

REGULAR SESSION – MONDAY, AUGUST 9, 2021

The Yates County Legislature convened in regular session Monday, August 9, 2021 with Chairman Paddock presiding and Legislators Percy, Chilson and Gleason absent.

RESOLUTION NO. 274-21

Mrs. Church read the following resolution and moved its adoption, seconded by Mr. Bronson.

Mr. Gillespie received a standing ovation.

**RECOGNITION OF WWII U.S. ARMY AIR CORPS VETERAN
RICHARD T. GILLESPIE'S 100TH BIRTHDAY ON AUGUST 14, 2021**

WHEREAS, August 14, 2021 marks the 100th birthday of U.S. Army Air Corps Veteran Richard T. Gillespie; and

WHEREAS, throughout the history of our state and nation, countless brave individuals have answered the call to patriotic duty, including World War II Veteran Richard T. Gillespie, who honorably served our grateful nation, as a B-17 Pilot he flew 21 missions over Germany with the 447th Bomb Group, while others risked their lives fighting on the battlefields in European and Pacific theatres for the ideals of democracy; and

WHEREAS, Mr. Gillespie was enlisted in the United States Army Air Corps in May of 1943, shortly after receiving his pilot's license through the Federal Civilian Pilot Training Program from Syracuse University, graduated from pilot training, received specialized advanced aviation training and was assigned to the 447th Bomb Group, 8th Air Force, as a B-17 Pilot at Rattlesden, in East Anglia (England); and

WHEREAS, Mr. Gillespie was honorably discharged on November 3, 1945 with the rank of First Lieutenant; and

WHEREAS, the United States Army awarded Mr. Gillespie the following military awards: Distinguished Flying Cross, Air Medal and two Oak Leaf Clusters Distinguished Unit Citation, European Theatre of Operation Ribbon and three Bronze Service Stars, and World War II Victory Medal, for his honest and faithful service to this county; and

WHEREAS, we solemnly commemorate the 100th anniversary of his birth and reflect on its significance for past, present, and future generations;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature recognizes the service of Richard T. Gillespie during World War II, extends its gratitude for his contribution to the Allies' victory and exclaims, "Congratulations!" upon the occasion of his 100th Birthday; and be it further

RESOLVED, that the Yates County Legislature, in patriotic tradition, recognizes the importance of honoring all those from Yates County who served in battle and on the home front during the Second World War and acknowledges the immeasurable sacrifices that helped to preserve freedom; and be it further

RESOLVED, that copies of this resolution be provided to Richard T. Gillespie and the Director of Veterans' Services.

Sheriff Spike made the following comments:

Mr. Chairman, County Legislators, County Administrator, Board Clerk, fellow department heads, agency members and citizens.

Thank you for the opportunity to have the reaccreditation achievement for our Yates County 911 Public Safety Answering Point or PSAP as it is called in the acronym world.

It was in 2006 about this time that we first achieved accreditation and we have continued to do so every 5 years where now once again 15 years later had to prove we “walk the talk” to the assessment team who were professionals that came here from Saratoga and Onondaga Counties spending two days in review.

911 operations is a high liability area, and this reaccreditation demonstrates that our administration is sound, our policies our reliable and fair, our training is acceptable and our 24X7 day to day operations meet contemporary standards.

I am very pleased for all the good work and deeds that our Yates County Emergency Services Dispatchers do for us. They are a solid group of individuals that can multi-task and stay calm in handling emergencies. The Chief Dispatcher, Sandra Smith is a longtime employee, and I publicly thank her for her supervision of this division.

It gives me pleasure to introduce Mr. Peter Kehoe, Attorney and Executive Director of the NYS Sheriffs’ Association who has traveled here today from Albany for this presentation.

Mr. Kehoe stated that only 15 of the state’s 62 counties have qualified for PSAP accreditation. This is not an easy accomplishment. Sheriff Spike has also achieved accreditation in the Correction Division, the Civil Office, Court Security, and the Law Enforcement Division. The Yates County Sheriff’s Office is one of only a few that hold all the accreditations available to it. The Yates County Sheriff’s Office is highly respected throughout the State.

Today we focus our attention on the PSAP, the Sheriff’s communication division. The PSAP is the lifeline tying all the citizens of the county to all emergency services that they may need and connecting emergency responders to each other and the vital information that they need in order to do their job. You have to see these public servants in action in order to really understand and appreciate the special job that they have and the professional manner in which they carry it out. We owe them all a debt of gratitude for their service.

PSAP accreditation is not something that is available just for the asking. To achieve accreditation it requires that communications division meet a very stringent set of standards developed by experts in the field of Public Safety communications. These standards have 70 individual components. To meet PSAP accreditation the PSAP must submit itself to scrutiny by outside board of assessors which reviews the agency’s operations in detail and to ascertain whether or not the communication center meets the standards.

Congratulations to Sheriff Spike and his staff for the accomplishment of reaccreditation.

Annamarie Flanagan, Director of Public Health updated the Committee on COVID-19. As of this morning there were 7 new cases of COVID-19 that are all related to the previous cases within the last week. All were unvaccinated. There is one in the hospital and there have been no new deaths. There are 18 cases in quarantine, and 56.6% of the population presently are vaccinated. That is according to the New York State numbers and not the CDC numbers.

Annmarie reported as of this morning Public Health was awarded \$68,134.51 to improve outreach to people in the community.

Chairman Paddock asked if Annmarie foresees a need for requiring masks to be worn in the building anytime in the future and if so do you have some idea or at what level that might occur. Annmarie stated that at this point in time we have had discussions within the department regarding this but we don't feel the numbers actually warrant within the county to be able to make that recommendation to the legislature at this time. At some point in the near future or hopefully way in the future, there is a possibility that that may happen.

Chairman Paddock stated Annmarie and County Administrator Flynn were on a regional teleconference this morning and that is pretty much the approach the region is taking. Administrator Flynn stated that teleconferences will be held on a weekly basis every Monday morning.

Mr. Cutler questions if Annmarie knew what the cause was for the uptick. Annmarie explained that they do not know what the cause is, but she does believe it is the Delta Variant.

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

Airport Fund	\$ 2,646.16
Finance	\$ 20,884.48
Flint Creek	\$ -0-
Government Operations	\$ 185,148.44
Human Services	\$ 308,603.02
Prior to Audit	\$ 58,988.65
Public Safety	\$ 59,765.59
Public Works	\$ 298,926.06
Total	\$ 934,962.40

Minutes of the July meeting were approved as presented.

COMMITTEE REPORTS

Mr. Cutler reported the Genesee Finger Lakes Regional Planning Council will be holding face to face interviews with the finalists for the Executive Director position.

Mr. Bronson reported the S²AY Rural Health Network has a new Executive Director, Michele Foster.

Mr. Killen stated he spoke with the Jerusalem Assessor and the State did give her tentative approval. She has three years to get fully certified.

Mr. Button wanted to recognize the six volunteers from Kan Pak that helped with the Annual Senior Picnic.

Mr. Multer stated the Tourism Advisory Council recommended funding for a mural to be painted downtown and the Legislature approved it. The mural was painted on the side of the Once Again Shop and is now complete.

CHAIRMAN'S APPOINTMENT

Chairman Paddock appointed members to an Ad Hoc Highway, OEM, and Public Health Building Committee.

Dan Banach, Terry Button, Craig Prior, Brian Winslow, Annmarie Flanagan, Joe Reed and Nonie Flynn. Chairman Paddock will attend as an ex-officio member.

PUBLIC COMMENT

John Prendergast addressed the Legislature and recognized Mr. Gillespie for his 100th Birthday and being a member of the bomb squadron in the 8th Air Force. Mr. Prendergast also stated his opposition to resolution 276-21, setting a date for a public hearing on proposed local law 2-21 banning possession of firearms and dangerous weapons from County Buildings. Mr. Prendergast is concerned on the cost.

Mary Mahiques addressed the Legislature regarding the media informing the public on having to show proof of vaccination in certain establishments in the Finger Lakes and it is not true. People are leaving the state. Ms. Mahiques questioned what the Legislature are doing to help the taxpayers of this community to stop being discriminated against for their right not to have the vaccine. Ms. Mahiques stated that the constitution allows we the people the power first, you the legislature second, the State is third and the Federal Government is last. Ms. Mahiques wanted to know before she and husband decide to move out of this state what you as legislators are going to do about this.

Chairman Paddock stated the County has not mandated masks for anyone at this point. If you are listening to the national news the Finger Lakes Region encompasses 14 counties and it may very well be businesses within other counties that are requiring masks to be worn.

Ms. Mahiques stated this is not about masks it's about vaccinations. Her concern is those that do not want to get vaccinated are being discriminated against.

Chairman Paddock stated that there is no discrimination within Yates County; in fact Annmarie mentioned that there will be a campaign to encourage vaccination, it's still people's choice as to whether they get vaccinated or not.

Mr. Cutler stated there have been no discussion within any of the committee meetings or the legislature of mandating vaccinations. That discussion is going on in different places for different reasons but Yates County has not had any of those discussions. Mr. Cutler advised that whatever a person is getting out of the media, whether it's left, right or middle all has to be viewed critically. Don't take anything you get from the media regardless of which end of the spectrum as gospel.

Ms. Chilson thanked Phil Rouin, Director of Veterans Affairs for bringing a resolution forward for Mr. Gillespie's 100th birthday. Ms. Chilson stated that 50% of our community is not vaccinated. There are a lot of Mennonites in our community that will not get vaccinated. To go down the road of a mandatory vaccine passport to enter our buildings is the wrong road to go down. Those that are making a choice to not get vaccinated need to be protected as much those who have chosen to be vaccinated.

Mrs. Church stated to follow up on what Mr. Cutler was saying, this is one thing we have not discussed either, what Ms. Chilson just brought up, the mandatory vaccine passport.

Mr. Button stated Yates County is one of the smallest counties but we are one of the best. If we continue focus on honesty, respect and integrity, we may not have to go down that road.

RESOLUTION NO. 275-21

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

AUTHORIZE SHERIFF AND CHAIRMAN TO SIGN MOU WITH DUNDEE SCHOOL FOR 2021-22 SRO SERVICES

WHEREAS, the Sheriff provides a deputy performing Youth related School Resource Officer (SRO) tasks assigned to, and for the Dundee Central School District, whose services are reimbursed by the school district as agreed for 2021-22 in the amount of \$42,842;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Sheriff and Chairman are hereby 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 and Treasurer/Budget Officer.

VOTE: Unanimous

RESOLUTION NO. 276-21

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

DISCUSSION:

Mr. Willson stated he does believe there needs to be some form of security. These are buildings that belong to the citizens of this community. The legislature and government people are afraid of the people they govern. We have more problems than just security in this building. Mr. Willson realizes this resolution is only to set the date for a public hearing, but it has to stop some place. We need to find a little more passive way to have some security.

Mr. Button stated this is the first time he has seen the time for the public hearing and questioned how that was arrived at.

Chairman Paddock stated that the legislature meeting is at 9:30 in September and the local law is part of the regular meeting.

Mr. Cutler stated the legislature has heard from Mr. Prendergast. Mr. Cutler strongly encourages that a broader input from the public is needed. The local law is a draft. At the September meeting the legislature will have to vote on whether to go forward with the law. Mr. Cutler would like to hear from a wider spectrum of the public.

Mr. Banach stated he agrees with Mr. Cutler and Mr. Willson. Mr. Banach feels the legislature should move forward with setting the date for the public hearing in order to obtain more input from the public. Mr. Banach stated that it will take a lot of convincing for him to put magnetometers and such in this building.

Mr. Multer stated it has been pointed out that we can't have security in every building that the county leases or rents or owns, the cost would be prohibitive. This law calls for a ban on any type of weapon of any description of any county building. Mr. Multer feels this law would make it more dangerous for people in the building that has no security because everybody would know that they have no means of protecting themselves. The cost is prohibitive, even in this building. There are meetings that go into the evenings so security would be on more than 8 hours a day.

There are people that come here on Saturday and Sunday. It can't be done the way it is written.

Mr. Willson stated one of the things that bothers him is there was a question asked of the Sheriff at the Public Safety meeting, what constituted a dangerous knife. It was discussed for a few minutes then went away. This law has not been flushed out, it's something that probably has been copied from someplace else. It needs to have more discussion before it is even brought to the public.

Chairman Paddock stated that Nonie and others are working on the policies that would back up this law. For example, small pocket knives would be acceptable but something a little bit larger would not be. They are working on the policies and planning on bringing them forward next month.

Mr. Button questioned how would it be handled if an employee comes in on the weekend.

Chairman Paddock explained that that would be part of the policies that are being worked on.

**SET DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW 2-21 ENTITLED A
LOCAL LAW BANNING THE POSSESSION OF FIREARMS AND DANGEROUS
WEAPONS IN BUILDINGS OWNED, LEASED OR OPERATED BY THE COUNTY OF
YATES**

BE IT RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed local law 2-2021 entitled "A Local Law Banning the Possession of Firearms and Dangerous Weapons in Buildings Owned, Leased or Operated By the County of Yates; and be it further

RESOLVED, said public hearing shall be held September 13, 2021 at 9:35 a.m. in the Yates County Legislative Chambers, 417 Liberty Street, Penn Yan, NY, or may be held by remote access if needed.

**LOCAL LAW BANNING THE POSSESSION OF FIREARMS AND DANGEROUS
WEAPONS IN BUILDINGS OWNED, LEASED OR OPERATED BY THE COUNTY OF
YATES**

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

Section 1. LEGISLATIVE INTENT

In order to insure essential government functions without fear, threat, intimidation, or harm to any person or function therein, the County of Yates, through its Legislature in its proprietary capacity, declares that it is necessary for the security, safety, protection and well-being of its employees, its property, and any individuals present thereupon, to place restrictions on the bearing and possession of firearms and other dangerous weapons and instruments by individuals entering into and being present in buildings owned, leased or operated by the County of Yates.

Section 2. PROHIBITION

This local law prohibits any individual from bearing or having in his or her possession, either openly or concealed, any firearm, gun, explosive device or substance, electronic stun device (Taser), lethal or debilitating chemical or gas, or any dangerous or deadly weapon or instrument of any description; including but not limited to, a handgun, pistol, target pistol, revolver, rifle, shotgun, dangerous knife, dagger, dirk, razor, stiletto, taser, or imitation firearm or weapon,

while entering into or while being present in any building owned, leased, or operated by the County of Yates.

Section 3. EXEMPTION

This local law shall not apply to any authorized peace officer or police officer, as defined in the New York State Criminal Procedure Law, or any other official employed by local, county, state or federal government who is duly exempted by the Yates County Sheriff.

Section 4. PENALTY

A violation of any of the provisions of this local law shall constitute an offense, punishable by a fine not exceeding five hundred dollars (\$500) and/or a term of imprisonment in the Yates County Jail not to exceed three (3) months.

Section 5. 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 6. EFFECTIVE DATE

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

VOTE: Roll Call – Killen, Cutler, Bronson, Church, Banach, Holgate, Harper, Paddock voting “Yes” Multer, Button and Willson voting “No”. Motion carried.

RESOLUTION NO. 277-21

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

COMMENCE SEQRA REVIEW AND EVALUATE NEED FOR LOCAL APPROVALS FOR PUBLIC SAFETY COMMUNICATIONS PROJECT

WHEREAS, Yates County (“County”) commissioned a public safety communications study in 2019 and received a Public Safety Systems Communications Study Recommendations Report (“Report”) in 2020; and

WHEREAS, as a result of the study and Report, the County desires to install a new public safety communications system which shall include the construction of three (3) new emergency communication towers to be located in the Towns of Barrington, Italy and Benton (the “Project”); and

WHEREAS, the purpose of the Project is to improve emergency communication services and facilitate the provision of emergency services by police, fire, EMS and public works personnel for the benefit of all County residents; and

WHEREAS, the Project will include, in relevant part, the acquisition of real property interests, the design and construction of emergency communication towers, and improvements and enhancements to microwave and tower radio equipment, base radios, shelters and associated equipment and appurtenances; and

WHEREAS, the County has to date, and will continue in the future, to share information with the Towns of Barrington, Italy and Benton concerning the Project; and

WHEREAS, at the present time it is anticipated that the Towns of Barrington, Italy or Benton will not require strict compliance with local land use regulations for the Project; and

WHEREAS, the County desires to comply with the requirements of State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617; and

WHEREAS, the County desires (i) to classify the type of action for which the Project qualifies under SEQRA, (ii) to serve as lead agency for the SEQRA review, and (iii) in furtherance of the foregoing, to engage in a coordinated review and provide Part 1 of the Full Environmental Assessment Form ("FEAF") to other interested and involved agencies for their review and comment.

NOW, THEREFORE, BE IT RESOLVED, that the County states its desire, upon the consent of other involved agencies, to serve as "Lead Agency" for the Project's environmental review and preliminarily classifies the Project as a Type "I" Action under SEQRA; and be it further

RESOLVED, that the County hereby authorizes its staff and consultants to complete Part 1 of the FEAF and to send it, together with a copy of this Resolution, to all involved and interested agencies; and be it further

RESOLVED, that the County has determined that an important public interest would be served by the Project because of the pressing need to improve emergency communication services for the benefit of all County residents; and be it further

RESOLVED, that the County hereby determines that locations for the Project in the Towns of Barrington, Italy and Benton can best serve the public interest, and that the County is therefore committed to a process of information-sharing with municipal representatives of these Towns; and be it further

RESOLVED, that the County anticipates that any local approvals for the Project will be granted on a timely basis or may not be required based on consideration of applicable laws; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that a copy of this Resolution shall be filed with the County Clerk and copies sent to the Yates County Sheriff, Director of the Office of Emergency Management, Highway Superintendent, Administrator, Planner, the Towns of Barrington, Italy and Benton, Eric Kenna of C & S Engineers and Robert Tyson of Bond Schoeneck and King Attorneys.
VOTE: Unanimous

RESOLUTION NO. 278-21

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

AMEND RESOLUTION 33-19 AWARD OFFICE SUPPLY BID (Long's)

WHEREAS, the Clerk of the Legislature has been notified by Long's Cards and Books that the price of copy paper has increased between 12 to 14%; and

WHEREAS, to avoid a loss, Mr. Long has asked that the pricing on the following items be increased;

<u>ITEM</u>	<u>Old price</u>	<u>New price</u>
CASMP2204CY 8 ½ X 14 legal canary paper (per ream)	8.94	11.97
SPR05121 thru SPR05127 8 ½ X 11 (per ream)	5.86	6.27
BSN36590 11X17 copy paper (per ream)	10.99	11.49
BSN36592 8 ½ X 11 3 hole punched (per case)	52.79	55.99
BSN36591 8 ½ X 11 copy paper (per case)	35.97	37.97
BSN36593 8 ½ X 14 copy paper (per case)	63.12	72.03
BSN62341 15 X 11 Green Bar Computer paper (per case)	63.97	67.20

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature approves the above amendment to the office supply bid; and be it further

RESOLVED, that copies of this resolution be given to all departments and Long's Cards and Books.

VOTE: Unanimous

RESOLUTION NO. 279-21

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

CHANGE MEETING TIME OF THE SEPTEMBER LEGISLATIVE MEETING

WHEREAS, the Yates County Legislature holds its regular monthly meeting the second Monday of every month at 1:00 p.m.; and

WHEREAS, the September 13, 2021 Legislative meeting falls at the same time as the semi-annual New York State Association of Counties conference;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature will hold its September 13, 2021 monthly meeting at 9:30 a.m.; and be it further

RESOLVED, that copies of this resolution be provided to all Department Heads and the press.

VOTE: Unanimous

RESOLUTION NO. 280-21

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

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: Minimum Term and Charge – 3 years @ \$205.96 per month for the first year, \$212.14 per month for the second year and \$218.50 per month for the third year, 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. 281-21

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

**AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING
(CSEA)**

WHEREAS, the Director of Community Services has presented to the Human Services Committee justification for the position of Single Point of Accountability (SPOA) Coordinator to be full-time; and

WHEREAS, it is necessary to add the said position to the current CSEA collective bargaining agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding the addition of the job title of Single Point of Accountability Coordinator to Group XV of the current collective bargaining agreement; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 282-21

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

**AUTHORIZE DIRECTOR OF COMMUNITY SERVICES TO CREATE AND FILL
SINGLE POINT OF ACCOUNTABILITY COORDINATOR POSITION**

WHEREAS, the Director of Community Services has requested to create and fill a full-time Single Point of Accountability Coordinator position due to an anticipated vacancy that will occur on August 30, 2021 as the result of a retirement; and

WHEREAS, the Director of Community Services through the vacancy review process has identified the need to create and fill a full-time Single Point of Accountability Coordinator position to allow for a seamless transition for personnel and to ensure the mental health needs of the public are met; and

WHEREAS, with increases in mental health problems concentrated among adolescents and young adults the demand for a full-time Single Point of Accountability Coordinator is more apparent; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$72,571 to \$92,884, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, effective August 31, 2021 the Director of Community Services is hereby authorized to create and fill a full-time Single Point of Accountability Coordinator position; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 283-21

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

AUTHORIZE SHERIFF TO FILL DEPUTY SHERIFF SERGEANT POSITION

WHEREAS, a Deputy Sheriff Sergeant position became vacant August 1, 2021 as the result of a personnel change; and

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

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$70,487 to \$90,800, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective August 9, 2021 the Sheriff is hereby authorized to fill a full-time Deputy Sheriff Sergeant position; and be it further

RESOLVED, that the Sheriff is also authorized to fill a subsequent Deputy Sheriff vacancy that will occur as the result of a promotion of an employee into the vacant Deputy Sheriff Sergeant 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. 284-21

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

AUTHORIZE PUBLIC DEFENDER TO CREATE AND FILL ASSISTANT PUBLIC DEFENDER (FIRST) POSITION

WHEREAS, the Public Defender has requested to fill a full-time Assistant Public Defender (First) position due to the vacancy that occurred on July 28, 2021 as the result of a resignation; and

WHEREAS, the Public Defender through the vacancy review process has identified the need to fill the Assistant Public Defender (First) position in order to ensure clients remain unaffected from the turnover in personnel; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$107,785 to \$128,098, depending on health insurance; the County receives \$48,699 reimbursement from the Hurrell-Harring Grant, therefore, after factoring in the grant reimbursement, the estimated annual cost to fill the position is \$59,086 to \$79,399;

NOW, THEREFORE, BE IT RESOLVED, effective August 2, 2021 the Public Defender is hereby authorized to fill the full-time Assistant Public Defender (First) 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: Unanimous

RESOLUTION NO. 285-21

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

**AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN TECHNOLOGY, INNOVATION AND ELECTION RESOURCE GRANT CONTRACT
CONTRACT # BOE01-T004400-1110000**

WHEREAS, the New York State Board of Elections has allocated certain State funds for reimbursement of certain Election Technology, Innovation and Resource related expenditures; and

WHEREAS, the Yates County Board of Elections desires to appropriate and spend \$21,321.00 for the purposes set forth;

NOW, THEREFORE, BE IT RESOLVED, that following approval by the County Attorney, the Chairman of this Legislature is hereby authorized to sign the contract to use the appropriations through 1/27/2023; and be it further

RESOLVED, that a copy of this resolution be given to the Election Commissioners and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 286-21

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

**AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN EARLY VOTING
EXPANSION GRANT CONTRACT
CONTRACT # BOE01-T004458-1110000**

WHEREAS, the New York State Board of Elections has allocated certain State funds for reimbursement of certain Early Voting related expenditures; and

WHEREAS, the Yates County Board of Elections desires to appropriate and spend \$16,140.00 for the purposes set forth;

NOW, THEREFORE, BE IT RESOLVED, that following approval by the County Attorney, the Chairman of this Legislature is hereby authorized to sign the contract to use the appropriations through 1/28/2022; and be it further

RESOLVED, that a copy of this resolution be given to the Election Commissioners and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 287-21

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
(Toshiba Business Solutions, Rochester, NY)**

WHEREAS, the Information Technology Director has identified a need to consolidate and centralize the maintenance services, toner replenishment and billing services for all networked printers and multi-function devices; and

WHEREAS, I.T. has monitored the usage of all said devices for a four-month period for the purposes of calculating monthly usage in order to identify current monthly costs; and

WHEREAS, Toshiba Business Solutions of Rochester, NY provided a detailed analysis on all of the county networked devices and provided data confirming the county will save approximately \$300.00/month utilizing the Toshiba Business Solutions Managed Print Services Program, which will include automated toner replenishment, high-quality toner and parts for laser printers, regardless of brand, proactive service monitoring and centralized billing; and

WHEREAS, Toshiba Business Solutions of Rochester, NY will provide said services at a cost of \$.0121 for Black & White printed pages and \$.10 for Color printed pages on all networked printers;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute a contract with Toshiba Business Solutions Managed Print Services at an average monthly cost of approximately \$900.00; and be it further

RESOLVED, that a copy of this resolution be given to Toshiba Business Solutions, the Treasurer and IT Director.

VOTE: Unanimous

RESOLUTION NO. 288-21

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

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

WHEREAS, in response to a new set of Cyber Security Requirements for Boards of Elections recently signed in to law by New York State, section 6220.3 Cyber Security Program Requirements, sub-section (a)(14)(v) Email and Web Protections states, “Each Board of Elections shall utilize .GOV domains for email communications and web traffic to the extent practicable”; and

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

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

RESOLVED, that a copy of this resolution be given to KNOWBE4 and to the IT Director.
VOTE: Unanimous

RESOLUTION NO. 289-21

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

AUTHORIZE I.T. DIRECTOR TO PURCHASE BEYONDTRUST SOFTWARE (SHI – Somerset, NJ)

WHEREAS, Yates County Information Technology has received a FY19 Cyber Security Grant Award from the NYS Division of Homeland Security & Emergency Services (DHSES); and

WHEREAS, the Information Technology Director has identified and vetted a Cyber Security suite of software from BeyondTrust that will greatly enhance the county cyber security program; and

WHEREAS, the grant provides for allowable expenses under the category 04AP-04-RISK - Software, Risk Management; and

WHEREAS, the I.T. Director has obtained the following quotes

SHI	\$39,944.46 for software + approx. \$14K annual maintenance contract
CDW-G	\$42,597.45 for software + approx. \$16K annual maintenance contract
Carahsoft	\$45,478.09 for software + approx. \$17K annual maintenance contract

And

WHEREAS, the balance of funds remaining in the FY19 Cyber Security Grant Award is approximately \$18,000; and

WHEREAS, the Yates County budget will provide for the balance of \$21,944.46 for the purchase of the BeyondTrust suite of software and services from SHI;

NOW, THEREFORE, BE IT RESOLVED, that the Information Technology Director is hereby authorized to purchase the BeyondTrust suite of software and services from SHI at a cost not to exceed \$39,944.46 with an annual maintenance renewal cost of approximately \$14,000; and be it further

RESOLVED, that copies of this resolution be given to SHI, the Treasurer and I.T. Director.

VOTE: Unanimous

RESOLUTION NO. 290-21

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

APPOINT MEMBER TO THE YATES COUNTY MENTAL HEALTH SUBCOMMITTEE

BE IT RESOLVED, that the Yates County Legislature appoint Chad Sheehan, 409 Liberty Street, Penn Yan, NY 14527 to the Mental Health Subcommittee, to a term ending 12/31/2025; and be it further

RESOLVED, that a copy of this resolution be provided to Chad Sheehan and to the Yates County Department of Community Services.

VOTE: Unanimous

RESOLUTION NO. 291-21

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

AUTHORIZE CHAIRMAN TO SIGN RENTAL AGREEMENT

WHEREAS, Yates County Public Health is desirous of entering into an agreement with Timothy McMichael to rent his property at 1930 Pre Emption Road Penn Yan, New York 14527, the former offices of Pre Emption Family Health to occupy the premises, for the purpose of holding Medical COVID-19 Vaccination Clinics; and

WHEREAS, the costs of such services are 100% funded through the awarded COVID-19 Response grant;

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

RESOLVED, that said contract will begin September 1, 2021 and will end February 28, 2022, unless an extension is requested by Licensee and granted by Licensor, at a rate of \$3,000.00 per month for rent and assume payments of the electric bill; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 292-21

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

ADOPT LED SIGN USAGE POLICY

WHEREAS, an LED sign will be purchased to share critical information with the public;
and

WHEREAS, there needs to be a policy set in place for its usage;

NOW, THEREFORE, BE IT RESOLVED, that the following policy is hereby adopted;
and be it further

RESOLVED, that a copy of this resolution be given to each department head.

YATES COUNTY

LED SIGN USAGE POLICY

Statement of Purpose – In an emergency, all avenues of communication will be needed to inform members of the public. Yates County has a Light Emitting Diode (hereinafter, LED) sign that is intended for dissemination of information and educational outreach to community members and visitors. This policy specifies message priorities, department and personnel responsibilities, and disallowed messages for posting on said LED sign.

Policy – The Yates County LED sign will be used to provide routine and emergency messages to members of the public.

1. Emergency messaging will always take precedence over routine messaging.
 - A. Emergencies related to Public Health will be approved by the Director or Public Health/designee and/or the County Administrator
2. In the event of an emergency not related to Public Health (e.g. – flood, ice storm, etc.), the county Director of Emergency Management/designee and/or the County Administrator is responsible for all messaging.
 - A. The county Director of Emergency Management/designee and/or the County Administrator will approve messages.
 - B. As with any emergency, the Director of Public Health and/or the Director of Emergency Management or their designees may seek advice from the County Administrator, Legislature, Law Enforcement, or appropriate individual with appropriate knowledge of the problem. This may be done to ensure the appropriateness of the messaging for the public.
3. In the event of a Public Health emergency, the county Director of Public Health/designee and/or the County Administrator is responsible for all messaging.
 - A. The county Director of Public Health/designee, and/or the County Administrator will approve messages.
 - B. The Director of Public Health/designee may seek advice from the Director of Emergency Management/designee and/or the County Administrator as necessary.

4. Routine messaging will need to follow this policy, and be approved by the Public Health Director or their designee.
5. The Public Health Director is responsible for routine messaging.
 - A. Other County Departments/Community Agencies/Schools may request messages for display.
 - B. The Public Health Department will process all requests for sign usage.
 - C. Any message displayed will be approved and prioritized by the Director of Public Health.
 - D. To request messaging display, the entity will be required to complete the attached form at least 14 calendar days prior to desired display.
 - E. The entity will need to create and submit its message in the required format.
6. The Yates County Director of Public Health, Director of Emergency Management and/or County Administrator have the right to refuse any messaging deemed not to follow the intended use of the LED sign.
7. Messages will be placed on the sign via web-based computer software and can be accessed 24 hours a day/7days a week.
8. Public Health Department/Office of Emergency Management will maintain an adequate supply of trained staff to create messages.

Disallowed Messages include but are not limited to

1. Birthday announcements;
2. Anniversary announcements;
3. Specific political party issues;
4. Religious announcements;

Yates County
LED Sign Message Request

Date: _____

Agency or Person requesting: _____

Contact Person: _____

Phone Number of Contact Person: _____

Email address of contact person: _____

Dates Requested for Messages to Run: _____

Requested Message:

VOTE: Unanimous

RESOLUTION NO. 293-21

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

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH THE S²AY RURAL HEALTH NETWORK, INC. (Finger Lakes Public Health Alliance)

WHEREAS, Yates County is a member of the S²AY Rural Health Network and desires to continue its relationship for participation in the Finger Lakes Public Health Alliance (FLPHA); and

WHEREAS, the cost of these services is covered through the emergency planning grant resulting in no local cost;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is hereby authorized to enter into a contract with the S²AY Rural Health Network; and be it further

RESOLVED, that said contract will run from 01/01/21 to 12/31/21 for an amount not to exceed \$2,000; and be it further

RESOLVED, that copies of this resolution be provided to the S²AY Rural Health Network, Inc., the Public Health Office and the Yates County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 294-21

Mrs. Church offered the following resolution and moved its adoption, second by Mr. Button.

AWARD BID FOR THE TRANSPORTATION OF PRESCHOOL CHILDREN WITH DISABILITIES

WHEREAS, bids were requested for the Transportation of Preschool Children with Disabilities and received on July 23, 2021 at 1:30 p.m. and two firms submitted a bid to the Yates County Public Health Department;

BIDDER	RATE #1 Happiness House Canandaigua	RATE #2 Happiness House Geneva	RATE #3 Keuka Lake School Penn Yan
NYSARC Inc dba Mozaic	\$225.00 per child/per day	\$180.00 per child/per day	\$38.50 per child/per day
Transpo Bus Services LLC dba TBS	\$297.00 per child/per day	\$297.00 per child/per day	\$98.00 per child/per day

NOW, THEREFORE, BE IT RESOLVED, to award the bid to NYSARC Inc. dba Mozaic; and be it further

RESOLVED, that upon approval of the County Attorney, the Chairman of the Legislature is hereby authorized to sign a contract with NYSARC Inc. dba Mozaic; and be it further

RESOLVED, that copies of this resolution be sent to each bidder, the Yates County Treasurer and the Yates County Public Health Department.

VOTE: Unanimous

RESOLUTION NO. 295-21

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH FINGER LAKES
ADDICTIONS COUNSELING and REFERRAL AGENCY**

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

WHEREAS, the costs of such services are 100% funded through the awarded grant;

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

RESOLVED, that said contract will run from 01/01/2021 to 12/31/2021 for an amount not to exceed the allowable 95% of total grant funds which can be used to subcontract for the services of Project Manager and Data Surveillance Coordinator positions and associated costs; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 296-21

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

AMENDMENT TO RESOLUTION #491-20

WHEREAS, Resolution 491-20 authorized signature of agreements for ARC of Yates County and other persons; and

WHEREAS, notification of legal name change has been provided to change ARC of Yates to Mozaic Chapter, NYSARC, Inc.

NOW, THEREFORE, BE IT RESOLVED, that Resolution 491-20 be amended as follows:

Mozaic Chapter, NYSARC, Inc..	School Based Counselor	\$5,000
Mozaic Chapter, NYSARC, Inc..	Developmental Disability Vocational Services	\$259,150

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 297-21

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

AUTHORIZE 2021 YATES COUNTY YOUTH BUREAU CONTRACTS

BE IT RESOLVED, that after review by the County Attorney, the Youth Bureau Director and the Chairman of the Legislature are hereby authorized to sign contracts with the following agencies for approved Youth Bureau funding for the time frame 1/1/2021-12/31/2021:

<u>Agency/Organization</u>	<u>Program</u>	<u>Amount</u>
Big Brothers Big Sisters - Youth Mentoring Program		\$1,250.00
Child and Family Resources - Together Time		\$1,000.00
Dundee Library- Youth Services		\$2,500.00
Safe Harbors -KidsRights to Personal Safety		\$2,500.00
Village of Dundee - Summer Recreation		\$3,300.00
Village of Penn Yan - Summer Recreation		\$3,300.00
Rushville Summer Fun Reading Program		\$ 800.00
Our Town Rocks and Reads (YCRR)		\$6,300.00
Modeste Bedient Memorial Library		\$ 500.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 298-21

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

AUTHORIZE CHAIRMAN TO SIGN RESOURCE ALLOCATION PLAN (2021)

WHEREAS, the New York State Office of Children and Family Services requires that the Yates County Youth Bureau/Board prepare a Resource Allocation Plan for programs and services provided by the county and local municipalities for the period of January 1, 2021 - December 31, 2021; and

WHEREAS, the office has allocated \$28,450 in Youth Development Program funds for this purpose; and

WHEREAS, the Yates County Youth Board has recommended approval of the funding; and

WHEREAS, the agreement provides for reimbursement to the county after the submission of vouchers and supporting documents as proof of expenditures by the various agencies at intervals throughout the years;

NOW, THEREFORE, BE IT RESOLVED, that this County Legislature does hereby authorize an agreement between the County of Yates and the NYS Office of Children and Family Services for the Resource Allocation Plan for 2021, with a copy of said agreement on file in the Office of the Clerk of this Legislature; and be it further

RESOLVED, that the Chairman is hereby authorized and directed to sign the Resource Allocation Plan Agreement on behalf of the County; and be it further

RESOLVED, that the Youth Bureau Director is authorized to make technical adjustments in the Resource Allocation Plan if so directed by the NYS Office of Children and Family Services; and be it further

RESOLVED, that copies of this resolution be sent to the New York State Office of Children and Family Services, the Yates County Treasurer and the Youth Bureau Director.
VOTE: Unanimous

RESOLUTION NO. 299-21

Mrs. Church 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 2020-2021 Yates County Workforce Development accounts:

\$295	From: CD6293-4A (Staff Operating Adult)	To: CD6293-8A (Staff Fringe Adult)
\$469	From: CD6293-4B (Operating DW)	To: CD6293-1B (Staff Wage DW)
\$543	From: CD6293-4B (Operating DW)	To: CD6293-8B (Staff Fringe DW)
\$1,871	From: CD6393-11C (Participant Wage OSY)	To: CD6293-1C (Staff Wage OSY)
\$822	From: CD6293-4C (Operating OSY)	To: CD6293-8C (Staff Fringe OSY)

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. 300-21

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

ALLOCATE WORKFORCE DEVELOPMENT BUDGET

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:

CD6293.1A	(WIOA Title I Adult Staff Wage)	\$21,041
CD6293.4A	(WIOA Title I Adult Operating)	\$ 2,565
CD6293.8A	(WIOA Title I Adult Staff Fringe)	\$ 9,647
CD6293.1B	(WIOA Title I DW Staff Wage)	\$21,041
CD6293.4B	(WIOA Title I DW Operating)	\$ 2,565
CD6293.8B	(WIOA Title I DW Staff Fringe)	\$ 9,647

CD6293.1D	(WIOA Title I Administration Staff Wage)	\$ 0
CD6293.4D	(WIOA Title I Administration Operating)	\$ 2,642
CD6293.8D	(WIOA Title I Administration Staff Fringe)	\$ 0
CD6293.1C	(WIOA OSY Youth Staff Wage)	\$32,730
CD6293.4C	(WIOA OSY Youth Operating)	\$ 3,300
CD6293.8C	(WIOA OSY Youth Staff Fringe)	\$ 8,433
CD6293.11C	(WIOA OSY Youth Participant Wage)	\$ 8,000
CD6293.81C	(WIOA OSY Youth Participation Fringe)	\$ 1,000
CD6293.1F	(WIOA In School Youth Staff Wage)	\$ 7,014
CD6293.41F	(WIOA In School Operating)	\$ 1,205
CD6293.8F	(WIOA In School Youth Staff Fringe)	\$ 1,807
CD6293.11F	(WIOA In School Youth Participant Wage)	\$ 1,700
CD6293.81F	(WIOA In School Youth Participant Fringe)	\$ 300
CD6293.44791	(REVENUE)	\$134,637

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 301-21

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

ENTER INTO A POLE ATTACHMENT AGREEMENT WITH VERIZON NEW YORK INC.

WHEREAS, the County of Yates (hereinafter referred to as the “County”) wishes to license for its own use, the right to attach and maintain its telecommunications cables, equipment, facilities and attachments with necessary guys and appurtenances on poles owned by Verizon New York, Inc. (hereinafter referred to as “Verizon”); and

WHEREAS, Verizon is willing to permit, to the extent it may lawfully do so, the placement of said cables, equipment, facilities and attachments on Verizon poles; and

WHEREAS, to this end, Verizon requires the County to enter into a Pole Attachment Agreement with it, concerning the licensing of the use of Verizon poles by the County for the purposes set forth above;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is hereby authorized to execute on behalf of Yates County a Pole Attachment Agreement with Verizon concerning the County’s right, by way of license, to attach and maintain its telecommunications cables, equipment, facilities and attachments with necessary guys and appurtenances on poles owned by Verizon; and be it further

RESOLVED, that copies of this resolution be provided to the Yates County Administrator, Yates County Planner and Verizon New York Inc.

VOTE: Unanimous

RESOLUTION NO. 302-21

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

**RESOLUTION OF DENIAL:
CORRECTION OF ERROR – REFUND REQUEST (Rapacki)**

WHEREAS, an application for a refund of taxes has been received by the Real Property Tax Services Director in accordance with RPTL §556; and

WHEREAS, the property owner is Ann Marie Rapacki, residing at 2104 Ellis Road, Dundee, NY 14837, and the property is classified as a one-family residence, located at the same address in the Town of Barrington, with a tax map identification number of 111.04-1-7; and

WHEREAS, the Real Property Tax Services Director has completed an investigation pursuant to RPTL §556, and has filed a copy of the findings of that investigation; and

WHEREAS, after review of the findings, the Finance Committee has accepted the recommendation of the Real Property Tax Services Director to deny the application for the refund of taxes;

NOW THEREFORE, BE IT RESOLVED, that the report of findings has been reviewed by this Legislature, and that the application for Correction of Error is denied; and be it further

RESOLVED, that the Real Property Tax Services Director is authorized and directed to mail the denied application to the applicant, Ann Marie Rapacki; and be it further

RESOLVED, that copies of this resolution be sent to the Barrington Town Clerk, Yates County Treasurer and the Real Property Tax Services Director

VOTE: Unanimous

RESOLUTION NO. 303-21

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

2021 BUDGET TRANSFERS

BE IT RESOLVED, that the following transfers be made in the 2021 budget:

From:	To:	Amount:
A1430.54920 State Fees	A1430.51505 Overtime	\$ 44.64

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 304-21

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

APPROPRIATE W911 RESERVE FUNDS

WHEREAS, the Office of the Sheriff needs to appropriate \$617.81 of the W911 Reserve Funds;

NOW, THEREFORE, BE IT RESOLVED that the following accounts be increased by \$617.81:

Budgetary Account
A511.101 (Appropriate Reserve-W911)

Appropriation Account
A3021.54771 W911 Expenses

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 305-21

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

**ACCEPT AND APPROPRIATE ADDITIONAL REVENUE
(DEPARTMENT OF SOCIAL SERVICES)**

WHEREAS, the Department of Social Services has been awarded additional funds in the amount of \$570.00 from the Office of Temporary and Disability Assistance (OTDA) for the Safe Harbors TANF DV program; and

WHEREAS, these funds are not part of the 2021 budget;

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

Revenue	
A6010.44610 Social Services Administration	\$571.00

Appropriation	
A6010.54321 Safe Harbors TANF DV	\$571.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 306-21

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

AUTHORIZE CHAIRMAN TO SIGN FAA GRANT

WHEREAS, Yates County has received a grant in the maximum amount of \$59,000 from The United States of America, acting through the Federal Aviation Administration (hereinafter referred to as the "FAA") for Airport Rescue Grant No. 3-36-0094-041-2021 provided in accordance with the American Rescue Plan Act; 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 Chairman 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. 307-21

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

AUTHORIZE BUILDING MAINTENANCE SUPERVISOR TO FILL BUILDING MAINTENANCE HELPER POSITION

WHEREAS, a Building Maintenance Helper vacancy was created effective August 6, 2021 as a result of a resignation; and

WHEREAS, the Building Maintenance Supervisor through the vacancy review process has identified the continued need for the Building Maintenance Helper position and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$44,318 to \$64,631, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective August 9, 2021 the Building Maintenance Supervisor is hereby authorized to fill the Building Maintenance Helper position; and be it further

RESOLVED, that copies of this resolution shall be provided to the Building Maintenance Supervisor, Personnel Officer, County Administrator and County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 308-21

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

AUTHORIZE CONTRACTUAL AGREEMENT FOR: CHILDREN'S SINGLE POINT OF ACCOUNTABILITY (C-SPOA) COORDINATOR.

WHEREAS, the C-SPOA position is in need of assistance to transitioning the duties of the role that will become vacant as of August 31, 2021; and

WHEREAS, it is upon recommendation by the Personnel Officer and the County Administrator that Carol Schreiner be contracted with to teach and be utilized as a resource for the SPOA coordinator position for a period not to exceed 6 months;

NOW, THEREFORE, BE IT RESOLVED, that Carol Schreiner be contracted with for temporary assistance for C-SPOA effective September 1, 2021 at a contractual salary of \$46/hour and to not exceed \$10,000, during the time frame of September 1, 2021 to February 28, 2022; and be it further

RESOLVED, that a copy of this resolution be provided to the Director of Community Services, the Personnel Officer and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 309-21

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

**AUTHORIZE CHAIRMAN TO SIGN INTERNET SERVICES CONTRACT
(Spectrum Business Class – Rochester, NY)**

WHEREAS, a larger venue is required to handle the influx of people requiring COVID vaccinations; and

WHEREAS, the County intends to lease temporary space for the purpose of conducting large Points of Dispensing (PODs) at 1930 Pre-Emption Rd, Penn Yan, NY 14527; and

WHEREAS, the PODs require reliable Internet connectivity for the purpose of accessing and entering data into the NYS Clinical Data Management System (CDMS) to report vaccination information; and

WHEREAS, the Pre-Emption Road location does not have adequate internet service using the Public Health Verizon MiFi hotspots; and

WHEREAS, in order to provide adequate internet service for the PODs, a short-term month-to-month contract providing the installation and service of a 200MB x 10MB internet circuit from Spectrum Business Class at a rate of \$64.99/month with a one-time installation fee of \$99.00 is needed;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Spectrum Business Class of Rochester for Internet Services at a rate of \$64.99/month for a month-to-month service term with a one-time installation fee of \$99.00; and be it further

RESOLVED, that a copy of this resolution be furnished to the County

Administrator/Budget Officer, the Directors of Public Health and Information Technology and Spectrum Business Class.

VOTE: Unanimous

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

1. the financial history of a particular corporation or corporations, with members of the legislature, representative(s) from STN, the County Administrator, Sheriff, County Planner and Grant Specialist present,
2. the employment history of a particular person or persons and matters leading to the appointment of a particular person or persons, with members of the legislature and County Administrator present; and
3. matters leading to the proposed acquisition of real property when publicity would substantially affect the value thereof with members of the legislature and County Administrator present;

It is anticipated that there will be a resolution or resolutions forthcoming after the conclusion of the executive session. Seconded by Mr. Harper

VOTE: Unanimous

The Legislature reconvened in open session at 3:08 p.m. and the following action was taken.

RESOLUTION NO. 310-21

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

AUTHORIZE DIRECTOR OF REAL PROPERTY TO CREATE AND FILL SENIOR ACCOUNT CLERK TYPIST POSITION

WHEREAS, the Director of Real Property has requested to create and fill a full-time Senior Account Clerk Typist position due to an anticipated vacancy that will occur on October 4, 2021 as the result of a promotion; and

WHEREAS, the vacancy review process has been waived for the request to refill the Senior Account Clerk Typist position, however, the Director of Real Property has identified and expressed the need to create and fill a full-time Senior Account Clerk Typist position for efficient and effective succession planning and is requesting that the position be filled; and

WHEREAS, the Real Property Senior Account Clerk Typist position is not a mandated position, however, filling the vacancy is critical for not only the Real Property Department but the Planning Department as well, as the position is split 75/25, 75% of the position is dedicated to clerical and accounting needs of Real Property and 25% is dedicated to Planning; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$45,057 to \$65,370, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective August 9, 2021 the Director of Real Property is hereby authorized to create and fill a Senior Account Clerk Typist position; and be it further

RESOLVED, that copies of this resolution shall be provided to the Director of Real Property, Personnel Officer, County Administrator and County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 311-21

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

AUTHORIZE CHAIRMEN OF THE LEGISLATURE AND PUBLIC SAFETY COMMITTEE TO ENTER INTO A CONTINGENT AGREEMENT FOR THE PURCHASE OF A PARCEL OF REAL PROPERTY LOCATED IN THE TOWN OF BENTON, COUNTY OF YATES, STATE OF NEW YORK

WHEREAS, Yates County (hereinafter referred to as the “County”) wishes to acquire a parcel of real property to accommodate the installation and operation of a County owned public safety communications tower; and

WHEREAS, the County has identified parcels of real property that may be conducive to such objective located in the Town of Benton, County of Yates, State of New York, (hereinafter referred to as the “Acquisition Parcel”); and

WHEREAS, the County wishes to acquire the Acquisition Parcel by way of purchase, subject to the satisfaction of certain contingencies; and

WHEREAS, to such end, the County will agreed to a negotiated purchase price within the price parameters established by the County Legislature for the Acquisition Parcel, along with the County paying all closing costs, including such closing costs of the seller;

NOW, THEREFORE, BE IT RESOLVED, that upon approval by the County Attorney, the County hereby authorizes and the Chairmen of the Legislature and Public Safety Committee may enter into, a written agreement between the County and a landowner, for a purchase price within the price parameters established by the County Legislature, in a size and dimension deemed suitable for the installation and operation of a County owned public safety communications tower and access thereto, with the County paying all closing costs, including such closing costs of the seller, and containing any other provisions approved by the County Attorney; and be it further

RESOLVED, that subsequent to the parties’ execution of such agreement, and satisfaction of applicable contingencies, the Chairmen are hereby authorized to execute any and all documentation necessary to effectuate the County’s purchase of the Acquisition Parcel and the conveyance of the Acquisition Parcel to the County; and be it further

RESOLVED, that a copy of this resolution be given to the County Sheriff, County Administrator, County Treasurer and County Attorney.

VOTE: Unanimous

Meeting adjourned at 3:12 p.m.