The Yates County Legislature convened in regular session Monday, August 8, 2022 at 1:00 p.m. with Chairwoman Church presiding and Mr. Banach absent.

RESOLUTION NO. 319-22

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

RECOGNIZE YATES COUNTY DISTINGUISHED YOUTH AWARD RECIPIENT

WHEREAS, the Yates County Youth Board selected Lia Bush for recognition as a Yates County Distinguished Youth of 2022, acknowledging her outstanding service to her community;

NOW, THEREFORE, BE IT RESOLVED, that this Legislature take recognition of this honor bestowed upon Lia Bush by the Yates County Youth Board on August 8, 2022, in Penn Yan, NY, and thank her for her dedicated service to the community of Penn Yan and to the citizens of Yates County; and be it further

RESOLVED, that a copy of this resolution be provided to Lia Bush and the Youth Bureau Director.

VOTE: Unanimous

Christine Younge, Youth Services, acknowledged Lia Bush. Lia has been described as polite, friendly, attentive, solid, consistent, kind, and a natural role model. She’s not afraid to take the lead and is comfortable speaking with both youth and adults.

Dale Irwin, Greenidge President, stated that what they are and who they are is best told by their employees. Dale presented the following unscripted YouTube videos:

https://www.youtube.com/watch?v=OQxL3DH43q8

https://www.youtube.com/watch?v=9owIaKe0a8I

Dale wanted to set the record straight, discrediting inaccurate accusations. Dale went into detail discussing the claim that they are discharging extremely hot water back into the lake. Dale stated that “The maximum allowable water discharge is precisely mathematical equivalent of dropping one teaspoon of slightly warmer water into a full standard sized bathtub”. He encouraged everyone to test this, to see how many teaspoons it takes to change the water temperature. The water that goes back into the lake is not higher than 9 degrees above the waters current temperature. The claim that the water is discharged into a trout stream that leads directly into Seneca Lake is accurate, no one is denying it, it is clear in the DEC permit. Dale stated that there has not been any proof of any impact from the discharged water, including on fish or Harmful Algal Blooms (HABs). Greenidge has created and continues to create many jobs. Dale stated “These careers are for individuals at all levels of education. We don't care about your college education, we can train you.” Dale presented a written binding offer, to reduce their permitted greenhouse gas emissions by additional 40% by the end of 2025. They committed to be a zero carbon emitting power generation facility by 2035. The state never reached out to them or never addressed this with them.
Renee Bloom, Director of Keuka Housing Council presented/answered questions on the following:

Yates County Well and Septic Grant 2022

OVERVIEW
We will be requesting $400,000 of CDBG Funding for the repair or replacement of failing wells and septic systems, including laterals for Yates County Residents of Modest Means. Yates County will be the Recipient and Keuka Housing Council will be the Sub-Recipient of the Grant Funds.

GOALS
1. Replace/Repair at least 15 Septic systems and/ or Wells.
2. We will combine this CDBG Grant with two Grants that Keuka Housing Council currently have; A $750,000 Mobile Home Replacement Grant (HOME) and a $400,000 Rehab grant from NYS Affordable Housing Corporation. This will ensure all of the safety and sanitary requirements are met - a requirement of CDBG.

SPECIFICATIONS
Amount applied for is $400,000. 5% is for Administration, ($20,000), 13% is for Project delivery including engineering ($52,000). $328,000 is left for the 15 units. Average Grant will be $21,866. This is the approximate cost of a raised bed Septic System. After the Award, we will have 2 years to implement all of the projects. KHC has a large wait list.

Keuka Housing Council, Inc.
160 Main St.
Penn Yan, NY 14527
Jeff Gasper, Southern Tier Network (STN), presented/answered questions on the following:

YATES COUNTY AND SOUTHERN TIER NETWORK
Semi-Annual Report

LAST UPDATE: February 14, 2022
TODAY’S UPDATE: August 8, 2022

EXECUTIVE SESSION IS CONFIDENTIAL
INFORMATION - FOR YATES COUNTY
LEGISLATORS ONLY - NOT TO BE SHARED

Agenda Topics

1. Projects & Staffing Updates
2. Revenue & Offset Projection
- **Yates County ReConnect** – Multiple fiber connectivity, 34.73 Miles STN Backbone within Yates County Boundaries in support of USDA FTTH Project.

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**Projects & Staffing Updates**

- **Network Diversity** – STN has completed the design and engineering phase of the network diversity project. It will provide high count fiber from Pultry to Branchport and create the ability to provide ring protected services on the STN backbone. This value-added service will be promoted and marketed to Carrier & Enterprise customers; FirstLight, Uniti Fiber, RuralNet, STLS. The Construction RFP is currently out to bid, and responses are due back on August 10th.

- **STN Staffing Updates** – Steve Manning retiring as CEO. STN board concluded CEO search and selected Jeff Gasper as Steve’s successor. STN is growing our own staff and currently has two open full-time positions. The first is for an Outside Plant Engineering Manager. The second is for a Sales and Customer Relations Specialist.
STN Backbone with New Diversity Routes

Discussion

CONFIDENTIAL INFORMATION - FOR USES ONLY - NOT TO BE SHARED
Minutes from the July 11th meeting were approved as presented.

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

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COMMITTEE REPORTS
Mr. Button reported that the Farmland Protection Board met and they recommend approving LaBella to help them move forward with the project. Flint Creek had a meeting with Jessica Mullins, Director of Finance, and she did a presentation on their finances and her recommendations. The next meeting is scheduled for January.

Mr. Willson thanked everyone who filled in for him while he was out.

Mr. Killen reported that he sat in on some meetings with the Office of Emergency Management. They are working on improving the availability of advanced life support and medical assistance in the County. He commends them for the work they are doing and he looks forward to seeing that continue.

Mr. Bronson reported that S2ay Rural Health Network, now known as Pivital Public Health Partnership, the auditors began as a clean audit, which is a positive step for the organization.

Mr. Morris reported that there was a SWIO meeting on July 25th. The Nine Element team is going to be presenting to the legislature on October 3rd, at the Government Operations meeting.

Ms. Chilson reported that the Village of Penn Yan has been very busy. A developer brought forward a plan to build high end apartments on Hamilton and Flat. The need for more middle income housing has been expressed, so she wanted to let the legislature know. They are also looking at developing a policy for short term rentals, which goes along with their Occupancy Tax Policy, so there will be more accountability there. Ms. Chilson reported that the Ad Hoc Constitutional County Committee met once. They will be meeting with some legislators from Cattaraugus County at the end of the week and will be bringing back information. The Bicentennial Committee is meeting and they have several events planned. A Gala, to a dinner at the elks, scary stories along the canal, tree planting, the Sheriff is getting together a monument with a time capsule under it, and a parade. They are concerned that there aren't many activities for children, so they are working on that. There was not a meeting for Cornell this month, but she has asked them to come and give a report of the progress that's being made.

PUBLIC COMMENT
Joy Shank thanked the legislature for forming a committee on becoming a constitutional county. She stated that it is not a Democrat or Republican issue, it is about preserving their way of life as Americans. The new gun laws put into place are a perfect example of why they need this. As far
as Joy knows, they are still planning to require COVID-19 Vaccinations for children to return to school in the fall. Joy stated that it is the big things, it's the huge things, it's the small things, they are all Americans and it's important to maintain their way of life.

Alexander Andrasik stated that they are going to have a lot more to say about the constitutional county proposal. He pointed out their way of life is not in danger from any of the things just mentioned. The County does not need to become a constitutional county because it already is a constitutional county, as every county and every state in the country is. It is not constitutional to let a small group of individuals pick and choose which laws to enforce.

Barbara Craig stated that it is never good to make a conclusion first and then try to prove it afterwards. In the case of the constitutional county proposal, it appears to her that the conclusion has already been made by many. That being that this action would provide relief for those who disagree with current state laws. Her question is how precisely, would Yates County benefit from becoming a constitutional county, what do they have to gain. She is unable to find any measurement of benefit from such action because they are already governed by the Constitution.

John Prendergast had to leave the meeting, but wanted his email/message public:

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**August 8, 2022**

To: The Yates County Legislators

Subject: 1. Constitutional County – Support statement

2. Recent Legislation by Governor Kathy Hochul, NYS Senate, NYS Assembly – Firearms

Good afternoon – I am sending this letter, by email to you in reference to the above topics that I expect will be spoken to in the August 8th Yates County Legislative meeting of this date. While I will be at the meeting at the start, I have to leave by 1:40 PM for a prior commitment that I have as the Supervisor of the Town of Benton.

Constitutional County

The Constitution and the Bill of Rights are in place because our Founding Fathers recognized that our Representative Republic is administered by its citizens. The Constitution is in place to limit the Government, its power over the people. The people of this great country are the ones who have the power. It is we the people that those elected must report to.

Given this position, our local Governments; Town’s Villages and Counties are the legislators closest to the people. The citizens know these elected officials the best. In everyday life these legislators are in contact with the public. We expect these officials to be responsive and act in the citizen’s best interest.

By becoming a Constitutional County what we are asking is simple, simply follow the laws that are enshrined in Constitution of the United States of America. The Constitution is a document that has the ability to be modified if necessary. However, the process for change is extremely intensive and thus, changes from its original version as written and passed on September 17, 1787 are few.

You are elected officials, our first line of defense against a tyrannical government. We have elected you as our representatives, we have placed our trust in you. We are asking you to consider the move to making Yates County a Constitutional County.

I fully support this move.
Hochul Gun Laws

New York State is out of control, the one-party rule by the Democrat Party is on its way to becoming a Dictatorship. The evidence for this can be seen by the recent recall of the NY Legislators to Albany to pass the most Draconian Gun Laws since the imposition of the New York State Save Act in 2013.

Recently the United States Supreme Court ruled in favor of the New York State Rifle and Pistol Association Inc. v. Bruen Supreme Court case that the Conceal Cary issuance within the Burroughs of New York City were unconstitutional.

In this ruling Supreme Court Judge Clarence Thomas stated that the case showed that the 2nd Amendment was being violated. He stated that New York City was requiring a citizen whom wanted to be issued a license to carry a firearm in the Burroughs must first ask that their 2nd Amendment right be allowed to be used.

This is not what the 2nd Amendment, the Right to Keep and Bear Arms states.

Once the announcement of the NYSRP Association ruling was made, Governor Hochul and her colleagues immediately set out to put into NYS State Law a list of some 137 or so statues (laws) that make it almost impossible for the NY State Citizen to possess or carry any firearm in NY State.

On September 1st, by my estimate 4 – 6 million hunters, sportsman will become criminals. The use of their firearm will be so restricted that simply traveling to a gun range, being stopped by police will get them a ticket, they will become a felon.

There are millions of Conceal Cary firearm holders in NY State outside of the New York City area. When Governor Kathy Hochul was asked; with the passage of this legislation where can citizen carry a firearm? Her response: On a few sidewalks!

The average Conceal Cary permit holder will now be a criminal. This will make another 3 to 5 million solid citizens of New York State felons.

This attack on the Constitution, the 2nd and 1st Amendment must come to an end.

It’s simple, as a county push back on the Hochul Gun Laws. As our elected officials, this is what we are asking, this is what we expect.

John E. Prendergast

Chairman Yates County SCOPE
Chairman of The Board, New York State SCOPE

Chairwoman Church opened the public hearing on the Community Development Block Grant (CDBG) Program at 2:08 p.m.

Chairwoman Church opened the public hearing on the proposed Adoption of Local Law 6-2022 Entitled “A Local Law Increasing the Alternative Veterans; Exemption from Real Property Taxation” at 2:08 p.m.

RESOLUTION NO. 304-22

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

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH BI, INCORPORATED
WHEREAS, the Yates County Probation Department desires to continue an agreement with BI, Incorporated to provide for the use of electronic monitoring equipment as an alternative to incarceration/detention for certain cases;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to sign a contract renewal with BI, Incorporated; and be it further

RESOLVED, that said contract will run from 08/29/2022 to 08/29/2023 for an amount range of $2.00 per day to $8.43 per day, depending on the product; and be it further

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

RESOLUTION NO. 305-22

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

AUTHORIZE SHERIFF/CHAIRWOMAN TO SIGN MOU WITH DUNDEE SCHOOL FOR 2022-23 SRO SERVICES

WHEREAS, the Sheriff provides a deputy 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 2022-23 in the amount of $45,646.98;

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

RESOLVED, that a copy of this resolution be provided the Sheriff, Budget Officer, and Fiscal Manager.
VOTE: Unanimous

RESOLUTION NO. 306-22

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

AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO FILL DEPUTY DIRECTOR OF PUBLIC HEALTH POSITION

WHEREAS, the Deputy Director of Public Health position will become vacant effective August 19, 2022 as the result of a resignation; and

WHEREAS, the Director of Public Health through the vacancy review process has identified the continued need for the Deputy Director Public Health position and is requesting the position be filled; and
WHEREAS, the estimated annual cost to fill the position, including fringe, is $87,147 to $111,076; the County receives 100% reimbursement for salary and 50% reimbursement for the fringe, therefore the total estimated cost to fill the position is $9,074 to $21,038;

NOW, THEREFORE, BE IT RESOLVED, that effective August 8, 2022 the Director of Public Health is hereby authorized to fill the full-time Deputy Director of Public Health position; and be it further

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

RESOLVED, that copies of this resolution shall be provided the Director of Public Health, Personnel Officer, County Administrator, and Director of Finance.
VOTE: Unanimous

RESOLUTION NO. 307-22

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

AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL SOCIAL SERVICES PROGRAM EXAMINER POSITION

WHEREAS, a Social Services Program Examiner position became vacant effective August 1, 2022 as the result of a resignation; and

WHEREAS, the Commissioner through the vacancy review process has identified the need to refill the Social Services Program Examiner position and is requesting that the position be filled; and

WHEREAS, the estimated cost to fill the position is $44,870 to $68,799, depending on health insurance; with the 80% reimbursement the total estimated cost to the County is $8,974 to $13,760;

NOW, THEREFORE, BE IT RESOLVED, that effective August 8, 2022 the Commissioner of Social Services is hereby authorized to fill a full-time Social Services Program Examiner position; and be it further

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

RESOLUTION NO. 308-22

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

AUTHORIZE COUNTY ADMINISTRATOR TO CREATE AND FILL DIRECTOR OF EMERGENCY SERVICES POSITION
WHEREAS, Local Law 3-2022 created and replaced the existing Department of Emergency Management by establishing the Department of Emergency Services; and

WHEREAS, as a direct result of the Local Law the County Administrator has requested to create a Director of Emergency Services position and fill said position with the current Director of Emergency Management incumbent; and

WHEREAS, the salary for the newly created position will remain the same as established by Resolution 190-22;

NOW, THEREFORE, BE IT RESOLVED, that effective June 22, 2022 the County Administrator is hereby authorized to create and fill a full-time Director of Emergency Services position; and be it further

RESOLVED, the existing Director of Emergency Management position will be abolished; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 309-22

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

AUTHORIZE DIRECTOR OF EMERGENCY SERVICES TO CREATE AND FILL DEPUTY DIRECTOR OF EMERGENCY SERVICES POSITION

WHEREAS, Local Law 3-2022 created and replaced the existing Department of Emergency Management by establishing the Department of Emergency Services; and

WHEREAS, as a direct result of the Local Law the Director of Emergency Services has requested to create a Deputy Director of Emergency Services position and fill said position with the current Deputy Director of Emergency Management incumbent; and

WHEREAS, the hourly rate for the position will remain the same;

NOW, THEREFORE, BE IT RESOLVED, that effective June 22, 2022 the Director of Emergency Services is hereby authorized to create and fill a full-time Deputy Director of Emergency Services position; and be it further

RESOLVED, the existing Deputy Director of Emergency Management position will be abolished; and be it further

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

VOTE: Unanimous
RESOLUTION NO. 310-22

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

AUTHORIZE CHAIRWOMAN TO SIGN MEMORANDUM OF UNDERSTANDING (CSEA)

WHEREAS, Local Law 3-2022 created and replaced the existing Department of Emergency Management by establishing the Department of Emergency Services and therefore the Director of Emergency Services has requested to reclassify the job title of Deputy Director of Emergency Management to Deputy Director of Emergency Services; and

WHEREAS, it is necessary to add the said position to the current CSEA collective bargaining agreement replacing the existing job title, Deputy Director of Emergency Management;

NOW, THEREFORE, BE IT RESOLVED, that effective August 8, 2022 the Chairwoman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding the replacement of the job title of Deputy Director of Emergency Management with Deputy Director of Emergency Services under Group X of the current collective bargaining agreement; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 311-22

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

AMEND 2022 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE

WHEREAS, Resolution 456-21 was duly adopted on December 13, 2021 adopting the Non-Union Exempt Employee Salary Schedule; and

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

NOW, THEREFORE, BE IT RESOLVED, that effective July 11, 2022, “Deputy Highway Superintendent…$61,974” be amended to “Deputy Highway Superintendent…$66,350”; and be it further

RESOLVED, that effective August 8, 2022, the following be amended;

a) “Deputy Director of Public Health….$67,000” to “Deputy Director of Public Health….$69,000”;

b) “Director of Emergency Management” to “Director of Emergency Services”
And be it further

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

VOTE: Unanimous

RESOLUTION NO. 312-22

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

AMEND 2022 NON-UNION NON-EXEMPT EMPLOYEE WAGE SCHEDULE

WHEREAS, Resolution 457-21 was duly adopted on December 13, 2021 adopting the Non-Union Non-Exempt Employee Wage Schedule; and

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

NOW, THEREFORE, BE IT RESOLVED, that effective June 13, 2022, “Senior Account Clerk Typist (Planning)…$35.00” be amended to “Project Manager…. $45.00”; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 313-22

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

DESIGNATE HELP AMERICA VOTE DAY

WHEREAS, The United States Elections Assistance Commission has named August 16th as Help America Vote Day in the nation as an opportunity to publicize the continuous need for new Elections Inspectors in all States; and

WHEREAS, Yates County requires 90 to 108 faithful, continuing Election Inspectors to conduct the several federal, state, countywide, town, village and school elections and at present has only 78 returning Inspectors; and

WHEREAS twenty to twenty-four new Inspectors are typically trained each year to replace retiring inspectors and this July only 15 were available for training; and

WHEREAS the recent pandemic and influenza seasons have affected the willing service of some Inspectors, the need for Inspectors for the General Election in November is critical;
NOW, THEREFORE, BE IT RESOLVED, that this Legislature designates August 16th, 2022 as Help America Vote in Yates County, and encourages all who are able to volunteer to become an Election Inspector; and be it further

RESOLVED, that copies of this resolution be provided to the Board of Elections, and all local media.
VOTE: Unanimous

RESOLUTION NO. 314-22

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

PROPOSING THE REPEAL OR AMENDMENT OF ELECTION LAWS IN SO FAR AS THEY ADVERSELY AFFECT SMALLER COUNTIES

WHEREAS, Yates County, as one of 34 New York counties with populations less than 200,000, bears a tremendous staffing and cost burden under “one size fits all legislation” that becomes Election Law; and

WHEREAS, one such law, CHAPTER 6 OF 2019, adopted 1/24/2019, creates nine days of early voting prior to any special, primary, or general elections and requires 66 hours of staffing in at least one poll site in each county; and

WHEREAS, one such law, CHAPTER 441 OF 2019, adopted 10/30/2019, requires primary poll sites to be open an additional 12 hours; and

WHEREAS, several such laws beginning with CHAPTER 91 OF 2020, adopted 6/7/2020 modify the availability and allowable reasons for the use of Absentee Ballots and resemble “Vote by Mail” processes, create additional administrative burdens on staff, and divert voters from Election Day voting, thereby creating underutilization, increased costs and inefficiencies (expressed as cost per vote cast); and

WHEREAS, two such laws, CHAPTER 763 OF 2021, modified by CHAPTER 117 OF 2022, adopted 2/24/2022, create a lengthy and highly inefficient procedure for processing arriving absentee ballots twice weekly, in batches of as little as one ballot; and

WHEREAS, one such law, CHAPTER 781 OF 2021, adopted 12/22/2021, adds an additional 12 hours of Early Voting to an already ineffective, burdensome and costly 66 hours of Early Voting; and

WHEREAS, Early Voting typically has generated very low turnout, such as 1.5% of registered voters for the State Primary held on June 28th, 2022; and

WHEREAS, the New York State Bar Association opposed Early Voting as a proposal that added nothing to turnout rates, instead diverted some voters from Election Day voting which is of no advantage for small to midsized counties and creates two systems with higher incremental cost; and

WHEREAS, Yates County, like many other small to midsized counties across the state, does not and never has had voters waiting in long lines on Election Day; and
WHEREAS, it is reported by the Albany Times Union that Democratic State Board of Elections Commissioner Kellner, stated: “It is a good idea to be analyzing the data and to determine whether the full staffing and hours for early voting for small turnout elections is appropriate; where the cost per voter is very high it’s worth taking a second look to see whether modifications should be made”; and

WHEREAS, there have been 115 new laws adopted and signed by the governor that affect the operations of the County Boards of Elections and many of them show the legislators’ ignorance of the efficient and effective administration of elections and complete disregard of input from Election Commissioners and Legislators in small to mid-size counties; and

WHEREAS, the preponderance of data collected in the three years since Early Voting was started show that it is a financial, staffing and administrative burden on all counties where there are small, non-contentious elections and very small primaries; and

WHEREAS, the Senate Committee on Elections held hearings across the state on the conduct of Elections, during which there was a complete disregard of the many testimonies from Election Commissioners and spokespersons representing upstate Towns and Counties, such that there was no mention of the criticism of “One Size Fits All” pattern of legislation in the final report of the committee; and

WHEREAS, the primary election of June 28, 2022, where approximately 1.5% of registered voters voted early, is a clear example of the waste and burden imposed by legislation calling for long hours of early voting; and

WHEREAS, both the Democratic and Republican Commissioners of Election in Yates County are united in bipartisan support of this resolution;

NOW, THEREFORE, BE IT RESOLVED, that Yates County does hereby request the amendment or repeal of the above cited Chapters of Laws that adversely affect the administration and expenses of Elections in small to midsized counties like Yates County; and be it further

RESOLVED, that copies of this Resolution be forwarded to the following and all others deemed necessary and proper:

- New York State Governor Kathy Hochul
- Senator Zellnor Myrie, Chair, Senate Committee on Elections
- Assembly Member Latrice Walker, Chair, NYS Assembly Committee on Election Law
- Senator Thomas O’Mara
- Assembly Member Philip Palmesano
- Inter-County Association of Western New York
- The NYS Association of Counties
- The NYS Association of Towns
- Co-Executive Directors Valentine and Stavisky of the New York State Board of Elections
- NYS Elections Commissioners Association

VOTE: Unanimous

RESOLUTION NO. 315-22

Mr. Bronson offered the following resolution and moved its adoption, seconded by Mrs. Percy.
AUTHORIZE I.T. DIRECTOR TO PURCHASE STORMWIND TECHNICAL TRAINING  
(Stormwind – Dallas, TX)

WHEREAS, I.T. has identified a solution to provide high level technical training to I.T. staff in addition to providing desktop applications training to other department staff; and

WHEREAS, I.T. has vetted a solution and recommends moving forward with the purchase of a two (2) year subscription to the Stormwind Ultimate Access for (3) users and the Desktop Application Training for (5) users at a cost of $3,000.00 for 24 months of training; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of I.T. is authorized to purchase the subscription to the Stormwind Ultimate Access for (3) users and the Desktop Application Training for (5) users at a cost of $3,000.00 for 24 months of training; and be it further

RESOLVED, that a copy of this resolution be given to the I.T. Director and the Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 316-22

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

APPOINT MEMBER TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) REGION 8 REGIONAL ADVISORY COMMITTEE (RAC)  
(Colby Petersen)

WHEREAS, in accordance with ECL S49-0209, each DEC administrative region will form a Regional Advisory Committee (RAC) to provide the State with recommendations on land conservation and policy; and

WHEREAS, each RAC includes a member appointed by each county within the region, as well as members appointed by the DEC and Parks commissioners; and

WHEREAS, the qualifications for RAC include being knowledgeable of, and concerned with, the land preservation, conservation, historic, cultural, recreation and acquisition goals of this chapter;

NOW, THEREFORE, BE IT RESOLVED, that Colby Petersen, Yates County Soil & Water Conservation District Manager, meets the required qualifications and is hereby appointed to the DEC Region 8 RAC; and be it further

RESOLVED, that copies of this resolution be provided to NYSDEC and Colby Petersen.

VOTE: Unanimous

RESOLUTION NO. 317-22

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

ADOPT COUNTY OFFICE BUILDING HOURS
WHEREAS, County Law Article 5: General Power of Board of Supervisors Section 206 Hours of Work and Office Hours states that the County may fix any hours it wants, but if the County does not fix the hours then the offices of the County Clerk, County Treasurer, Clerk of the Legislature, and Civil Office of the Sheriff shall be open for business from at least 9:00 a.m. – 5:00 p.m. and during the months of July and August these offices shall be kept open from at least 9:00 a.m. – 4:00 p.m.; and

WHEREAS, historically the summer hours for the County offices outlined in County Law Article 5 and any other department/office that also adheres to this law have worked 8:30 a.m. – 4:30 p.m. during the months of June, July and August; and

WHEREAS, the County Legislature acknowledges there is an added value to County employees for getting out of work earlier during the year; and

WHEREAS, the County Legislature recognizes the value of County employees and as a result wants to amend the hours of operation to be consistent with the existing summer hours for the full calendar year;

NOW, THEREFORE, BE IT RESOLVED, that effective September 1, 2022 the offices of the County Clerk, County Treasurer, and Clerk of the Legislature will observe building hours between 8:00 a.m. – 4:30 p.m. and the Civil Office of the Sheriff will observe hours between 8:30 a.m. – 4:30 p.m.; and be it further

RESOLVED, that copies of this resolution shall be provided to all Yates County employees.

VOTE: Unanimous

RESOLUTION NO. 318-22

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

DISCUSSION

Ms. Chilson stated that John left a huge impact in their Community and it's very sad that he will no longer be able to do the things that he's done and he will be greatly missed.

TRIBUTE RESOLUTION HONORING JOHN H. COOLEY, M.D.

WHEREAS, John H. Cooley recently tendered his resignation to the Yates County Community Services Board and subcommittee; and

WHEREAS, throughout his career John H. Cooley has worked tirelessly to promote the overall health and wellness of Yates County citizens and especially children and families; and

WHEREAS, John H. Cooley has practiced family medicine for more than 50 years, has practiced in Dundee, New York for more than three decades, serving as Dundee School Physician for 28 years, touching and improving the lives of countless individuals; and
WHEREAS, John H. Cooley filled the required town Local Health Officer position for 28 years in an exemplary fashion, overseeing local health issues, working with the local Health Department and promoting healthy communities; and

WHEREAS, John H. Cooley served in the critical role of County Coroner for 8 years, which requires oversight of unexpected deaths and the determination of cause; and

WHEREAS, John H. Cooley served 7+ years on the Yates County Community Services Board starting in 2015, his experience and concern for the behavioral health of all Community members drove him to challenge the system, push for improvements, and become an advocate for improved services to families and children and better coordination of care and treatment for all in Yates County; and

WHEREAS, John H. Cooley was also involved in the Yates County family planning center, Clinton Crest and Penn Yan Manor Nursing Home Board of Directors and Central finger lakes meeting, Religious Society of Friends (Quaker);

NOW, THEREFORE, BE IT RESOLVED, that this Legislature recognizes John H. Cooley M.D., for his professional services, health advocacy, awareness of behavioral health needs, community involvement and commitment to Families and Children in Yates County, and he will be truly missed; and be it further

RESOLVED, that a copy of this resolution be provided to John H. Cooley M.D. and George A. Roets Community Services Director.
VOTE: Unanimous

RESOLUTION NO. 320-22

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

ENTER INTO CONTRACT FOR THE ADMINISTRATION OF THE HEATING ENERGY ASSISTANCE PROGRAM (HEAP) PROGRAM FOR 2022-2023

WHEREAS, The Department of Social Services requires an alternate certifier during the upcoming HEAP season;

NOW, THEREFORE, BE IT RESOLVED, that contingent on the approval of the County Attorney, the Chairwoman of the Legislature and the Social Services Commissioner are authorized to sign a contract for the administration of the HEAP program with the following community organizations at a cost not to exceed $5,000;

The Living Well
Our Town Rocks

And be it further

RESOLVED, that copies of this resolution be forwarded to the Yates County Commissioner of Social Services and the Yates County Director of Finance.
VOTE: Unanimous

RESOLUTION NO. 321-22
Ms. Chilson offered resolutions 321-22 & 322-22 and moved their adoption, seconded by Mrs. Percy.

**AUTHORIZE CHAIRWOMAN TO SIGN AGREEMENT WITH DUNDEE CENTRAL SCHOOL DISTRICT**

WHEREAS, Yates County Public Health is desirous of renewing an agreement with Dundee Central School District to reimburse Dundee Central School District with COVID-19 related expenses as allowable in the ELC School Testing Grant; and

WHEREAS, the costs of such expenses are 100% funded through the awarded ELC School Testing Grant;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to renew the contract with Dundee Central School District; and be it further

RESOLVED, that said contract will run from 8/1/2022 to 6/30/2023; and be it further

RESOLVED, that copies of this resolution be provided to the Public Health Department, Director of Finance and Dundee Central School District.

**RESOLUTION NO. 322-22**

**AUTHORIZE CHAIRWOMAN TO SIGN AGREEMENT WITH PENN YAN CENTRAL SCHOOL DISTRICT**

WHEREAS, Yates County Public Health is desirous of renewing an agreement with Penn Yan Central School District to reimburse Penn Yan Central School District with COVID-19 related expenses as allowable in the ELC School Testing Grant; and

WHEREAS, the costs of such expenses are 100% funded through the awarded ELC School Testing Grant;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to renew the contract with Penn Yan Central School District; and be it further

RESOLVED, that said contract will run from 8/1/2022 to 6/30/2023; and be it further

RESOLVED, that copies of this resolution be provided to the Public Health Department, Director of Finance and Penn Yan Central School District.

VOTE: Unanimous

**RESOLUTION NO. 323-22**

Ms. Chilson offered the following resolution and moved its adoption, seconded by Mr. Harper.
Per Ms. Chilson’s request, Alan “Herbie” Snyder, retired United States Marine, served during the Vietnam War, and a Purple Heart recipient read the resolution accompanied by Archer Martin, who is a WWII Army Veteran and Purple Heart recipient.

PROCLAIMING AUGUST 7, 2022 AS NATIONAL PURPLE HEART DAY IN YATES COUNTY

WHEREAS, the residents of Yates County have great respect, admiration and the utmost gratitude for all the men and women who have selflessly served their country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women from Yates County that served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; 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; and

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, Veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm’s way for the good of all; and

WHEREAS, the contributions and sacrifices of the men and women from Yates County who served in the Armed Forces have been vital in maintaining the freedoms and way of life by our citizens; and

WHEREAS, many citizens of our community have earned the Purple Heart Medal as a result of being wounded while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service; and

WHEREAS, August 7, 2022, also known as National Purple Heart Medal Day, has been officially designated as the day in Yates County to remember and recognize Veterans who are recipients of the Purple Heart Medal;

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. 324-22
Mr. Button offered the following resolution and moved its adoption, seconded by Mr. Harper.

**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT**
*(Auctions International – East Aurora, NY)*

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

WHEREAS, Yates County wishes to utilizes Auctions International, an online auction site, to sell the surplus materials and equipment;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the Yates County Attorney the Chairwoman is hereby authorized to sign a contract with Auctions International, Inc. of 11167 Big Tree Road, East Aurora, NY for said services; and be it further

RESOLVED, that a copies of this resolution be provided to the Highway Superintendent, the County Administrator, and the Director of Finance.

VOTE: Unanimous

**RESOLUTION NO. 325-22**

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

**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT**
*(Usherwood Office Technology)*

WHEREAS, the Real Property Tax Services has in their department an OCE Plotwave 345 scanner that is used routinely for services in that department; and

WHEREAS, the OCE Plotwave 345 scanner occasionally requires servicing;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into a contract with Usherwood Office Technology for servicing of the OCE Plotwave 345 scanner; and be it further

RESOLVED, that said service contract will run for a period of 12 months, beginning on 8/1/2022, or upon the signatures on the contract by both parties, whichever comes later; and be it further

RESOLVED, that the cost of this service agreement will be $90 to be billed monthly for up to 2,000 square feet of usage per month, with any excess of usage to be billed at a cost of $0.041 per square foot; and be it further

RESOLVED, that copies of this resolution be provided to the County Administrator, the County Treasurer and the Real Property Tax Services Director.

VOTE: Unanimous

Chairwoman Church closed the public hearing on the proposed Adoption of Local Law 6-2022 Entitled “A Local Law Increasing the Alternative Veterans; Exemption from Real Property Taxation” at 2:25 p.m. with no Public Comment.
RESOLUTION NO. 326-22

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

DISCUSSION

Mr. Killen thinks that it is a very good thing that they are doing to assist their Veterans’. Many were not overly well paid for their years of service in the military and especially in retirement. Getting a slight exemption on their taxes for their service and their sacrifice is a wonderful thing, and certainly to be commended.

Mr. Button thanked Meghan Kincaid for bringing this forward, explaining it precisely with her plan for this year, and she has a plan for another plan for next year to help their older people.

ADOPT LOCAL LAW 6-2022 ENTITLED “A LOCAL LAW INCREASING THE ALTERNATIVE VETERANS’ EXEMPTION FROM REAL PROPERTY TAXATION”

WHEREAS, proposed Local Law 6-22 entitled “A Local Law Increasing the Alternative Veterans’ Exemption from Real Property Tax” was introduced at the July 11, 2022 Legislative meeting; and

WHEREAS, a Public Hearing was duly held on August 8, 2022;

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law 6-22 entitled “A Local Law Increasing the Alternative Veterans’ Exemption from Real Property Tax” is hereby adopted; and be it further

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

LOCAL LAW NO. 6 OF THE YEAR 2022

ENTITLED:

A LOCAL LAW INCREASING THE ALTERNATIVE VETERANS’ EXEMPTION FROM REAL PROPERTY TAXATION

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

Section 1. Establishment of New Maximum Exemptions Limits for the Alternative Veterans’ Exemption.

Pursuant to Real Property Tax Law Section 458-a (2) (d) (ii), the exemptions from real property taxes for veterans provided by paragraphs (a), (b) and (c) of subdivision 2 of Section 458-a are hereby changed to twenty-four thousand ($24,000), sixteen thousand ($16,000), and eighty thousand dollars ($80,000), respectively.

Section 2. Local Law Repealed.

The following Local Law is hereby repealed and shall be superseded by this Local Law, with said repeal to take effect upon the effective date of this Local Law:
(a) Local Law No. 4 of the year 2008 entitled “Increase Alternative Veterans’ Exemption from Real Property Taxation”.

Section 3. Effective Date.

This local law shall take effect upon its filing with the Secretary of State, but pursuant to Real Property Tax Law Section 458-a, the exemption shall not be available until the 2024 tax year (2023 assessment roll).

VOTE: Unanimous

RESOLUTION NO. 327-22

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

AUTHORIZE CHAIRWOMAN TO SIGN CONSTRUCTION CONTRACT WITH FIRSTLIGHT FIBER, INC. FOR PHASE 1A, TRUNK ROUTES OF THE RECONNECT PROJECT

WHEREAS, Yates County (hereinafter referred to as "County") is currently undertaking the design and construction of a fiber optic broadband network as part of its ReConnect grant project awarded by Rural Utility Service (hereinafter referred to as “RUS”); and

WHEREAS, the County divided the project into several phases to be more manageable designated as Phase 1A, Phase 1B, Phase 2 and Phase 3; and

WHEREAS, RUS has reviewed and approved the Plans and Specifications for Phase 1A allowing the project to proceed with Construction bidding; and

WHEREAS, bids were requested and received and publically opened on July 14 at 1:30 pm and 3 firms submitted a bid; and

WHEREAS, FirstLight Fiber, Inc. was identified as the low-bidder and agreed to further negotiation resulting in the following final bids:

<table>
<thead>
<tr>
<th>Company</th>
<th>Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>FirstLight Fiber, Inc.</td>
<td>$1,770,984.99</td>
</tr>
<tr>
<td>Maverick Corporation</td>
<td>$2,301,993.67</td>
</tr>
<tr>
<td>Henkels &amp; McCoy, Inc.</td>
<td>$3,161,010.71</td>
</tr>
</tbody>
</table>

And

WHEREAS, the submitted bid documents have been reviewed by the Core Team and New York Engineering Services and presented to the Finance Committee and the recommendation is to award the construction bid to FirstLight Fiber, Inc.;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to sign the contract with FirstLight Fiber, Inc.; and be it further
RESOLVED, that copies of this resolution be provided to FirstLight Fiber, Inc., the County Administrator, the County Planner, the broadband Project Manager, and all the bidders.

VOTE: Unanimous

RESOLUTION NO. 328-22

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

DISCUSSION

Mr. Button hopes going forward that they might be able to buy in this country. In the future they will be using American products, but he understands a waiver.

AUTHORIZE CHAIRWOMAN TO SIGN EQUIPMENT CONTRACT WITH NOKIA OF AMERICA CORPORATION FOR THE RECONNECT PROJECT

WHEREAS, Yates County (hereinafter referred to as "County") is currently undertaking the design and construction of a fiber optic broadband network as part of its ReConnect grant project awarded by Rural Utility Service (hereinafter referred to as “RUS”); and

WHEREAS, electronics to facilitate network communications are required in the 4 Points of Presence (Dundee, Italy, Middlesex and Penn Yan), at the uplink node in Prattsburgh and at each customer premises; and

WHEREAS, the RUS grant contract requires that award funds only be expended on equipment and materials that are qualified as “Buy American”; and

WHEREAS, since our network design prefers use of Nokia of America Corporation equipment (hereinafter referred to as “Nokia”), which are not on the qualified “Buy American” list, the County submitted a Nokia Waiver request to RUS to waive the “Buy American” requirement; and

WHEREAS, based on Nokia cost savings and operations and maintenance efficiencies as it is the preferred equipment by Empire Access, our network service provider, RUS approved our Waiver request on July 6, 2022; and

WHEREAS, since Nokia is a sole sourced provider, sealed public bidding was waived and Nokia provided a quote for equipment purchase and installation of $379,215.57;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to sign the equipment contract with Nokia; and be it further

RESOLVED, that copies of this resolution be provided to Nokia, the County Administrator, the County Planner, and the broadband Project Manager.

VOTE: Unanimous

RESOLUTION NO. 329-22

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

ENTER INTO A MASTER SERVICES AGREEMENT FOR TELCO REARRANGEMENT MAKE READY WITH TAMBE ELECTRIC, INC. FOR THE RECONNECT PROJECT
WHEREAS, Yates County (hereinafter referred to as "County") has been awarded a USDA ReConnect grant to enable design and construction of a fiber-to-the-premises broadband network to reach the unserved and underserved with regard to internet access; and

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

WHEREAS, these packages, of approximately 100 poles each, specify all the work (electric, tree trimming and telco rearrangement) that needs to be performed on each pole in order to obtain a license from the pole owners and ultimately make it ready to accept our fiber; and

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

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

WHEREAS, Tambe Electric, Inc. (hereinafter referred to as “Tambe”) is an telco rearrangement approved contractor and has provided the County with the lowest qualified quote on several Make Ready packages; and

WHEREAS, the County anticipates 40+ Make Ready packages and thus 40+ Make Ready quoting and contracting cycles; and

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

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

RESOLVED, that copies of this resolution be provided to Tambe, the County Administrator, Planner, and the broadband Project Manager.

VOTE: Unanimous

RESOLUTION NO. 330-22

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

AMEND RESOLUTION NO. 295-22
(FirstLight Fiber, Inc.)

WHEREAS, Resolution 295-22 awarded the bid for Fiber and Selected Outside Plant Materials for the ReConnect project to FirstLight Fiber, Inc (hereafter referred to as “FirstLight”); and
WHEREAS, a typographical error was made in the resolution showing the FirstLight bid total as $1,228,638.39 while it actually was $1,221,638.39;

NOW, THEREFORE, BE IT RESOLVED, that the material bid amount shown in Resolution No. 295-22 for FirstLight be changed from $1,228,638.39 to $1,221,638.39; and be it further

RESOLVED, that copies of this resolution be provided to FirstLight, the County Administrator, the County Planner, the broadband Project Manager, and all the bidders.

VOTE: Unanimous

RESOLUTION NO. 331-22

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

AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH MODULAR CONNECTIONS, LLC. FOR HUTS AND ACCESSORY MATERIALS FOR THE RECONNECT PROJECT

WHEREAS, Yates County (hereinafter referred to as "County") is currently undertaking the design and construction of a fiber optic broadband network as part of its ReConnect grant project awarded by Rural Utility Service; and

WHEREAS, the County has designed the network in such a way that 4 POPs (Points of Presence) are required to facilitate network communication; and

WHEREAS, two of these points have been designed to be co-located to existing buildings. The first being in the basement of the County Office Building and the second to an existing Empire communication hut in Italy; and

WHEREAS, two new huts are required to be placed. One located at 5565 Water St, Middlesex and one located at 25 Spring St, Dundee; and

WHEREAS, MOUs have been executed between the county and aforementioned towns; and

WHEREAS, in accordance with the counties policy for acquiring materials these huts and their accessory materials were put out to bid; and

WHEREAS, bids were requested and received and publically opened on July 14 at 10 am and 2 firms submitted bids:

<table>
<thead>
<tr>
<th>Company</th>
<th>All In Costs For Both Huts*</th>
<th>Est Delivery Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modular Connections, LLC</td>
<td>$151,100.00**</td>
<td>26 Weeks ARO</td>
</tr>
<tr>
<td>Walker</td>
<td>$161,010.30**</td>
<td>120 Days ARO</td>
</tr>
</tbody>
</table>

*Includes Electric Package, Interior Grounding, Heating & Cooling, Cable Management Racking

**PO and invoiced amounts will vary as freight and crane offloading will be invoiced at actual cost
And;

WHEREAS, the submitted bid documents have been reviewed by the Core Team and New York Engineering Services and presented to the Finance Committee that recommends accepting the bid from Modular Connections, LLC;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to sign the contract with Modular Connections, LLC.; and be it further

RESOLVED, that copies of this resolution be provided to Modular Connections, LLC., the County Administrator, the County Planner, the broadband Project Manager, and all the bidders.

VOTE: Unanimous, with Mr. Button abstaining

RESOLUTION NO. 332-22

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

ASSIGN APPROPRIATE PERSONS TO SECURITY ROLES IN THE USDA’S APPLICATION AND ONLINE FINANCIAL REPORTING AND COMPLIANCE SYSTEM

WHEREAS, the County signed a Grant and Security Agreement with the United States of America regarding the receipt of a Grant pursuant to the USDA’s (hereinafter referred to as “USDA”) ReConnect Program and the County continues to apply for new ReConnect Grants; and

WHEREAS, the ReConnect Program requires identification of the Representative-Signature-Certifier security role on behalf of the County who shall be responsible providing signatures, authorizing certifications, entering and updating applications, submitting applications for consideration, and assigning access to new users in USDA’s online application system for the ReConnect Program, and when awarded the Representative-Signature-Certifier security role on behalf of the County shall also be responsible for authorizing certifications, entering, updating, and submitting compliance reports, and assigning access to new users in USDA’s online financial reporting and compliance system; and

WHEREAS, the ReConnect Program allows for assigned Administrator(s) security role on behalf of the County, who shall be responsible for assigning access to new users, and entering and updating applications in USDA’s online application system for the ReConnect Program and when awarded the Administrator(s) security role on behalf of the County shall also be responsible for assigning access to new users and entering, updating, and submitting compliance reports in USDA’s online financial reporting and compliance system; and

WHEREAS, assigning of these roles must be submitted via the USDA portal using the Authorized Representative Request, and be accompanied by a County resolution assigning the roles;
NOW, THEREFORE, BE IT RESOLVED, that the County assigns Leslie Church, Chairwoman of the Legislature, in Representative-Signature-Certifier security role and Nonie Flynn, County Administrator, Marian Walrath, Grant Specialist and Jeff Ayers, County Planner, in the Administrator security roles and that they shall comply fully with all security procedures and policies of the online application system for the ReConnect Program and the USDA’s online financial reporting and compliance system; and be it further

RESOLVED, that copies of this resolution be provided to the USDA, Chairwoman of the Legislature, the County Administrator, the Planner and the broadband Project Manager.
VOTE: Unanimous

RESOLUTION NO. 333-22

Mr. Holgate offered the following resolution and moved its adoption, seconded by Dr. Cutler.
DISCUSSION
Mr. Paddock made a motion to amend the resolution to include “that upon approval by the County Attorney” in the NOW, THEREFORE, BE IT RESOLVED, paragraph before the Chairwoman, seconded by Mrs. Percy.
VOTE: Unanimous

AUTHORIZE CHAIRWOMAN TO SIGN A CONTRACT WITH LABELLA ASSOCIATES

WHEREAS, Yates County acknowledges the critical importance of agriculture as an economic driver and sustainer of the local economy; and

WHEREAS, the Yates County Legislature has encumbered funding in the amount of $5,000 to be combined with the NYS Agriculture and Markets Grant of $23,500 for the Yates County Farmland Protection Plan update; and

WHEREAS, the Yates County Agriculture and Farmland Protection Board screened and interviewed three [3] potential respondents to the Request for Proposal [RFP]; and

WHEREAS, the Farmland Protection Update is a professional service; and

WHEREAS, La Bella Associates was selected as the most competent and possessor of the highest degree of local knowledge;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman is authorized to sign a contract with LaBella Associates with the understanding that the County’s insurance requirements will be fulfilled; and be it further

RESOLVED, that copies of this resolution be given to Cornell Cooperative Extension of Yates County, Yates County Soil and Water District Manager, Yates County Planner and LaBella Associates.
VOTE: Unanimous
Chairwoman Church closed the public hearing on the Community Development Block Grant (CDBG) Program at 2:29 p.m. with no Public Comment.

RESOLUTION NO. 334-22

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

DISCUSSION

Ms. Chilson stated that she wanted to say that this is a really good use of taxpayer’s money and she is really glad to see this spread forward.

DESIGNATE THE COUNTY ADMINISTRATOR AS THE CERTIFYING OFFICER FOR THE 2022 SEPTIC AND WELL COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, it is the desire of Yates County to submit an application for the 2022 New York State Community Development Block Grant (CDBG) program and to get funding to replace well and septic systems for low and moderate income families; and

WHEREAS, the office of CDBG requires that Yates County designate a “Certifying Officer” to oversee the environmental review component of the grant;

NOW, THEREFORE, BE IT RESOLVED, that the County Administrator is designated as the Certifying Officer for the Community Development Block Grant; and be it further

RESOLVED, that Yates County’s Certifying Officer be hereby authorized to sign the application and all CDBG documents that call for a Certifying Officer; and be it further

RESOLVED, copies of this resolution be given to the County Administrator, the County Planner, and the Keuka Housing Council.

VOTE: Unanimous

RESOLUTION NO. 335-22

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

DISCUSSION

Mr. Paddock made a motion to amend the resolution to include “the Chairwoman of” in the NOW, THEREFORE, BE IT RESOLVED, paragraph before the Yates County Legislature, seconded by Ms. Chilson.

VOTE: Unanimous

AUTHORIZE THE CHAIRWOMAN TO SIGN A CONTRACT MODIFICATION/EXTENSION FOR THE NATURAL AND RECREATIONAL RESOURCE PROTECTION GRANT FOR THE KEUKA OUTLET IMPROVEMENT PROJECT PHASE 1

WHEREAS, the Keuka Outlet Improvement Project Phase 1 was chosen in 2021 to receive a Natural and Recreational Resources Protection Grant for $19,600; and

WHEREAS, the timeline on the grant application gave the start date of 4/15/21 and the end date of 12/31/22; and
WHEREAS, the contract was drafted with the start date of 5/11/2021 and an end date of 5/10/2022; and

WHEREAS, the Town of Geneva is listed as the other party representing the Friends of the Outlet in the contract; and

WHEREAS, of the original $19,600 grant award, $14,705.77 remains;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Yates County Legislature, upon approval of the County Attorney, is hereby authorized to sign an extension agreement with the Town of Geneva for the continuation of the 2021 grant award; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 336-22

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

2022 BUDGET TRANSFERS

BE IT RESOLVED, that the following transfers be made in the 2022 budget:

<table>
<thead>
<tr>
<th>From:</th>
<th>To:</th>
<th>Amount:</th>
</tr>
</thead>
<tbody>
<tr>
<td>D5110.54636 HWY-Crack Sealing 9,750.00</td>
<td>D5120.54992 HWY - Haley Rd. Bridge</td>
<td>$</td>
</tr>
<tr>
<td>A6142.54319 DSS-EAA</td>
<td>A6070.54303 DSS- Daycare</td>
<td>$110.00</td>
</tr>
<tr>
<td>A1460.54011 REC-Consultants 239.00</td>
<td>A7510.54654 HIS-Mileage</td>
<td>$</td>
</tr>
<tr>
<td>A1460.54011 REC-Consultants</td>
<td>A7510.54660 HIS- Travel</td>
<td>$17.00</td>
</tr>
<tr>
<td>A3110.54485 SHE-Supplies AED</td>
<td>A3110.552216 SHE-Vehicle Marked</td>
<td>$1,937.05</td>
</tr>
<tr>
<td>A3110.54954 SHE- GTSC; Supplies</td>
<td>A3110.552216 SHE-Vehicle Marked</td>
<td>$1,150.00</td>
</tr>
<tr>
<td>A1430.54920 PER-State Fees</td>
<td>A1430.51961 PER- 30-40 Hours</td>
<td>$104.10</td>
</tr>
<tr>
<td>A1430.54516 PER-Printing 14.45</td>
<td>A1430.51961 PER-30-40 Hours</td>
<td>$</td>
</tr>
</tbody>
</table>

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 337-22

Mr. Holgate offered resolutions 337-22 & 341-22 and moved their adoption, seconded by Mr. Bronson.
APPROPRIATE ADDITIONAL STATE AID
(PUBLIC HEALTH)

WHEREAS, Public Health has received additional revenue from Public Health State Aid and Public Health Federal Aid; and

WHEREAS, these funds are not part of the 2022 budget;

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

Revenue:
A4010.43401 PH- State Aid $18,405.00
A4010.44401 PH- PH Federal Aid $1,548,752.00

Appropriation:
A4010.54469 PH- Nursing Supplies $405.00
A4010.54469 PH- Nursing Supplies $18,000.00
A4010.51305 PH- PH Nurse FT Temp $300,000.00
A4010.54320 PH- Emergency Expenditures $700,000.00
A4010.54320 PH- Emergency Expenditures $548,752.00

And be it further

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

RESOLUTION NO. 338-22

APPROPRIATE ADDITIONAL GIFTED/DONATED AID
(SOCIAL SERVICES)

WHEREAS, the Department of Social Services has been gifted additional aid in the amount of $29.44; and

WHEREAS, these additional funds are not part of the 2022 budget;

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

Revenue:
A6010.42705 SS-Gifts & Donations $29.44

Appropriation:
A6010.54027 SS-Miscellaneous $29.44

And be it further

RESOLVED, that copies of this resolution be provided to the Commissioner of Social Services, the County Treasurer, the Finance Director and the Budget Officer.
RESOLUTION NO. 339-22

APPROPRIATE ADDITIONAL STATE AID
(SHERIFF)

WHEREAS, the Sheriff’s Department has received additional revenue from Medication Addiction Treatment (MAT); and

WHEREAS, these funds are not part of the 2022 budget;

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

Revenue:
A3150.41514 JAIL- Incarcerated Ind. -MAT $ 29,502.66

Appropriation:
A3150.54808 JAIL- Incarcerated Ind. -MAT $ 29,502.66

And be it further

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

RESOLUTION NO. 340-22

APPROPRIATE ADDITIONAL FEDERAL AID
(HIGHWAY)

WHEREAS, the Highway Department has received revenue over the 2022 budgeted amount from the DOT; Bridge NY Funding with corresponding expenditures; and

WHEREAS, these funds are not part of the 2022 budget;

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

Revenue:
D5120.44589 HWY- Federal Aid DOT $ 185,250.00

Appropriation:
D5120.54992 HWY- Haley Road Bridge $ 185,250.00

And be it further

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

RESOLUTION NO. 341-22

APPROPRIATE ADDITIONAL AID
(SOCIAL SERVICES)

WHEREAS, the Department of Social Services has been awarded additional revenue from Adult Protective Services ARPA Grant in the amount of $2,176.00; and

WHEREAS, these funds are not part of the 2022 budget;

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

Revenue:
A6010.44610 DSS- Social Service Admin $ 2,176.00

Appropriation:
A6010.54027 DSS- Miscellaneous $ 2,176.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 342-22

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

AUTHORIZE CHAIRWOMAN TO EXECUTE FAA GRANT AGREEMENT AND RELATED DOCUMENTS

PROJECT: EXTEND PARALLEL TAXIWAY “B” GRANT NO. 3-36-0094-042-2022

WHEREAS, Yates County has received a grant in the maximum amount of $166,527 from The United States of America, acting through the Federal Aviation Administration (hereinafter referred to as the “FAA”) for Airport Improvement Program Grant No. 3-36-0094-042-2022; and

WHEREAS, in order to effectuate the above grant, the County’s execution of an applicable grant agreement with the FAA is required;

NOW, THEREFORE, BE IT RESOLVED, that the County wishes to accept the above grant and enter into the applicable grant agreement with the FAA pertaining thereto, and to this end, the Chairwoman of the County Legislature be and hereby is authorized, upon approval of the County Attorney, to execute on behalf of the County the applicable grant agreement with the FAA, as well as all other necessary documents with the FAA in connection with said grant; and be it further

RESOLVED, that a certified copy of this resolution be filed with the FAA by attaching it to any necessary documents in connection with the project.

VOTE: Unanimous
RESOLUTION NO. 343-22

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

AUTHORIZE CHAIRWOMAN TO EXECUTE AGREEMENT WITH PASSERO ASSOCIATES, ENGINEERING, ARCHITECTURE & SURVEYING, D.P.C.

PROJECT: EXTEND PARALLEL TAXIWAY “B”

WHEREAS, Passero Associates, Engineering, Architecture and Surveying, D.P.C. (hereinafter referred to as “Passero”) has submitted a proposed contract for professional services to the County pertaining to the design and other aspects of the Extend Parallel Taxiway “B” project at the County’s Penn Yan – Yates County Airport for a total maximum cost of $180,200.00 (hereinafter referred to as the “Extend Parallel Taxiway “B” Contract”);

NOW, THEREFORE, BE IT RESOLVED, that the County resolves to enter into the Extend Parallel Taxiway “B” Contract, and to this end, the Chairwoman of the Legislature, upon approval of the County Attorney, is authorized to execute the Extend Parallel Taxiway “B” Contract on behalf of the County; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Director of Finance, Treasurer, Administrator, and Passero.

VOTE: Unanimous

RESOLUTION NO. 344-22

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

AUTHORIZE CHAIRWOMAN TO EXECUTE AGREEMENT WITH PASSERO ASSOCIATES, ENGINEERING, ARCHITECTURE & SURVEYING, D.P.C.

PROJECT: ACQUIRE AIRCRAFT DEICING EQUIPMENT

WHEREAS, Passero Associates, Engineering, Architecture and Surveying, D.P.C. (hereinafter referred to as “Passero”) has submitted a proposed contract for professional services to the County pertaining to the aspects of the Acquire Aircraft Deicing Equipment project at the County’s Penn Yan – Yates County Airport for a total maximum cost of $30,000.00 (hereinafter referred to as the “Aircraft Deicing Equipment Contract”);

NOW, THEREFORE, BE IT RESOLVED, that the County resolves to enter into the Aircraft Deicing Equipment Contract, and to this end, the Chairwoman of the Legislature, upon approval of the County Attorney, is authorized to execute the Aircraft Deicing Equipment Contract on behalf of the County; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Director of Finance, Treasurer, Administrator, and Passero.

VOTE: Unanimous

RESOLUTION NO. 345-22

Mr. Holgate offered the following resolution and moved its adoption, seconded by Ms. Chilson.
APPOINT/REAPPOINT TOURISM ADVISORY COMMITTEE (TAC) MEMBERS

WHEREAS, by Resolution No. 204-17, a Tourism Funding Procedure was adopted by the Yates County Legislature; and

WHEREAS, Resolution No. 117-18, 41-20, 58-21, & 100-21 appointed or reappointed membership of a Tourism Advisory Committee (TAC);

NOW, THEREFORE, BE IT RESOLVED, that the following individuals are hereby appointed or reappointed to the TAC for terms ending as stated;

<table>
<thead>
<tr>
<th>Name</th>
<th>Business Name</th>
<th>Representing</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Derek Stork</td>
<td>Stork Insurance</td>
<td>Yates County Chamber of Commerce</td>
<td>12/31/23</td>
</tr>
<tr>
<td>Sarah Eighmey</td>
<td>Anthony Road</td>
<td>Seneca Lake Wine Trail</td>
<td>12/31/23</td>
</tr>
<tr>
<td>Myron Glick</td>
<td>Linger Hospitality</td>
<td>Vacation Rental</td>
<td>12/31/22</td>
</tr>
<tr>
<td>Phil Riehl</td>
<td>Oak Hill Bulk Foods</td>
<td>Yates County Chamber of Commerce</td>
<td>12/31/23</td>
</tr>
<tr>
<td>Jeanne Wiltberger</td>
<td>Keuka Spring Vineyards</td>
<td>Keuka Lake Wine Trail</td>
<td>12/31/22</td>
</tr>
<tr>
<td>Brian Zerges</td>
<td>Best Western Plus Vineyard Inn &amp; Suites</td>
<td>Hotel/Motel</td>
<td>12/31/23</td>
</tr>
<tr>
<td>Marla Hedworth</td>
<td>Laurentide Inn &amp; Brewery</td>
<td>B&amp;B</td>
<td>12/31/22</td>
</tr>
</tbody>
</table>

And be it further

RESOLVED, Bonnie Percy (Legislature representative) is hereby appointed to the TAC as voting member until this Legislature appoints different personnel; and be it further

RESOLVED, Winona Flynn (County Administrator) will continue her appointment to the TAC as voting member until this Legislature appoints different personnel; and be it further

RESOLVED, that Jessica Bacher (Yates County Chamber of Commerce President) will continue her appointment to the TAC as a non-voting advisory member until this Legislature appoints different personnel; and be it further

RESOLVED, that copies of this resolution be sent to all persons stated above.
VOTE: Unanimous, with Mrs. Percy abstaining.

Mr. Bronson moved to enter into executive session to discuss:
1. Matters leading to negotiation with a particular company, attendees being Legislators present, the County Administrator, the Highway Superintendent, Fleet Maintenance Supervisor, Buildings and Grounds Superintendent, the Director of Public Health, and the Director of Emergency Services; and
2. The employment history of a particular individual, attendees being Legislators present, the County Administrator, and the Personnel Officer; and
3. The employment history of a particular individual, attendees being Legislators present and the County Administrator; and
4. Matters leading to the proposed acquisition or lease of real property when publicity would substantially affect the value there of, attendees being members of the County Legislature and the County Administrator present.

Seconded by Mrs. Chilson.
The Yates County Legislature reconvened in regular session at 3:52 p.m.

RESOLUTION NO. 346-22

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

PERTAINING TO NYSEG AND THE COUNTY’S DEVELOPMENT OF THE PARCEL OF REAL PROPERTY LOCATED AT BILL BAILEY ROAD IN THE TOWN OF BARRINGTON, COUNTY OF YATES, STATE OF NEW YORK

WHEREAS, Yates County (hereinafter referred to as the “County”) has acquired a parcel of real property to accommodate the installation and operation of a County owned public safety communications tower located on Bill Bailey Road in the Town of Barrington, County of Yates, State of New York, and having a current tax map parcel number of 118.02-1-11.2 (hereinafter referred to as the “Acquisition Parcel”); and

WHEREAS, in order to effectuate the development of the Acquisition Parcel, adequate electrical power servicing the same is needed; and

WHEREAS, to such end the County wishes to have New York State Gas & Electric Corporation (hereinafter referred to as “NYSEG”) install the necessary equipment and/or improvements necessary to effectuate the continuous transmission of adequate electric power to the Acquisition Parcel (hereinafter referred to as the “Installations”) and to acquire any easements to NYSEG needed in order to effectuate this purpose (hereinafter referred to as the “NYSEG Easements”); and

WHEREAS, NYSEG Easements must be acquired from property owners adjacent or near to the Acquisition Parcel that may be disruptive to the owners’ activities on their properties; and

WHEREAS, some financial consideration is appropriate for said disruption;

NOW, THEREFORE, BE IT RESOLVED, that 1) the County authorizes the Legislative Chair, upon approval of the County Attorney, on behalf of the County, to place the requisite order(s) with NYSEG, as needed, for the aforementioned Installations, and execute any related agreement(s) with NYSEG or other documentation thereto, such Installations being on the Acquisition Parcel and 2) the County authorizes the Legislative Chair, upon approval of the County Attorney, on behalf of the County, to execute any and all documentation necessary to authorize financial consideration, within the price parameters established by the County Legislature, to affected property owners necessary for NYSEG to acquire such easement(s) as NYSEG requires, such NYSEG Easements encumbering the property owners’ parcels; and be it further

RESOLVED, that County funds are hereby authorized to be expended to affected property owners for the rendering of such Installations; and be it further

RESOLVED, that County funds are hereby authorized to be expended for any county clerk recording costs pertaining to the NYSEG Easements; and be it further

RESOLVED, that a copy of this resolution be given to the Sheriff, County Administrator, Director of Finance and New York State Electric & Gas Corporation.

VOTE: Unanimous
Mr. Harper as a follow up to their conversation on gas pricing, did talk to Scott Falvey. Scott did not recommend the option that they had discussed, his only suggestion was to push it up to the Attorney General. Mr. Harper stated that he can take a shot at coming up with a letter for the next meeting.

Meeting adjourned at 3:56 p.m.