates County’s Clerks Office, the Yates County Planning Dept, and the Yates County GIS Portal; and be it further

RESOLVED, that all municipalities and land owners within the district may propose a modification of the district by filing such a proposal with the County Planning Dept before the close of business August 9th, 2023; and be it further

RESOLVED, that the County Legislature hereby direct the Yates County Farmland Protection Board to review and prepare the reports and recommendations as required by law, and to submit them to the Legislature for review; and be it further

RESOLVED, that copies of this resolution be provided to the Clerk of the Legislature, the Yates County Planning Dept., the Yates County Farmland Protection Board, and the Commissioner of the Department of Agriculture and Markets.

VOTE: Unanimous

RESOLUTION NO. 346-23

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

2023 BUDGET TRANSFERS

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

From:	To:	Amount:
CD6293.4A- WIOA Adult Op.	CD6293.1A- WIOA Adult Staff Wage	\$ 185.50
CD6293.4B- WIOA DW Op.	CD6293.1B- WIOA DW Staff Wage	\$ 289.50

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. 347-23

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

APPROPRIATE INFRASTRUCTURE RESERVE FUNDS

WHEREAS, reserve funds need to be appropriated from the Infrastructure Reserve to pay expenditures to date in regards to the public safety towers capital project; and

WHEREAS, these funds were agreed upon to be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED, said reserve funds will be appropriated from the Infrastructure Reserve Fund in the amount of \$36,917.50; and be it further

RESOLVED, that the following accounts be increased and tabulated below:

Revenue Account:

A511.000 Appropriate Reserve (Infrastructure Reserve A878.I)	\$ 36,917.50
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Appropriation Account:

A3020.54230 SH- Main. Agree- Micro	\$ 15,982.26
A3020.54231 SH-Main. Agree- Radio	\$ 12,864.00
A3020.54968 SH- Leases TS Intermedia	\$ 8,071.24

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. 348-23

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

AUTHORIZED WORKFORCE DEVELOPMENT BUDGET ALLOCATIONS

(WFD)

WHEREAS, Yates County received additional WIOA Youth funds to serve youth from 7/1/2023- 6/30/2023; and

NOW, THEREFORE, BE IT RESOLVED, that the following amounts be allocated to the 2023-2024 Workforce Budget:

Revenue:	
CD6293.44791 WIOA Revenue	\$ 154,725.91
Appropriation:	
CD6293.1A-WIOA Adult Staff Wage	\$ 23,872.00
CD6293.4A- WIOA Adult Operating	\$ 1,892.00
CD6293.8A- WIOA Adult Staff Fringe	\$ 7,489.00
CD6293.1B- WIOA DW Staff Wage	\$ 23,872.00
CD6293.4B- WIOA DW Operating	\$ 6,892.00
CD6293.8B- WIOA DW Staff Fringe	\$ 7,489.00
CD6293.1C- WIOA OSY Staff Wage	\$ 34,549.52
CD6293.4C- WIOA OSY Operating	\$ 5,590.00
CD6293.8C- WIOA OSY Staff Fringe	\$ 7,862.63
CD6293.11C- WIOA OSY Participant Wage	\$ 12,700.00
CD6293.81C- WIOA OSY Participant Fringe	\$ 1,500.00
CD6293.1D- WIOA Admin Operating	\$ 2,642.00
CD6293.1F- WIOA ISY Staff Wage	\$ 8,783.79
CD6293. 41F- WIOA ISY Operating	\$ 2,593.00
CD6293.8F- WIOA ISY Staff Fringe	\$ 1,998.97
CD6293.11F- WIOA ISY Participant Wage	\$ 4,500.00
CD6293.81F- WIOA ISY Participant Fringe	\$ 500.00

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. 349-23

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

**AMEND RESOLUTION NO. 304-23
APPROPRIATE ADDITIONAL AID
(YB)**

WHEREAS, the Youth Bureau Department has received YDPP Funding and is allocating it to contracted programs; and

WHEREAS, Resolution No. # 304-23 that original appropriated these funds had an error. The correct object code for the allocation to YCRR should read A7310.54579 not .54379;

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

Revenue:		
A7310.43820 YB- Youth Bureau Revenue		\$ 21,338.00
Appropriation		
A7310.54351 YB- Modeste Bedient Mem. Library	\$	2,000.00
A7310.54352 YB- CFRC	\$	1,000.00
A7310.54365 YB- Safe Harbors of the FL	\$	2,500.00
A7310.54356 YB- Rushville Summer Reading	\$	1,000.00
A7310.54368 YB- Summer Rec.	\$	6,000.00
A7310.54371 YB- Big Brother/Big Sisters	\$	1,250.00
A7310.54373 YB- Dundee Library	\$	1,400.00
A7310.54579 YB-YCRR	\$	6,188.00

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. 350-23

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

AUTHORIZE CHAIRWOMAN TO SIGN EXTENSION AGREEMENT FOR AUDITING SERVICES

WHEREAS, Yates County had a five year contract for financial auditing services through Drescher & Malecki for years 2017-2022; and

WHEREAS, the Director of Finance recommends the proposal submitted by Drescher & Malecki, LLP to extend our contract for another five years for years 2023-2027; and

WHEREAS, the services included in the costs below include the financial statement audit, single audit, and compilation of NYS financial audit report. The annual cost for these services not to exceed:

2023-	\$43,500
2024-	\$45,030
2025-	\$46,610
2026-	\$48,240
2027-	\$49,920

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Yates County Legislature, upon approval of the County Attorney, is authorized to sign the extension agreement for said accounting services with Drescher & Malecki, LLP; and be it further

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

RESOLVED, that a copy of this resolution be provided to Drescher & Malecki, Director of Finance, County Treasurer and Budget Officer.

VOTE: Unanimous

Chairwoman Church closed the Public Hearing regarding the CDBG Application at 1:53 p.m.

PUBLIC COMMENT

Alex Andrasik stated that he just thinks it's important to put on the record the idea, the truth that no one is illegal, as was referred to earlier today. He's willing to bet that folks who use the expression illegals don't use it against hardened, convicted criminals and yet it's being used against people coming to their country for a better life. It's important to note that when they're talking about this discussion about the events that triggered the need for a plan for potential migrant arrivals, those are all seekers of legal asylum. The plan that his organizations are helping to put together also encompasses people beyond just the immigration system. He understands the County's plan may be specifically focused on that and they have narrow focuses for a reason, and that's good. But just so the public is aware, the plan that ultimately is put in place could have the potential to impact immigrants, citizens, and other visitors to the country. He kind of darkly jokes when discussing this with the people that are working with them, that there could be a disaster, some like an ecological disaster in New York City, and then those could be people who need places to live, and they could come to Yates County. It's not simply a discussion about immigrants, whatever their legal status, but regardless of the people who arrive there in whatever capacity, the right thing to do is to help them, no matter who they are. He is reminded of a quote by the human rights activist, Malala Yousafzai who said "displacement, becoming a refugee is no one's choice. It's always the last option that they have left. It's the option for survival". That is what this planning is that they're doing and they hope that what the County is doing is all about.

Joy Schank stated that there is a legal way to come into this country and this county, and there is an illegal way. There is not enough money to take care of everybody and they should take care of Yates County citizens first. There are illegal immigrants. What they need to do is focus on the legal people that are there that obviously they don't have enough resources for them at all.

Ms. Chilson moved to enter into executive session to discuss:

1. The employment history of a particular individual, attendees being members of the legislature, the County Administrator, the Temporary County Administrator Assistant, the County Attorney, and the Personnel Officer;
2. To confer with legal counsel regarding attorney/client matters, attendees being members of the legislature, the County Administrator, the Temporary County Administrator Assistant, and the County Attorney;
3. The employment history of a particular individual, attendees being members of the legislature, the County Administrator, and the Temporary County Administrator Assistant.

Seconded by Mr. Harper.

VOTE: Unanimous

Meeting adjourned at 4:52 p.m.