

REGULAR SESSION – MONDAY, JULY 13, 2020

The Yates County Legislature met in regular session Monday, July 13, 2020 at 1:00 pm in the Legislative Chambers and also by zoom webinar, with Chairman Paddock presiding and Legislator Church absent.

Minutes of the June meeting were approved as presented.

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

Airport Fund	\$ 12,927.25
Finance	\$ 135,095.17
Flint Creek	\$ 1,575.00
Government Operations	\$ 83,205.04
Human Services	\$ 174,681.54
Prior to Audit	\$ 74,371.93
Public Safety	\$ 217,711.66
Public Works	\$2,313,259.71
Total	\$3,012,827.30

Chairman Paddock opened the public hearing on Local Law 5-20 Entitled, A Local Law Amending County of Yates Local Law No. 1-56 – A Local Law Establishing A Plan Of Self-Insurance As Provided For In Article 5 Of The Workmen’s Compensation Law, And Providing For The Administration Thereof. There were no comments at this time. The hearing remained open until later in the meeting.

Deb Minor, Director of Public Health updated the Legislature on COVID-19. Deb reported there were no new cases over the weekend. There have been 49 positive cases, 42 have recovered, 7 have died and 4 are in isolation. To date there have been 4,165 negative tests. Deb reported she reviewed the antibody tests and so far she has received 200 negative tests and 6 positive.

Deb explained more information is being included in the daily updates such as male, female, whether they are symptomatic or asymptomatic, and whether they have traveled. Because Yates County’s numbers are small, this information may not be updated every day in order to keep confidentiality.

NYSDOH is issuing guidelines to reopen schools.

Brian Winslow, Emergency Management Director reported he is issuing masks to restaurants that need them. He is looking into ordering more hand sanitizer to have on hand for fall but right now he is maintaining the distribution for personal protective equipment (PPE) for restaurants, gas stations, and fire departments.

COMMITTEE REPORTS:

Ms. Chilson reported she attended the Yates Substance Abuse Collation (YSAC) and the Youth Board meeting. The discussion was around setting up standards of control where marijuana shops can be located.

Mr. Bronson reported he attended the S²AY Rural Health Network meeting. Mr. Bronson reported the Network received a clean audit. Also, NYS Rural Health reported they are looking at a 30 to 50% reduction in funding.

Mr. Cutler reported he attended a 9E Plan meeting. A model of the plan has been presented. The Plan is in good shape and on track to be completed in 2 years. Mr. Cutler also attended the Keuka Lake Association meeting where officers were elected. Ray Dell was appointed as president, Maria Hudson as Vice President and Diane Edwards was appointed as treasurer. Mr. Cutler also attended the Genesee Finger Lakes Regional Planning Council meeting which was pretty much normal business and officers for the coming year were appointed.

Mr. Willson reported he also attended the 9E Plan meeting as well as the Seneca Watershed Inter-municipal Organization (SWIO) meeting. Yates County will be hosting the meeting for September which will be in the County Auditorium on September 29, 2020 at 7:00pm.

Mr. Button reported he attended the Flint Creek meeting. The Committee is moving forward with expenditures for projects and continues to promote agriculture products in the Potter Muck. Mr. Button thanked those that attended the 9E meeting as he was unable to attend.

Mrs. Percy reported she attended the Finger Lakes Workforce Investment Board meeting. FLCC was asked by New York City to put on a CNA class. A virtual class was held; 25 individuals signed up and 19 passed the test.

County Administrator Flynn updated the Legislature on the Broadband study. Currently Fujitsu is wrapping up the feasibility study which should be done within the next month. This will further define Yates County's build. The next step will be that the Broadband Committee will meet to make a recommendation to the Legislature on the operational model for our county. Once that is decided, we will go out to bid for the design engineering which shouldn't take that long. Then the county would go out to bid for the actual build. Ms. Flynn further explained, when the USDA grant was received, they gave the County five years to complete the project and she would like to have it completed within three years. Individuals can also go on the Yates County website and under our community, USDA reconnect areas, this will define the blue areas that were used in the application to define the underserved areas. You can double click and zoom in on those areas. Those were the initial areas from the application, but the USDA said that if the County could justify other areas that would qualify for the build, they would take that into consideration.

RESOLUTION NO. 246a-20

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

COMMEND GWEN CHAMBERLAIN, FORMER EDITOR OF THE CHRONICLE-EXPRESS

WHEREAS, Gwen Chamberlain has contributed countless articles to The Chronicle-Express newspaper, starting as a "stringer" in the 1990s; and

WHEREAS, Gwen Chamberlain was editor of The Chronicle-Express for two years, departed, then returned as editor, a position she held for the last fourteen years until the position was eliminated by the publisher of the newspaper, Gannett; and

WHEREAS, Gwen Chamberlain worked diligently and fairly reported events occurring in Yates County, keeping the residents informed of the work of its County government;

NOW, THEREFORE, BE IT RESOLVED, that this County Legislature commends Gwen Chamberlain for her contributions to Yates County over her career; and be it further

RESOLVED, that this County Legislature wishes Gwen Chamberlain much success in her future endeavors; and be it further

RESOLVED, that this County Legislature expresses its extreme displeasure with the decision to eliminate the position of editor of The Chronicle-Express by the management of its publisher and respectfully requests that the decision be reconsidered; and be it further

RESOLVED, that copies of this resolution be provided to Gwen Chamberlain, The Chronicle-Express and Gannett Corporation.

VOTE: Unanimous

Gwen made the following comment. "I just want to say thank you to this group and everyone that works for Yates County over the years. It has been a pleasure to be a part of this community and work with everyone and I really appreciate the fact that you are very supportive of the continued reporting of news in Yates County because it is very important. The public needs to know what is going on." Chairman Paddock and Mr. Bronson, Chairman of the Government Operations Committee, presented Ms. Chamberlain with a framed resolution.

PUBLIC COMMENT

Steve Finnan explained the needed of broadband coverage for Bassett & Brink Hill Roads in the Town of Italy. Mr. Finnan explained that cell phone coverage and internet in this area pretty much don't exist. Many individuals have also given up their landlines. So the lack of coverage presents a safety concern for many in the Town of Italy. The information he provided was given to Ms. Flynn for distribution to and review by the Broadband Committee.

RESOLUTION NO. 247a-20

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

AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH ADVENT FS, LLC.

WHEREAS, the Yates County Legislature has passed a local law authorizing the District Attorney to Administer the Yates County Traffic Diversion Program and said program requires an educational component be completed by all participants, together with a fee to cover the expenses of the program; and

WHEREAS, the District Attorney wishes to retain the services of Advent FS, LLC to provide the educational component and collect the fees from all participants in the Traffic Diversion Program and to enter into a written agreement for those purposes at no cost to the County; and

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

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

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

VOTE: Unanimous

RESOLUTION NO. 248-20

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

AWARD ELECTRICIAN BID FOR ALTERNATE PSAP

WHEREAS, the Sheriff sought RFP proposals for special electrician needs at the alternate 911 PSAP Communications Shelter at the Sherman Radio Tower location; and

WHEREAS, bids were timely received from Brady Electric Services (\$4,530) and from McMichael Electrical Contractors (\$2,849) that meet specifications;

NOW, THEREFORE, BE IT RESOLVED, to award the bid to McMichael Electrical Contractors, and after review by the County Attorney, the Sheriff and Chairman are authorized to sign a contract for such electrical services; and be it further

RESOLVED, to provide a copy to Yates County Treasurer and to the Sheriff.
VOTE: Unanimous

RESOLUTION NO. 249-20

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

AUTHORIZE TREASURER TO PAY (LEXIS NEXIS) PRIOR TO AUDIT

WHEREAS, the Sheriff's Office county jail operations, in order to save costs, have changed from West Law publications to now using the services of Lexis Nexis, New York, NY to address legal law reference material requirements as set forth in the NYS 9 CRR-NY 7031.4 minimum standards for incarcerated inmates legal material; and

WHEREAS, this vendor is requiring payment within ten days of billing, and payment prior to audit will avoid late charges or penalties of loss of the services;

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is authorized to pay the Lexis Nexis jail legal material invoice, and/or voucher upon receipt prior to audit to ensure continuity and efficiency of services; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff and Treasurer.
VOTE: Unanimous

RESOLUTION NO. 250-20

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

DISCUSSION:

Chairman Paddock reminded everyone that this is not a new tax but a renewal of a tax already in place.

RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF YATES, INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.

Be it enacted by the Legislature of the County of Yates, as follows:

SECTION 1. Section 4-A of Resolution No. 112-67, enacted by the Yates County Legislature on November 20, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning September 1, 2003, and ending November 30, 2023. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes.

All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and

credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section. SECTION 2. Paragraph (B) of subdivision (1) of section 11 of Resolution No. 112-67, enacted by the Yates County Legislature on November 20, 1967, imposing sales and use taxes, as amended, is amended to read as follows:

(B)With respect to the additional tax of one percent imposed for the period beginning September 1, 2003, and ending November 30, 2023, in respect to the use of property used by the purchaser in this county prior to September 1, 2003.

SECTION 3. This enactment shall take effect December 1, 2020.

VOTE: Unanimous

RESOLUTION NO. 251-20

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

AUTHORIZE CHAIRMAN TO ENTER INTO A CONTRACT CONCERNING THE PROVISION OF WESTLAW TO THE COUNTY ATTORNEY

WHEREAS, during his tenure, the County Attorney has utilized the online research database commonly known as “Westlaw” for the purposes of conducting legal research; and

WHEREAS, Westlaw is provided by West Publishing Corporation, aka Thomson Reuters, aka Thomson Reuters – West; and

WHEREAS, circumstances dictate that a new contract concerning the utilization of Westlaw by the County Attorney is needed;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman, upon approval of the County Attorney, is hereby authorized to execute a contract on behalf of the County with West Publishing Corporation, aka Thomson Reuters, aka Thomson Reuters – West for the provision of Westlaw to the County Attorney, upon the following material terms: Westlaw Product – West Proflex, Minimum Term and Charge – 12 months @ \$199.96 per month, as well as execute all other appropriate and necessary documents related to such contract; and be it further

RESOLVED, that the County’s general liability insurance requirement is hereby waived with respect to said contract; and be it further

RESOLVED, that copies of this resolution be given to the County Attorney.

VOTE: Unanimous

RESOLUTION NO. 252-20

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

DISCUSSION:

Mr. Button questioned if anyone wanted to rescind the resolution for the hiring freeze. Chairman Paddock explained that it could be discussed at a later time but it is not appropriate for this discussion. Mr. Button explained that he was looking at the next few resolutions and wasn’t sure how to approach it. Chairman Paddock stated that the legislature should deal with those on the agenda and then if Mr. Button wishes to rescind that resolution that can be done with a separate resolution later in the meeting.

Ms. Chilson stated discussion took place on the need for this as there are counties close to us that right now are being sued because they did not have enough help to represent the public. That is true with the case here and that is why this is being brought forward.

Mr. Button stated he wants to make sure that everyone is treated equally.

**AUTHORIZE PUBLIC DEFENDER TO FILL POSITION
(ASSISTANT PUBLIC DEFENDER)**

WHEREAS, pursuant to Article 18a and Article 18b of County Law, subject to approval from the County Legislature, a public defender may appoint his/her employees as deemed necessary; and

WHEREAS, a Part-Time Assistant Public Defender position became vacant on June 3, 2020; and

WHEREAS, the estimated annual cost to the County to fill the position is \$48,105, which includes fringe benefits; and

WHEREAS, any remaining cost, including fringe, to fill the position will be funded by the Hurrell-Harring grant which is estimated to be \$6,885 (a final negotiated salary is not yet determined; however, it is anticipated to be \$55,000);

NOW, THEREFORE, BE IT RESOLVED, effective July 13, 2020 the Public Defender is hereby authorized to fill the Part-Time Assistant Public Defender position; and be it further

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

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

RESOLUTION NO. 253-20

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

**AUTHORIZE SHERIFF TO FILL VACANCY
(EMERGENCY SERVICES DISPATCHER)**

WHEREAS, an Emergency Services Dispatcher vacancy was created July 9, 2020 as the result of a resignation; and

WHEREAS, the Sheriff through the vacancy review process has identified the continued need for the Emergency Services Dispatcher position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position is \$63,330, which includes fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, that effective July 13, 2020 the Sheriff is hereby approved to fill an Emergency Services Dispatcher position; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 254-20

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

**AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO FILL VACANCY
(SENIOR ACCOUNT CLERK TYPIST)**

WHEREAS, a Senior Account Clerk Typist vacancy will be created July 31, 2020 as the result of a retirement; and

WHEREAS, the Director of Public Health through the vacancy review process has identified the continued need for the Senior Account Clerk Typist position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position is \$48,837 which includes fringe benefits; with the 80% reimbursement for the salary and 30% reimbursement for fringe benefits the total cost to the County will be \$16,631;

NOW, THEREFORE, BE IT RESOLVED, that effective August 1, 2020, the Director of Public Health is hereby approved to fill a Senior 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 County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 220-20

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

**AUTHORIZE SHERIFF TO FILL TWO (2) POSITIONS
(CORRECTION OFFICER) (Postpone until June)**

WHEREAS, two (2) Correction Officer vacancies were recently created on April 22, 2020 and May 8, 2020; and

WHEREAS, the Sheriff through the vacancy review process has identified the continued need for the two (2) Correction Officer positions and is requesting that the positions be filled; and

WHEREAS, the estimated annual cost to fill one position is \$64,205 which includes fringe benefits; and

WHEREAS, the estimated total cost to the County to fill the two (2) positions is \$128,410;

NOW, THEREFORE, BE IT RESOLVED, that effective July 13, 2020 the Sheriff is hereby approved to fill two (2) Correction Officer positions; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 255-20

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

APPOINT HIGHWAY SUPERINTENDENT

BE IT RESOLVED, that Craig Prior is appointed as Highway Superintendent for the following effective term: July 13, 2020 through July 12, 2024; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 256-20

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

AMEND YATES COUNTY EMPLOYEE HANDBOOK (Yates County Employee Handbook)

WHEREAS, the Employee Handbook is in need of modifications that are a direct reflection of changes made by the NYS Division of Human Rights to NYS Human Rights Laws;

NOW, THEREFORE, BE IT RESOLVED, that effective July 13, 2020 the following language in Section 306.5 Code of Ethics – Non-Discrimination be updated accordingly:

5. **Non-Discrimination** – It is the policy of the County not to discriminate on the basis of sex, (including gender identity or expression and the status of being transgender), sexual orientation, race (including traits historically associated with race, including, but not limited to, hair texture and protective hairstyles, for example, braids, locks or twists), color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, genetic information or predisposing characteristics, domestic violence victim status or any other protected status.

And be it further

RESOLVED, that the second sentence in Section 413.2 Personal Appearance / Identification Cards – Standards, starting with the word “Radical” and ending with the word “permitted”, be removed from the section and at the end of the section the following sentence be added, "However, nothing in this Section 413 shall be construed in a manner that violates the New York State Human Rights Law.", therefore the new Section 413.2 will be;

2. **Standards** – An employee must maintain a personal appearance in a manner that reflects a good image to the public. Acceptable personal appearance is an ongoing requirement of employment with the County. Employees should wear clothing that is appropriate for the particular work environment. Department Heads will determine and enforce what is appropriate in each department. However, nothing in this Section 413 shall be construed in a manner that violates the New York State Human Rights Law.

And be it further

RESOLVED, the following language in Section 802.3.B Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace – Bias-Based Harassment be updated accordingly:

- B. **Bias-Based Harassment** - Harassment that denigrates, offends or shows hostility or aversion towards an individual on the basis of sex, (including gender identity or expression and the status of being transgender), sexual orientation, race (including traits historically associated with race, including, but not limited to, hair texture and protective hairstyles, for example, braids, locks or twists), color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, genetic information or predisposing characteristics, domestic violence victim status or any other protected status

And be it further

RESOLVED, the following language in Section 802.3.C Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace – Discrimination be updated accordingly:

- C. **Discrimination** - Yates County is an Equal Opportunity Employer. The County does not discriminate on the basis of sex, (including gender identity or expression and the status of being transgender), sexual orientation, race (including traits historically associated with race, including, but not limited to, hair texture and protective hairstyles, for example, braids, locks or twists), color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, genetic information or predisposing characteristics, domestic violence victim status or any other protected status

And be it further

RESOLVED, the following language in Section 802.12.A.a Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace – New York State Division of Human Rights (DHR), be updated accordingly;

- A. **New York State Division of Human Rights (DHR)** –
 - a. The Human Rights Law (HRL) applies to employers in New York State with regard to harassment and protects employees and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court. Complaints with DHR may be filed any time within three (3) years of the harassment. The three (3) years is counted from the date of the most recent incident of harassment.

And be it further

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

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

VOTE: Unanimous

RESOLUTION NO. 257-20

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

APPROVING MEMORANDUM OF UNDERSTANDING WITH CSEA CONCERNING VACATION CARRY-OVER

WHEREAS, the ongoing COVID-19 pandemic has affected, and is expected to continue to affect, staffing levels within the various County departments and offices during at least the remainder of 2020; and

WHEREAS, the County and CSEA are in agreement that there should be greater flexibility, on a temporary basis, with regard to the ability of the unit employees to carry-over unused vacation time from anniversary year to anniversary year;

NOW, THEREFORE, BE IT RESOLVED, that this County Legislature hereby approves said vacation carry-over modification; and be it further

RESOLVED, that this County Legislature hereby approves a certain Memorandum of Understanding by and between the County and the Civil Service Employees Association, Local 1000 AFSCME, AFL-CIO, Yates County Unit, Yates County Local 862 (“CSEA”) for the purpose of memorializing a mutual agreement to

amend the current collective bargaining agreement between the County and CSEA to accomplish the vacation carry-over modification; and be it further

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

RESOLVED, that copies of this resolution be furnished to the Personnel Officer, County Administrator, County Treasurer, President of the CSEA Unit, President of the Local CSEA, and the County's outside labor counsel.

VOTE: Unanimous

RESOLUTION NO. 258-20

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

AMEND RESOLUTION 228-20 ADOPT 2020 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE

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

WHEREAS, to maintain consistency and transparency with employee classifications, the Personnel Office recommended a new format for the Non-Union Salary Schedule and the Non-Union Hourly Wage Schedule so employees are appropriately identified as being either Exempt or Non-Exempt in accordance with the Department of Labor and the Fair Labor Standards Act; and

WHEREAS, to accurately identify the salary of the Public Defender and the Assistant Public Defenders the dollar amounts associated with the Hurrell-Harring Grant have been incorporated into the newly titled Non-Union Exempt Employee Salary Schedule as "Hurrell-Harring Grant Add-On" as follows:

- Assistant Public Defender (First) - \$35,896
- Assistant Public Defender (First) – Hurrell-Harring Grant Add-On – \$47,744
- Assistant Public Defender – \$43,764

And,

WHEREAS, the initials for the Public Defender Assistants and Assistant District Attorneys have been removed to ensure accurate records are maintained; and

WHEREAS, the Personnel Officer has recommended for administrative purposes and record keeping, that (First) be added at the end of the Assistant Public Defender job title which represents the full-time Assistant Public Defender and that the same applies to the Hurrell-Harring Grant Add On;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature hereby adopts the following Non-Union Exempt Employee Salary Schedule effective June 8, 2020; and be it further

RESOLVED, that effective July 13, 2020 the Highway Superintendent salary be changed to \$83,000; and be it further

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

County Clerk	\$69,938
County Treasurer	\$77,585
District Attorney	\$200,400
Legislators (14 at \$8,933 each)	\$125,062
Legislature Chairman	\$8,933
Sheriff	\$101,275

<u>Exempt Employees</u>	<u>Annual</u>
Assistant District Attorney	\$39,803
Assistant District Attorney	\$68,000
Assistant District Attorney	\$83,640
Assistant Public Defender (First)	\$35,896
Assistant Public Defender (First) – Hurrell-Harring Grant Add-On	\$47,744
Assistant Public Defender	\$43,764
Budget Officer	\$17,000
Building Maintenance Supervisor	\$68,790
Chief Corrections Officer	\$68,216
Clerk, County Legislature	\$58,790
Commissioner of Social Services	\$72,024
Confidential Assistant to Sheriff	\$44,962
Conflict Defender	\$49,189
County Administrator	\$26,100
County Attorney	\$99,039
Deputy County Clerk	\$43,720
Deputy County Treasurer	\$50,220
Deputy County Treasurer – Add-On	\$6,000
Deputy Director of Public Health	\$68,967
Deputy Director of Public Health – Schuyler Add-On	\$2,500
Deputy Highway Superintendent	\$68,312
Deputy Highway Superintendent – Add-On	\$9,420
Director of Child and Family Services	\$62,710
Director of Community Services	\$78,045
Director of Emergency Management	\$70,840
Director of Income Maintenance & Child Support	\$62,710
Director of Public Health	\$76,650
Director of Public Health – Schuyler Add-On	\$20,000
Director of Real Property Tax Services	\$67,500
Director of Veterans' Services Agency	\$52,900
Election Commissioner (D)	\$52,900
Election Commissioner (R)	\$52,900
Highway Superintendent	\$83,000
Information Technology Director	\$78,447
Personnel Officer	\$69,657
Planner	\$61,915
Probation Director	\$68,220
Public Defender	\$73,288
Social Services Attorney	\$71,116

Undersheriff

\$80,533

VOTE: Unanimous

RESOLUTION NO. 259-20

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

**AMEND RESOLUTION 229-20
ADOPT 2020 NON-UNION NON-EXEMPT EMPLOYEE HOURLY WAGE SCHEDULE**

WHEREAS, Resolution 229-20 was duly adopted on June 8, 2020 which adopted the 2020 Non-Union Non-Exempt Employee Hourly Wage Schedule; and

WHEREAS, the hourly wage for Secretary to the Sheriff was inadvertently recorded incorrectly;

NOW, THEREFORE, BE IT RESOLVED, that “Secretary to the Sheriff...\$25.23” be corrected back to “Secretary to the Sheriff...\$21.01”; and be it further

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

	<u>Start Rate</u>	<u>After 12 Months</u>	<u>After 3 Years</u>
Account Clerk Typist (<i>Sheriff's Office</i>)	\$14.88	\$15.14	\$15.66
Animal Control Officer (<i>Part Time</i>)	\$15.69		
Clerk (<i>Historian/Records Management Office/Sheriff</i>)	\$14.94		
Correction Officer	\$18.49	\$19.58	
Correction Officer/ Court Security	\$18.49	\$19.58	
Coroner	\$100.00/case		
County Code Enforcement Officer	\$21.33		
County Historian (<i>Part Time</i>)	\$25.66		
Deputy Sheriff (<i>Experience 80% CO82 LE contract for appropriate step</i>)	\$18.91		
Deputy Sheriff (<i>90% as above, if duty requires special instructor or certification</i>)	\$21.28		
Deputy Election Commissioner	\$23.93		
Polling Site Coordinator	\$16.32		
Poll Inspector	\$12.24		
Poll Inspector (<i>traveling</i>)	\$13.36		
Polling Site Chairperson/Electronic Poll Book Team Leader	\$15.30		
Polling Site Chairperson/Electronic Poll Book Team Leader (<i>traveling</i>)	\$16.32		
Electronic Machine Technician II	\$25.50		
Emergency Services Dispatcher	\$15.42	\$15.88	
Examination Monitor	\$15.46		
	<u>Year 1</u>	<u>After 12 Months</u>	<u>After 3 Years</u>

	<u>Start Rate</u>	<u>Premium</u>	<u>Rate</u>	<u>Premium</u>	<u>Rate</u>	<u>Premium</u>
Jail Cook	\$11.80	\$13.79	\$12.38	\$14.06	\$12.89	\$14.33
Laborer (<i>Seasonal- Highway Department</i>) (<i>80% CSEA Contract rate</i>)	\$12.86					
Law Enforcement Liaison	\$22.90					
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>			
Marine Patrol Officer (<i>Seasonal</i>)	\$15.77	\$16.38	\$17.06			
Motor Equipment Operator (<i>YC Stop- SMART</i>)	\$14.38					
Motor Vehicle Supervisor	\$25.68					
Personnel Assistant	\$21.88					
Public Health Program Coordinator (<i>Part Time</i>)	\$27.05					
Records Management Officer	\$18.85					
Registered Nurse	\$33.23					
Secretary to County Attorney	\$33.60					
Secretary to District Attorney	\$20.63					
Secretary to Public Defender	\$21.04					
Secretary to Sheriff	\$21.01					
Senior Account Clerk Typist (<i>Public Health</i>)	\$18.36					
Senior Account Clerk Typist (<i>Treasurer</i>)	\$25.00					
SPOA Coordinator	\$57.00					
Youth Bureau Director	\$25.11					

VOTE: Unanimous

RESOLUTION NO. 260-20

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



Office of the New York State Comptroller
 New York State and Local Retirement System
 Employees' Retirement System
 Police and Fire Retirement System
 110 State Street, Albany, New York 12244-0001

**Standard Work Day and Reporting Resolution
 for Elected and Appointed Officials**

RS 2417-A
 (Rev. 8/15)

BE IT RESOLVED, that the Yates County Legislature / 10057 hereby establishes the following standard work days for these titles and
(Name of Employer) (Location Code)

will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates <i>(mm/dd/yy-mm/dd/yy)</i>	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials								
					<input type="checkbox"/>			<input type="checkbox"/>
Legislator	7	Patrick Killen			<input type="checkbox"/>	1/1/20 to 12/31/21	6.55	<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"/>

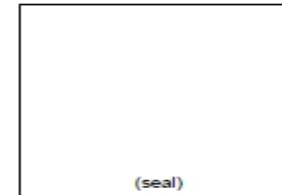
SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, Connie C. Hayes, 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 13 day of July, 2020 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 Legislature on this 13 day of July, 2020,
(Signature of the secretary or clerk) (Name of Employer)

Affidavit of Posting: I, Connie C. Hayes, being duly sworn, deposes and says that the posting of the Resolution began on July 14, 2020 and continued for at least 30 days. That the Resolution was available to the public on the July 14, 2020
(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 _____



VOTE: Unanimous

RESOLUTION NO. 261-20

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

SIGN INTER-MUNICIPAL AGREEMENT BETWEEN COUNTIES OF MONROE, LIVINGSTON, STEUBEN, YATES, SCHUYLER, CHEMUNG, ONTARIO, WAYNE AND SENECA

WHEREAS, the Counties of Monroe, Livingston, Steuben, Yates, Schuyler, Chemung, Ontario, Wayne and Seneca are referred to as the “Finger Lakes Counties”; and

WHEREAS, the County Health Departments of the Finger Lakes Counties all have responsibilities for public emergency planning and response; and

WHEREAS, some public health problems may require public health services that exceed the capacities of the individual County Public Health Departments; and

WHEREAS, the County Health Departments of the Finger Lakes Counties are desirous of establishing an inter-municipal agreement to provide mutual aid to each other during a public health emergency;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is hereby authorized to sign an inter-municipal agreement with the Finger Lakes Counties for the period July 1, 2020 to June 30, 2025; and be it further

RESOLVED, that copies of this resolution be given to the Public Health office and the Yates County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 262-20

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

AUTHORIZE CHAIRMAN TO EXECUTE DISTRIBUTION # 7 NON-COMPETITIVE GRANT AND ANY CONTRACT EXTENSIONS RELATING TO DISTRIBUTION # 7 NON-COMPETITIVE GRANT

WHEREAS, there are funds available to the Yates County Public Defender’s Office through non-competitive grants; and

WHEREAS, a grant was written titled “Distribution 7”, which contract was originally in the amount of \$48,684.00 with \$37,934.00 of available funds remaining; and

WHEREAS, to access these funds a “New York State Master Contract for Grants” grant disbursement agreement must be executed by the County by signature of the Chairman of the Legislature for the receipt of the same (hereinafter referred to as “Distribution 7 Master Contract”); and

WHEREAS, if the monies are not all used prior to the grant term of January 1, 2017 – December 31, 2019 for expenditures that are reimbursable under the Distribution 7 Master Contract, applicable contract extension(s) must be submitted to the Office of Indigent Legal Services (ILS) in order to obtain reimbursement for these claims; and

WHEREAS, the time period for claim submittal can only be extended at intervals of one year at a time; and

WHEREAS, multiple extensions may be necessary to submit for claims for monies paid out after December 31, 2019 pursuant to the above recited grant disbursement agreement; and

WHEREAS, in order to shorten the contract extension process to allow the County to be reimbursed for submitted claims more quickly, the Public Defender's Office is requesting authorization to have the Chairman of the Legislature sign any future contract extensions pursuant to the above recited grant disbursement agreement, thus forgoing the necessity of subsequent resolutions in this regard;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is authorized to execute Distribution 7 Master Contract as well as any future contract extension time periods, and any other necessary documentation related thereto, with notification being given to the Legislature; and be it further

RESOLVED, that a copy of this resolution be given to the Public Defender, County Administrator, County Treasurer and the Office of Indigent Legal Services (ILS)

VOTE: Unanimous

RESOLUTION NO. 263-20

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

AUTHORIZE CHAIRMAN TO EXECUTE DISTRIBUTION # 9 NON-COMPETITIVE GRANT AND ANY CONTRACT EXTENSIONS RELATING TO DISTRIBUTION # 9 NON-COMPETITIVE GRANT

WHEREAS, there are funds available to the Yates County Public Defender's Office through non-competitive grants; and

WHEREAS, a grant was written titled "Distribution 9" in the amount of \$48,684.00 of available funds; and

WHEREAS, to access these funds a "New York State Master Contract for Grants" grant disbursement agreement must be executed by the County by signature of the Chairman of the Legislature for the receipt of the same (hereinafter referred to as "Distribution 9 Master Contract"); and

WHEREAS, if the monies are not all used prior to the grant term of January 1, 2019 – December 31, 2021 for expenditures that are reimbursable under the Distribution 9 Master Contract, applicable contract extension(s) must be submitted to the Office of Indigent Legal Services (ILS) in order to obtain reimbursement for these claims; and

WHEREAS, the time period for claim submittal can only be extended at intervals of one year at a time; and

WHEREAS, multiple extensions may be necessary to submit for claims for monies paid out after December 31, 2021 pursuant to the above recited grant disbursement agreement; and

WHEREAS, in order to shorten the contract extension process to allow the County to be reimbursed for submitted claims more quickly, the Public Defender's Office is requesting authorization to have the Chairman of the Legislature sign any future contract extensions pursuant to the above recited grant disbursement agreement, thus forgoing the necessity of subsequent resolutions in this regard;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is authorized to execute Distribution 9 Master Contract as well as any future contract extension time periods, and any other necessary documentation related thereto, with notification being given to the Legislature; and be it further

RESOLVED, that a copy of this resolution be given to the Public Defender, County Administrator, County Treasurer and the Office of Indigent Legal Services (ILS)

VOTE: Unanimous

RESOLUTION NO. 264-20

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

AUTHORIZE CHAIRMAN TO EXECUTE DISTRIBUTION # 10 NON-COMPETITIVE GRANT AND ANY CONTRACT EXTENSIONS RELATING TO DISTRIBUTION # 10 NON-COMPETITIVE GRANT

WHEREAS, there are funds available to the Yates County Public Defender's Office through non-competitive grants; and

WHEREAS, a grant was written titled "Distribution 10" in the amount of \$48,684.00 of available funds; and

WHEREAS, to access these funds a "New York State Master Contract for Grants" grant disbursement agreement must be executed by the County by signature of the Chairman of the Legislature for the receipt of the same (hereinafter referred to as "Distribution 10 Master Contract"); and

WHEREAS, if the monies are not all used prior to the grant term of January 1, 2020 – December 31, 2022 for expenditures that are reimbursable under the Distribution 10 Master Contract, applicable contract extension(s) must be submitted to the Office of Indigent Legal Services (ILS) in order to obtain reimbursement for these claims; and

WHEREAS, the time period for claim submittal can only be extended at intervals of one year at a time; and

WHEREAS, multiple extensions may be necessary to submit for claims for monies paid out after December 31, 2022 pursuant to the above recited grant disbursement agreement; and

WHEREAS, in order to shorten the contract extension process to allow the County to be reimbursed for submitted claims more quickly, the Public Defender's Office is requesting authorization to have the Chairman of the Legislature sign any future contract extensions pursuant to the above recited grant disbursement agreement, thus forgoing the necessity of subsequent resolutions in this regard;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is authorized to execute Distribution 10 Master Contract as well as any future contract extension time periods, and any other necessary documentation related thereto, with notification being given to the Legislature; and be it further

RESOLVED, that a copy of this resolution be given to the Public Defender, County Administrator, County Treasurer and the Office of Indigent Legal Services (ILS)
VOTE: Unanimous

RESOLUTION NO. 265-20

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

AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH LEXIS NEXIS SERVICES

WHEREAS, the Public Defender is required to conduct legal research in the furtherance of the official duties of the Office of the Public Defender, to respond to, file, and argue motions, appeals, and to fulfill the ethical requirements of said office to be aware of changes in the Laws of the State of New York and the United States; and

WHEREAS, the Public Defender wishes to retain the services of LexisNexis, and to enter into a written agreement at a cost of:

Term:	Monthly Commitment:
7/7/2020-7/31/2020	\$0.00
8/1/2020-7/31/2021	\$50.00
8/1/2021-7/31/2022	\$330.00
8/1/2022-7/31/2023	\$339.00

(averages out to \$233 per month)

And

WHEREAS, the County resolves to waive the general liability insurance requirement;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney the Chairman of the Legislature is authorized to sign said contract; and be it further

RESOLVED, that the Public Defender and the Treasurer be provided with a copy of this resolution.

VOTE: Unanimous

RESOLUTION NO. 266-20

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

AUTHORIZE WORKFORCE DEVELOPMENT BUDGET ALLOCATIONS

WHEREAS, Yates County received WIOA funding for Administrative, Adult and Dislocated Worker, Youth, and One Stop Operator funds;

NOW, THEREFORE, BE IT RESOLVED, that the following amounts be allocated to the 2020-2021 Workforce Budget;

CD6293.1A	(WIOA Title I Adult Staff Wage)	\$22,832.00
CD6293.4A	(WIOA Title I Adult Operating)	\$3,095.00
CD6293.8A	(WIOA Title I Adult Staff Fringe)	\$10,172.00
CD6293.1B	(WIOA Title I DW Staff Wage)	\$18,265.00
CD6293.4B	(WIOA Title I DW Operating)	\$2,839.00
CD6293.8B	(WIOA Title I DW Staff Fringe)	\$8,137.00
CD6293.1D	(WIOA Title I Administration Staff Wage)	\$0
CD6293.4D	(WIOA Title I Administration Operating)	\$2,642.00
CD6293.8D	(WIOA Title I Administration Staff Fringe)	\$0
CD6293.1C	(WIOA Title I Youth Staff Wage)	\$34,478.00
CD6293.4C	(WIOA Title I Youth Operating)	\$5,616.00
CD6293.8C	(WIOA Title I Youth Staff Fringe)	\$8,814.00
CD6293.11C	(WIOA Title I Youth Participant Wage)	\$12,600.00
CD6293.81C	(WIOA Title I Youth Participation Fringe)	\$1,400.00
CD6293.1F	(WIOA in School Youth Staff Wage)	\$7,792.00
CD6293.41F	(WIOA In School Operating)	\$3,374.00
CD6293.8F	(WIOA In School Youth Staff Fringe)	\$2,000.00
CD6293.11F	(WIOA In School Youth Participant Wage)	\$5,400.00
CD6293.81F	(WIOA In School Youth Participant Fringe)	\$600.00
CD6293.44791	(REVENUE)	\$149,083

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 267-20

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

WORKFORCE DEVELOPMENT BUDGET TRANSFER

BE IT RESOLVED, that the following transfers be made in the 2019-2020 Yates County Workforce Development account:

From:	CD6293 11C	WIOA Youth participant wage	\$700
To:	CD6293 4C	WIOA Youth Instructional Supplies	\$700

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 268-20

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

APPOINTMENT TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD

WHEREAS, this legislature, by resolution, has authorized the creation of the Finger Lakes Workforce Investment Board for the Counties of Yates, Ontario, Seneca and Wayne in compliance with the Workforce Investment and Opportunity Act (WIOA) of 2014; and

WHEREAS, the Workforce Investment Board members must be appointed by the respective legislative boards; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby appoint the following representative to the Finger Lakes Workforce Investment Board to fill a three-year term from July 1, 2020 to June 30, 2023.

Michelle Jungermann
Director, Meaningful Activities
Ontario ARC

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 269-20

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

RENEW RESIDENTIAL SERVICES CONTRACTS FROM JULY 1, 2020 – JUNE 30, 2021

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 Chairman of the Legislature and the Social Services Commissioner are 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, 2020- June 30, 2021.

House of the Good Sheppard	Institution Regular	\$380.82
	Emergency Institution	\$502.38
	HTP Institution	\$474.63
	FBH Regular	\$43.96
	Therapeutic FBH	\$63.57

And be it further

RESOLVED, that copies of this resolution be given to the Yates County Commissioner of Social Services and the County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 270-20

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

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 Chairman of the Legislature and the Social Services Commissioner are 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, 2020-June 30, 2021 at the rate herein identified:

Driving Lessons

Pick up within 15 miles of the school \$70.00

Pick up between 16-20 miles of the school \$80.00

Pick up between 21-30 miles of the school \$90.00

Road Test/90 Minute Lesson

Pick up within 15 miles of the school \$105.00

Pick up between 16-20 miles of the school \$115.00

Pick up between 21-30 miles of the school \$125.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 271-20

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

AUTHORIZE CONTRACT WITH SAFE HARBORS OF THE FINGER LAKES FOR NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES

WHEREAS, The Department of Social Services is required by regulation to provide non-residential domestic violence services to Yates County residents; and

WHEREAS, The Department of Social Services is interested in contracting with Safe Harbors of the Finger Lakes for these services;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairman of the Legislature and the Social Services Commissioner be authorized to sign a

contract with Safe Harbors of the Finger Lakes at an amount not to exceed \$25,000 for the period of 7/1/20-6/30/21; and be it further

RESOLVED, that copies of this resolution be given to the Yates County Commissioner of Social Services and the County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 272-20

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

AUTHORIZE HIGHWAY SUPERINTENDENT AND THE CHAIRMAN TO SIGN A SHARED SERVICES AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, there may be times during emergency situations when the Yates County Highway Department may need assistance from the New York State Department of Transportation (NYSDOT) and vice versa in the form of shared labor, materials and/or equipment; and

WHEREAS, in the absence of an emergency declaration by the Governor and/or the suspension of Highway Law, Section 55 which allows for NYSDOT to provide assistance to local municipalities, Yates County Highway Department may need such assistance and desires to enter into an Inter-Municipal Shared Services Agreement with the New York State Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Yates County Superintendent of Highways and the Chairman are authorized to sign a Shared Services agreement with the New York State Department of Transportation; and be it further

RESOLVED, that a copy of this resolution be sent to the Yates County Highway Superintendent, and to the NYSDOT Region 6 Director of Operations.

VOTE: Unanimous

RESOLUTION NO. 273-20

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

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH EVERGREEN EXCAVATION

WHEREAS, trees in a hedgerow were cut down in order to improve the accuracy and operation of the Segmented Circle and Wind Cones recently installed at the Penn Yan – Yates County Airport; and

WHEREAS, it is necessary to remove stumps and rocks, tree trunks and brush and grade the area in order to be able to properly maintain the property in the future; and

WHEREAS, Yates County Soil and Water Conservation District assisted the County by meeting with contractors and obtaining quotes for review by the Airport Council; and

WHEREAS, the Airport Council has reviewed the quotes obtained and recommends that the County engage Evergreen Excavation LLC for the sum of \$6,000 to undertake the project as described; and

WHEREAS, the expenditure is reimbursable to the County from the federal CARES grant;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairman of the Legislature is authorized to sign a contract between Evergreen Excavation and Yates County for the described project at the Penn Yan – Yates County Airport in the amount of \$6,000; and be it further

RESOLVED, that copies of this resolution be provided to the Airport Council, Yates County Soil and Water Conservation District, Passero Associates, County Highway Superintendent and County Treasurer.

VOTE: Unanimous with Mr. Button abstaining.

RESOLUTION NO. 274-20

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

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH BERGMANN PC FOR THE PURPOSES OF CONDUCTING A FACILITY NEEDS ASSESSMENT OF THE YATES COUNTY PUBLIC SAFETY BUILDING

WHEREAS, Yates County owns and operates a Public Safety Facility located at 227 Main Street, Penn Yan; and

WHEREAS, the facility has been in continuous operation since 1975 and is in need of a survey to determine the extent of necessary renovations and other alterations to maintain the functionality and compliance of said facility; and

WHEREAS, Bergmann PC has submitted a proposal to conduct a facility needs assessment and is qualified to provide these professional services to the County; and

WHEREAS, a subcommittee of the County's Criminal Justice Coordinating Council (CJCC) has reviewed said proposal and recommends that it be accepted;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to enter into a contract with Bergmann PC; and be it further

RESOLVED, that said contract fees for Bergmann PC are for an amount not to exceed \$20,000.00 for the services stated; and be it further

RESOLVED, that copies of this resolution be provided to Bergmann PC, the County Administrator, Treasurer, Budget Officer and Planner.

VOTE: Unanimous

RESOLUTION NO. 275-20

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

AUTHORIZE CHAIRMAN TO SIGN FEDERAL TRANSIT OPERATING ASSISTANCE (CARES ACT) AGREEMENT #C004187 FOR TEMPORARY ADDITIONAL OPERATING ACTIVITIES RELATED TO COVID-19

WHEREAS, additional funding for Temporary Operating Activities was awarded to Yates County in support of its efforts to provide affordable public transportation; and

WHEREAS, the Grant provides for expenditures as allowed under the 5311 grant program to cover operating activities related to COVID-19 within the County; and

WHEREAS, the County utilizes the services of Yates Transit Service (YTS) to administer and operate the County public transportation system and as such is the recipient of such funding awarded to the County;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to enter into a contract with the New York State Department of Transportation for said grant funding; and be it further

RESOLVED, that said contract will run from 1/01/2020 to 12/31/2022 for an amount of \$285,997 with no monetary outlay required by the County; and be it further

RESOLVED, that copies of this resolution be provided to the New York State Department of Transportation, Yates Transit Service, MOZAIC, and the County Planner.

VOTE: Unanimous

RESOLUTION NO. 276-20

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

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH SCHNEIDER GEOSPATIAL FOR THE DESIGN AND IMPLEMENTATION OF A YATES COUNTY GIS-BASED PUBLIC ACCESS PORTAL

WHEREAS, Yates County recognizes that providing public access to records and data, especially in times where direct interactions are limited or prohibited, is critical to the operation of the County; and

WHEREAS, the design and implementation of a GIS (geospatial information system) portal whereby the public can access data and services has been found to be an effective means to achieve that goal; and

WHEREAS, Schneider Geospatial, of 8901 Otis Avenue, Indianapolis, IN 46216, has submitted a proposal to design, implement and provide hosting support for said GIS-based portal and is qualified to provide these professional services to the County; and

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

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to enter into a contract with Schneider Geospatial; and be it further

RESOLVED, that said contract fees for Schneider Geospatial are for an amount not to exceed \$10,800.00 for design and implementation with one year of subsequent annual support and hosting for an amount not to exceed \$5,760; and be it further

RESOLVED, that copies of this resolution be provided to Schneider Geospatial, the County Administrator, Treasurer, Budget Officer and Planner.

VOTE: Unanimous

RESOLUTION NO. 277-20

Mr. Holgate withdrew the following resolution.

**APPROVE THE CAPITAL IMPROVEMENT PLAN FOR
FISCAL YEAR 2021-2025**

WHEREAS, the Yates County Legislature initiated a Capital Improvement Planning Program in December 1999 in order to more effectively identify, prioritize, plan for and finance capital projects and equipment expenditures;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby approves the proposed Fiscal Year 2021-2025 Capital Improvement Plan; and be it further

RESOLVED, that copies of this resolution be given to the Legislative Chairman, the County Treasurer and the County Planner.

Project #	Short Title	Estimated Cost FY 2021-FY2025	Funding Method	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
ADM	County Buiding and Courthouse Project : Debt Service	\$ -	GF/S	\$ 1,346,400	\$ -	\$ -	\$ -	\$ -	\$ -
ADM	Horizon Business Park: Debt Service	\$ 52,111	GF	\$ 27,955	\$ 27,422	\$ 24,689	\$ -	\$ -	\$ -
AIR	De-icing Equipment (truck)	\$ 175,000	AR		\$ 175,000				
AIR	Terminal Apron Rehab (design)	\$ 490,000	AR		\$ 90,000		\$ 400,000		
AIR	Fuel Trucks	\$ 415,500	AR		\$ 415,500				
AIR	Obstruction removal	\$ 150,000	AR			\$ 150,000			
AIR	Parallel Taxiway B Extension	\$ 1,780,000	AR			\$ 180,000		\$ 1,600,000	
AIR	Taxiway A Rehab	\$ 120,000	AR						\$ 120,000.00
AIR	Runway Rehab	\$ 710,000	AR				\$ 110,000		\$ 600,000
BLD/G	Old CH Elevator B Controls	\$ 80,000	TR	\$ -	\$ 80,000	\$ -			
BLD/G	Security System Upgrades (CH)	\$ 120,000	GF/S				\$ 120,000		
BLD/G	Loader (to replace skid-steer)	\$ 85,000	GF/S/R					\$ 85,000	
BLD/G	Truck Replacement (with plow)	\$ 35,000	GF	\$ 33,000			\$ 35,000		
BLD/G	VFD, Siemens Equipment	\$ 150,000	GF		\$ -	\$ 150,000			
BLD/G	Parking Lot Repairs/ Drainage	\$ 250,000	GF					\$ -	\$ 250,000.00
BLD/G	Annex Windows Replacement	\$ 100,000			\$ 100,000				
BLD/G	Old CH, Annex and COB Insulation	\$ 40,000	GF	\$ -	\$ 40,000				
BLD/G	Chillers for CH and COB	\$ 84,000	GF			\$ 64,000	\$ 20,000	\$ -	\$ -
BLD/G	Annex Exterior Restoration	\$ 400,000						\$ 400,000	
H-RD	Capital Road Rehab/ Construction 2020	\$ 2,476,477	RF/S	\$ 2,476,477					
H-RD	Capital Road Rehab/ Construction 2021	\$ 2,481,900	RF/S		\$ 2,481,900				
H-RD	Capital Road Rehab/ Construction 2022	\$ 3,090,000	RF/S			\$ 3,090,000			
H-RD	Capital Road Rehab/ Construction 2023	\$ 2,782,300	RF/S				\$ 2,782,300		
H-RD	Capital Road Rehab/ Construction 2024	\$ 2,688,300	RF/S					\$ 2,688,300	
H-RD	Capital Road Rehab/ Construction 2025	\$ 2,702,000	RF/S						\$ 2,702,000
HWY	Highway Facilities Assessment	\$ -	GF						
HWY	Highway Facilities Baseline Reno/Construction	\$ 2,466,150	GF		\$ -	\$ 2,466,150			
HWY	Fleet Car Replacement	\$ 253,100	GF	\$ 64,600	\$ 40,500	\$ 44,600	\$ 73,300	\$ 44,400	\$ 50,300
HWY	William Street Bridge Replacement		GF/F	\$ 1,241,000					
	E Sherman Hollow Bridge		GF/F	\$ 914,811					
H-EQ	Trucks and Heavy Equipment	\$ 3,244,500	RM	\$ 531,000	\$ 681,900	\$ 790,000	\$ 782,300	\$ 588,300	\$ 402,000
IT	Computer Capital Plan	\$ 606,552	GF/S	\$ 91,250	\$ 181,850	\$ 125,384	\$ 116,543	\$ 91,525	\$ 91,250
SHF	Public Safety Building: Needs Assessment	\$ 50,000	GF	\$ 50,000					
SHF	Public Safety Building: Basline Renovations	\$ -	GF		\$ -				
SHF	Storage Barn (Guyanoga Site)	\$ -	GF	\$ -	\$ -				
SHF	Communications Project Study	\$ -	GF						
SHF	Communications Systems Upgrade	\$ 1,700,000	GF/S	\$ -	\$ 500,000	\$ 1,200,000	\$ -	\$ -	\$ -
SHF	Vehicle Replacement	\$ 1,087,000	GF/S	\$ 226,000	\$ 200,000	\$ 210,000	\$ 212,000	\$ 247,000	\$ 218,000
SHF	Body Cameras	\$ 206,355	GF/S	\$ -	\$ 67,611	\$ 34,686	\$ 34,686	\$ 34,686	\$ 34,686
SHF	Communications Tower	\$ 134,500	GF/S	\$ 31,000	\$ 103,500	\$ -	\$ -	\$ -	
EMS	Vehicle Replacement	\$ -	GF		\$ -				
ELEC	New Voting Machines	\$ 213,500	GF	\$ -	\$ -		\$ 213,500		
ELEC	New Polling Books	\$ -	GF	\$ -					
Gross Totals:	All FY Total:	\$ 31,419,245	Annual Totals:	\$ 7,033,493	\$ 5,185,183	\$ 8,529,509	\$ 4,899,629	\$ 5,779,211	\$ 4,468,236
Amount of Aid	All Aid/ revenue Total:	\$ 10,575,152		\$ 3,664,557	\$ 1,977,981	\$ 1,895,381	\$ 1,868,981	\$ 2,849,078	\$ 1,983,731
Net Budget:	Net Total:	\$ 18,286,616		\$ 3,368,936	\$ 3,207,202	\$ 6,634,128	\$ 3,030,648	\$ 2,930,133	\$ 2,484,505

2020 2021 2022 2023 2024 2025

CIP Budget 7-9-2020with AIR

FY Budget	Total	YC Contribution	Aid Amount	Revenue/fees	Aid Ratio	% of Average Budget
2020	\$ 7,033,493	\$ 3,368,936	\$ 3,519,557	\$ 145,000	1/2	109.32
2021	\$ 5,185,183	\$ 3,207,202	\$ 1,818,231	\$ 105,000	1/3	104.07
2022	\$ 8,529,509	\$ 6,634,128	\$ 1,795,381	\$ 100,000	1/5	215.28
2023	\$ 4,899,629	\$ 3,030,648	\$ 1,689,981	\$ 179,000	1/3	98.35
2024	\$ 5,779,211	\$ 2,930,133	\$ 2,734,078	\$ 115,000	1/2	95.08
2025	\$ 4,468,236	\$ 2,484,505	\$ 1,873,931	\$ 109,800	3/7	80.62
Totals	\$ 35,895,261	\$ 21,655,552	\$ 13,431,159	\$ 753,800		

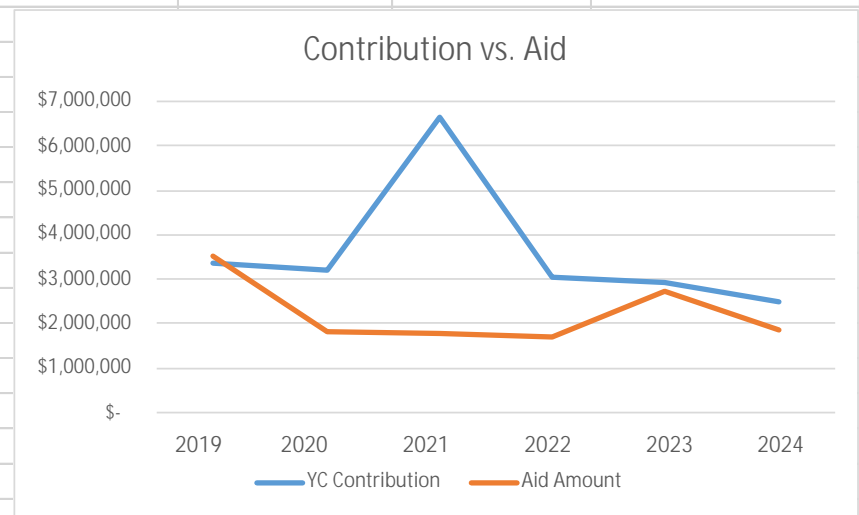
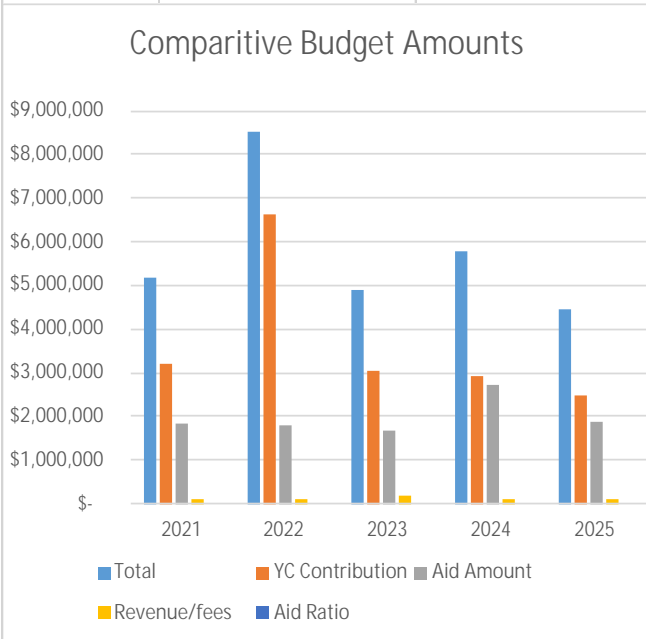
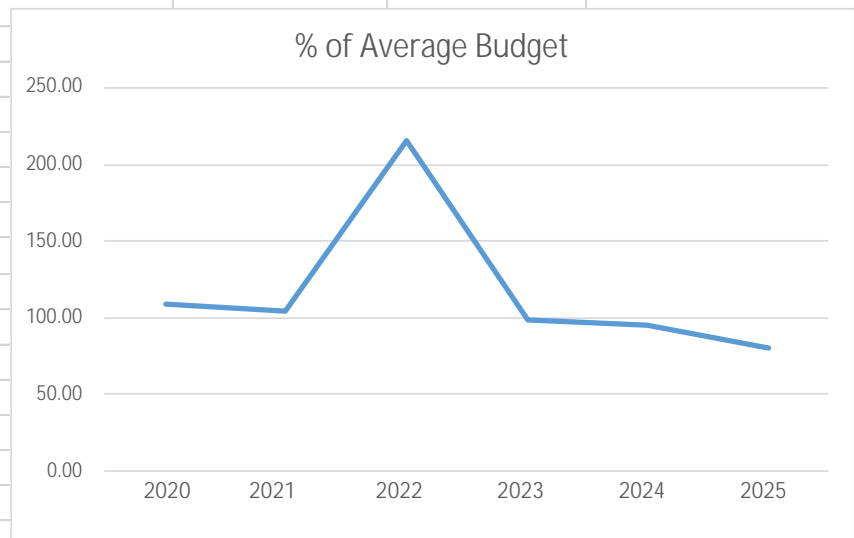
Note that data for the above table is referenced from other tables, changes to this information should be made on the source table only.

Aid Ratio is Aid amount compared to total budget for that fiscal year.

% of Average Budget is the average of YC Contributions over the past 5 budget years starting from the last adopted budget.

Past Budgets	YC Contribution
2014	\$ 2,739,964
2015	\$ 2,808,000
2016	\$ 3,767,544
2017	\$ 2,964,722
2018	\$ 2,988,599
2019	\$ 3,220,931

total	\$ 18,489,760
average	\$ 3,081,627



CIP Budget 7-9-2020with AIR

2022	Project	Total Project Cost	Federal Aid	State Aid	Sale of Equipment	Reserve for Facilities	Telephone Reserve	Airport Reserve	General Fund	Road Fund	Road Machinery	TOTAL COUNTY 2022 CONTRIBUTION (NET)
ADM	Horizon Business Park: Debt Service	\$ 24,689							\$ 24,689			\$ 24,689
H-RD	Capital Road Rehab/ Construction	\$ 3,090,000	\$ -	\$ 1,167,431	\$ 72,000				\$ -	\$ 1,850,569		\$ 1,850,569
H-EQ	Trucks and Heavy Equipment	\$ 790,000				\$ -			\$ -		\$ 790,000	\$ 790,000
IT	Computer Capital Plan	\$ 125,384		\$ 12,450					\$ 112,934			\$ 112,934
HWY	Phase Two: Highway Facilities Project	\$ 2,466,150							\$ 2,466,150			\$ 2,466,150
SHF	Vehicle Replacement	\$ 210,000		\$ -					\$ 210,000			\$ 210,000
SHF	Communications Upgrade Project	\$ 1,200,000		\$ 300,000					\$ 900,000			\$ 900,000
SHF	Body Worn Cameras	\$ 34,686	\$ -	\$ -					\$ 34,686			\$ 34,686
BLDG	VFD, Seimens Equipment	\$ 150,000		\$ -					\$ 150,000			\$ 150,000
BLDG	Chillers for CH and COB	\$ 64,000		\$ 2,000					\$ 62,000			\$ 62,000
CG	Fleet Purchases	\$ 44,600		\$ -	\$ 28,000				\$ 44,600			\$ 44,600
AIR	Obstruction Removal	\$ 150,000	\$ 135,000	\$ 7,500	\$ -			\$ 7,500				\$ 7,500
AIR	Parallel Taxiway B Extension (Design)	\$ 180,000	\$ 162,000	\$ 9,000	\$ -			\$ 9,000				\$ 9,000
	TOTAL:	\$ 8,529,509	\$ 297,000	\$ 1,498,381	\$ 100,000	\$ -	\$ -	\$ 16,500	\$ 4,005,059	\$ 1,850,569	\$ 790,000	\$ 6,634,128

Total Aid from other sources (not including fees/ revenue): \$ 1,795,381
Percentage of Aid vs. Total Costs: 21.05%
Total Aid / revenue projected: \$ 1,895,381

CIP Budget 7-9-2020with AIR

Body Camera Update (6-10-20)
Moved funding for AIR projects to AR (7-2-20)
Moved Heavy Equipment revenue to Road Rehab (7-7-20)

2024	Project	Total Project Cost	Federal Aid	State Aid	Sale of Equipment	Reserve for Facilities	Telephone Reserve	Airport Reserve	General Fund	Road Fund	Road Machinery	TOTAL COUNTY 2024 CONTRIBUTION (NET)
H-RD	Capital Road Rehab/ Construction	\$ 2,688,300	\$ -	\$ 1,167,431	\$ 87,000				\$ -	\$ 1,433,869		\$ 1,433,869
H-EQ	Trucks and Heavy Equipment	\$ 588,300				\$ -			\$ -		\$ 588,300	\$ 588,300
IT	Computer Capital Plan	\$ 91,525		\$ 8,400					\$ 83,125			\$ 83,125
BLDG	Loader (to replace skid steer)	\$ 85,000	\$ 12,000	\$ 6,247					\$ 66,753			\$ 66,753
BLDG	Annex Brick/Exterior Restoration	\$ 400,000	\$ -	\$ -					\$ 400,000			\$ 400,000
CG	Fleet Purchases	\$ 44,400		\$ -	\$ 28,000				\$ 44,400			\$ 16,400
SHF	Vehicle Replacement	\$ 247,000		\$ 20,000	\$ -				\$ 227,000			\$ 227,000
SHF	Body Worn Cameras	\$ 34,686	\$ -						\$ 34,686			\$ 34,686
AIR	Parallel Taxiway B Extension (Construction)	\$ 1,600,000	\$ 1,440,000	\$ 80,000				\$ 80,000				\$ 80,000
AIR		\$ -	\$ -						\$ -			\$ -
	TOTAL:	\$ 5,779,211	\$ 1,452,000	\$ 1,282,078	\$ 115,000	\$ -	\$ -	\$ 80,000	\$ 855,964	\$ 1,433,869	\$ 588,300	\$ 2,930,133

Total Aid from other sources (not including fees/ revenue): \$ 2,734,078

Percentage of Aid vs. Total Costs: 47.31%

Total aid/ revenue projected: \$ 2,849,078

CIP Budget 7-9-2020with AIR

AIR project funding moved to AR (7-2-20)

Moved Heavy Equipment Revenue to Road Rehab (7-7-20)

RESOLUTION NO. 278-20

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

2020 BUDGET TRANSFERS

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

From:	To:	Amount:
D5110.51505 HWY-Overtime	D5112.5150 HWY-Overtime	\$1,279.86

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 279-20

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

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT FOR FISCAL SERVICES
(TREASURER)**

WHEREAS, it is required by New York State to file a Continuing Disclosure Report annually with the Municipal Securities Rulemaking Board;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Yates County Legislature is authorized to sign the service agreement with Fiscal Advisors & Marketing, Inc., effective 1/1/2020-12/31/2020 for a fee not to exceed \$2,200.00; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 280-20

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

**APPROPRIATE ADDITIONAL REVENUE
(BUILDINGS AND GROUNDS)**

WHEREAS, Buildings and Grounds has received additional revenue over the 2020 budgeted amount along with corresponding expenditures; and

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

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

Revenue:	
A1620.42680 B&G-Insurance Recoveries	\$24,852.46

RESOLVED, that the following accounts be increased by \$298,537.41

Budgetary Account:

A878.I	Appropriate Infrastructure Reserve	\$298,537.41
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Appropriation

CD8662.45031	Infrastructure Interfund Revenue	\$298,537.41
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And be it further

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

VOTE: Unanimous

RESOLUTION NO. 283-20

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

APPROPRIATE UNASSIGNED FUND BALANCE

WHEREAS, Resolution 432-11, Fund Balance Policy, authorizes the Treasurer to assign funds for specific purposes; and

WHEREAS, funds need to be appropriated in order to meet the County's 25% match for the funding of the USDA ReConnect Program; and

WHEREAS, Yates County has \$3,190,107.17 of available unassigned fund balance;

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer be, and hereby is, authorized to transfer \$3,190,107.17 from unassigned general fund balance to the Infrastructure account;

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 284-20

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

Mr. Multer stated he feels there are issues with this and he will bring them up at the public hearing.

Mr. Holgate reported the public hearing for this local law will be July 27th at 6:00pm. Chairman Paddock stated that the meeting would be accessible by Zoom and in person.

**SET DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW 6-2020 ENTITLED
A LOCAL LAW RETAINING THE ELECTED COUNTY TREASURER AND**

ASSIGNING CERTAIN POWERS AND DUTIES TO AN APPOINTED DIRECTOR OF FINANCE

BE IT RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed local law 6-2020 entitled “A Local Law Retaining The Elected County Treasurer And Assigning Certain Powers And Duties To An Appointed Director Of Finance”; and be it further

RESOLVED, said public hearing shall be held July 27, 2020 at 6:00 p.m. in the Yates County Legislative Chambers, 417 Liberty Street, Penn Yan, NY and also available by Zoom meeting.

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

Local Law Filing

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

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

County
City of Yates
Town
Village

LOCAL LAW 6-20 ENTITLED: LOCAL LAW RETAINING THE ELECTED COUNTY TREASURER AND ASSIGNING CERTAIN POWERS AND DUTIES TO AN APPOINTED DIRECTOR OF FINANCE

Be it enacted by the Legislature of the

County
City of Yates as follows:
Town
Village

SECTION 1. LEGISLATIVE PURPOSE

It is the desire of the Yates County Legislature, in its continuing efforts to upgrade the administration of County government, to legally define, clarify and improve the management structure of the financial operations of the County of Yates.

SECTION 2. POWERS AND DUTIES RETAINED BY COUNTY TREASURER

- A. The elected position of County Treasurer will continue as the chief fiscal officer of the County and continue with the powers and duties specified by this law. The Treasurer will provide checks and balances on powers and duties assigned to the Director of Finance and the Department of Finance.
- B. The Treasurer will continue to be responsible for administration, collection and enforcement of real property taxes, including foreclosures and administration of estates that, as important public functions, require the accountability of an elected position. The Treasurer shall appoint, supervise, discipline, and, if necessary, remove employees reporting to the Treasurer, and assign and reassign powers and duties to such employees, have charge and

control of employees reporting to the Treasurer in accordance with sound management principles, County policies, Civil Service Law, and other administrative policies and procedures. The Treasurer shall continue with the powers and duties set forth in the laws of New York, with the exception of those that are specifically assigned to the Director of Finance by this local law.

SECTION 3. DIRECTOR OF FINANCE; APPOINTMENT; TERM; DEPUTY

- A. Effective January 1, 2022, there shall be a Department of Finance headed by the Director of Finance, who shall be appointed by the County Legislature, as set forth herein, on the basis of his or her professional, educational, and administrative qualifications and will serve at the pleasure of the Legislature. The Director of Finance shall serve in a policy influencing, confidential capacity to the County Legislature. The Director of Finance shall report to the Legislature through the County Administrator. The term of office of the Director of Finance shall be two years, as follows: On or after January 1, 2022 the Director of Finance shall be appointed by the County Legislature for a two year term from and including January 1, 2022 and ending on December 31, 2023. And similarly thereafter, the Director of Finance shall be appointed by the County Legislature on or after January 1 of an even numbered calendar year for a two year term from and including January 1 of said even numbered calendar year and ending on December 31 of the following odd numbered calendar year.
- B. The Director of Finance shall appoint a deputy director of finance to perform the duties of the Director during the temporary absence or inability of the Director to act. That appointment shall be made from the existing staff of the Department of Finance, and the designation shall carry no additional salary. Such appointment shall be in writing and be filed and recorded in the office of the County Clerk. In the event of a vacancy in the Director position, the deputy director shall possess the powers and perform the duties of the Director until a successor is appointed, and after a period of no longer than thirty (30) days, shall be additionally compensated at the base salary of the Director of Finance.

SECTION 4. POWERS AND DUTIES OF THE DIRECTOR OF FINANCE

- A. The Director of Finance shall appoint, supervise, discipline and, if necessary, remove employees of the Department of Finance, and assign and reassign powers and duties to such employees, have charge and control of employees of the Department of Finance in accordance with sound management principles, County policies, Civil Service Law and other administrative policies and procedures.
- B. The Director of Finance shall be responsible for the administration of the Department of Finance, shall have general superintendence over the fiscal affairs of the County, and shall manage the County budget. The Director of Finance will provide checks and balances on powers and duties retained by the Treasurer. The Director of Finance shall have the following powers and duties:
 - a. Accounting:
 - i. Keep records of revenues, appropriations, encumbrances and expenditures, and prescribe approved methods of accounting for County officers and administrative units.
 - ii. Review all requisitions to determine that sufficient funds exist with which to pay them.
 - iii. Keep separate accounts for each County officer and department and maintain the funds of the County as prescribed by law and in accordance with the directives of the County Legislature.

- iv. Prepare monthly financial reports of the revenues, expenses and balances of the County.
- b. Audit all claims, accounts and demands that are lawful County charges and present to the County Legislature for review and authorization for payment.
- c. Subject to the provisions of the Civil Service Law, prepare payrolls and pay the salaries and wages of officers and employees paid from County funds or delegate and authorize an officer or employee of the department to certify the correctness of payrolls.
- d. Manage the recording and investment of cash.
- e. Administer and account for court and trust funds.
- f. Monitor the County sales tax program, ensuring that all sales taxes collected are remitted to and received by the County.
- g. Administer the County occupancy tax program, ensuring that all occupancy taxes are collected and are remitted to and received by the County.
- h. Monitor and analyze the current financial position of the County and forecast future results.
- i. Administer the issuance of bonds and notes as approved by the County Legislature.
- j. Administer existing County fiscal/financial policies and create new policies as required.
- k. Require, as appropriate, any County officer or head of a department to furnish an inventory of supplies and equipment on hand and necessary purchases contracted for or contemplated.
- l. Pay all lawful claims or charges against the County for which the County is responsible and preserve all claims, accounts and demands as required by law.
- m. Periodically audit the cash and fiscal records of all County departments and implement fiscal efficiencies in all of the County operations and enterprises
- n. Review and analyze departmental budgets, identifying variances and recommending necessary corrective action to the departments and the County Administrator.
- o. On or before March 1st each year, submit financial reports to the County Legislature summarizing the fiscal condition of the County at December 31st of the previous year. Furnish such additional reports and graphs from time to time as needed by the County Administrator and the County Legislature.
- p. Prepare the annual financial report for the NYS Comptroller.
- q. Manage the County fund balances to ensure that they are adequate and sufficient to meet operating needs.
- r. Keep a record of all bonded indebtedness and other loans and conduct the sale of all bonds pursuant to the provisions of the Local Finance Law.
- s. Determine and report the financial and budgetary impact on the County of
 - i. all proposed County policy decisions,
 - ii. changes in state and federal budgets and
 - iii. any changes in environmental factors.
- t. Additional and related duties as may be directed by the County Legislature.

SECTION 5. ACCESS TO RECORDS

Notwithstanding any other provision of law, the Director of Finance and the County Treasurer shall have full access to all financial books and records of the County and of their respective offices.

SECTION 6. SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 7. MANDATORY REFERENDUM

This Local Law shall be subject to a mandatory referendum, and shall be submitted for the approval of the electors of the County of Yates at the next general election to be held November 3, 2020, and shall take effect when approved by said electors in the manner set forth in §23 of the Municipal Home Rule Law, filed in the office of the Secretary of State and as provided in §3 of this local law.

VOTE: Unanimous

Chairman Paddock closed the public hearing on proposed local law 5-2020 at 1:45pm. There were no comments made.

RESOLUTION NO. 285-20

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

ADOPT LOCAL LAW 5-20 ENTITLED: A LOCAL LAW AMENDING COUNTY OF YATES LOCAL LAW NO. 1 OF THE YEAR 1956 – A LOCAL LAW ESTABLISHING A PLAN OF SELF-INSURANCE AS PROVIDED FOR IN ARTICLE 5 OF THE WORKMEN’S COMPENSATION LAW, AND PROVIDING FOR THE ADMINISTRATION THEREOF

WHEREAS, proposed Local Law 5-20 “Entitled A Local Law Amending County Of Yates Local Law No. 1 Of The Year 1956 – A Local Law Establishing A Plan Of Self-Insurance As Provided For In Article 5 Of The Workmen’s Compensation Law, And Providing For The Administration Thereof” was introduced at the June 8th meeting; and

WHEREAS, a public hearing was duly held on July 13, 2020;

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law 5-20 entitled “A Local Law Amending County Of Yates Local Law No. 1 Of The Year 1956 – A Local Law Establishing A Plan Of Self-Insurance As Provided For In Article 5 Of The Workmen’s Compensation Law, And Providing For The Administration Thereof” is hereby adopted; and be it further

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

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

County
City of Yates
Town
Village

LOCAL LAW 5-20 ENTITLED: A LOCAL LAW AMENDING COUNTY OF YATES LOCAL LAW NO. 1 OF THE YEAR 1956 – A LOCAL LAW ESTABLISHING A PLAN OF SELF-INSURANCE AS PROVIDED FOR IN ARTICLE 5 OF THE WORKMEN’S COMPENSATION LAW, AND PROVIDING FOR THE ADMINISTRATION THEREOF

Be it enacted by the Legislature of the

County
City of Yates as follows:
Town
Village

Section 1: Legislative Intent

The intent of this Local Law is to amend County of Yates Local Law No. 1 of the Year 1956, entitled A Local Law Establishing A Plan Of Self-Insurance As Provided For In Article 5 of the Workmen’s Compensation Law, And Providing For The Administration Thereof, which establishes a plan of self-insurance pursuant to the New York State Workers’ Compensation Law and provides a framework for its administration. Said Local Law No. 1-1956 was first amended by way of Local Law No. 1 of the Year 1961. The intent of this Local Law herein is to enact a second amendment to said Local Law No. 1-1956.

Section 2: Physical Examination Requirement

The Section numbered “5” of County of Yates Local Law No. 1 of the Year 1956, is hereby amended as follows:

SECTION 5: Every new employee of any participant in the plan, with the exception of any Exempt Employee, as such term is defined in this Section herein, shall undergo a physical examination before undertaking any of the duties of his or her employment, except in the case of an emergency, in which case the participant employing such employee shall arrange for such physical examination at the earliest possible time after such undertaking of duties. The expense of such physical examination shall be paid from the funds of the plan. Reports of medical examinations shall be filed with the Executive Secretary of the Committee. No participant shall allow an employee to assume a position, the duties of which will aggravate any physical defect or disability known at the date of employment. The following employees constitute Exempt Employees for the purposes of this Section: (a) all elected officials, (b) all members, officers and employees of boards of elections, (c) all members of any participant’s boards or committees, (d) recipients of public assistance who are required to participate in community service or work experience activities pursuant to the New York State Social Services Law, namely workforce development activities, community aide activities and youth program activities and (e) any employee of a particular participant who was last employed by that particular participant within one (1) year of being re-employed by such participant.

Section 3: Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

VOTE: Unanimous

Chairman Paddock stated he should have stated this with the previous resolution as questions have come up. The local law envisions the treasurer's position becoming part-time while the Director of Finance would be full time. The duties are clearly described within the local law. The Legislature will have the opportunity to set the appropriate salaries.

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

1. collective bargaining involving CSEA union with members of the legislature, County Administrator and the County's labor attorney present by phone or Zoom webinar;
2. the employment history of a particular person or persons, with members of the legislature and County Administrator present. Seconded by Mr. Harper.

It is not anticipated that there will be any resolutions forthcoming after the conclusion of the executive sessions.

VOTE: Unanimous

Meeting adjourned at 2:30 p.m.