

REGULAR SESSION – MONDAY, AUGUST 10, 2020

The Yates County Legislature met in regular session Monday, August 10, 2020 at 1:00 pm in the Legislative Chambers and by Zoom meeting. Chairman Paddock presided and Legislator Button was absent.

The minutes of the July meeting were approved as presented.

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

Airport Fund	\$ 8,948.91
Finance	\$ 21,782.97
Flint Creek	\$ -0-
Government Operations	\$ 88,279.43
Human Services	\$ 322,826.58
Prior to Audit	\$ 84,820.25
Public Safety	\$ 80,585.48
Public Works	\$ 579,652.30
Total	\$1,186,895.92

Chairman Paddock opened the public hearing on proposed Local Law 4-2020 Entitled Renewing A Local Law Establishing An Additional Mortgage Tax For Mortgages On Real Property Situated In Yates County. There were no comments at this time and the public hearing was held open until later in the meeting.

Chairman Paddock asked Deb Minor, Director of Public Health, to give an update on COVID-19.

Deb reported there were no new cases over the weekend. So far, Yates County has had 56 positive cases and currently has 1 active case. There are 15 individuals in isolation due to the active case and 171 in quarantine due to traveling.

Deb reported she looked at the data that comes out to the Finger Lakes Control room. For Yates County, our 7 day rolling average remains less than 0.5%. The Finger Lakes 7 day rolling average is 0.77%. In looking at the most recent cases, all but 2 are age 40 or older. However, the information reported to the Finger Lakes Regional Control Room for Monroe County shows that 38% are in their 20's, 19% are in their 30's and 13% are in their 40's. So it could be that the number of people testing positive in Monroe County could be a result of going back to college or a possible contact.

Deb also looked at Yates County's number of positive cases that have travel associated with them and 91% do not have travel associated with them so they are not people that have either traveled outside of NYS or have been named as a close contact to someone else who traveled outside of NYS or who came in from other states. Also, 73% of our individuals have been asymptomatic.

Deb reported she has been working with the schools as they put their plans together for reopening.

Deb reported Public Health struggled with being able to submit orders for PPE and thermometers. The order was not a large enough order for the vendor with just Yates County ordering. Deb worked with Seneca and Schuyler and submitted an order together which was accepted by the vendor. Supplies have been received and Deb will be meeting with Sara Christensen, Diane Caves and Brian Winslow tomorrow to look at what we have on hand for possible future needs and determine if there are additional things that should be ordered.

Brian Winslow, Director of Emergency Management, reported he has received a pallet of 2oz hand sanitizer along with a pallet of gallon hand sanitizer. Brian explained he has been in touch with the schools regarding their needs also. There will be a meeting tomorrow to discuss plans for the fall as to what needs may be. Brian has been able to keep the Emergency Services and Fire Departments supplied with PPE.

Mike Lipari, Finger Lakes Economic Development Center (FLEDC), reported they continue to communicate with local businesses which are concerned that there may be a second shut down. Businesses are going forward and trying to recover from the earlier shutdown. Mike explained that the FLEDC is seeing more projects coming in with people wanting to invest in the area.

COMMITTEE REPORTS

Mr. Cutler reported the first of three public meetings on the 9E Plan will be held on August 24th at 6:00 p.m. Information on how to access the zoom meeting will be sent out soon.

Mr. Killen reported he attended a Zoom meeting with Congressman Reed who reported that the stimulus and unemployment issues are still undecided.

Ms. Chilson reported she attended the Village of Penn Yan's Board meeting. They are working on getting signs out regarding COVID-19.

Mr. Multer reported the Tourism Advisory Council (TAC) will be meeting later this month to go over applications.

County Administrator Nonie Flynn reported the Audit Committee met prior to this meeting and the 2019 Financial Audit was found to have no deficiencies or material weaknesses. So the County has another year of a clean audit.

CHAIRMAN'S APPOINTMENT

Chairman Paddock appointed Lilly Hall to the Youth Board for a term of 8/1/2020 to 7/31/2021.

RESOLUTION NO. 288-20

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

AUTHORIZE CHAIRMAN TO SIGN THE YATES COUNTY MULTI-JURISDICTIONAL ALL HAZARD MITIGATION PLAN UPDATE

WHEREAS, Yates County, with the assistance from Tetra Tech, has gathered information and prepared the Yates County Multi-Jurisdictional All Hazard Mitigation Plan Update; and

WHEREAS, the Yates County Multi-Jurisdictional Hazard Mitigation Plan Update has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, Yates County is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, Yates County has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW, THEREFORE, BE IT RESOLVED, by the Yates County Legislature, that Yates County adopts the Yates County All Hazard Mitigation Plan Update as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan; and be it further

RESOLVED, that copies of this resolution be provided to towns, villages and the Director of Emergency Management.

VOTE: Unanimous

RESOLUTION NO. 289-20

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

AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH MATT KELLY TO PROVIDE SERVICES FOR THE RECRUITMENT AND RETENTION FY 2018-2019 GRANT

WHEREAS, Yates County is desirous of entering into a contract to fulfill Recruitment and Retention services for the FY2018-2019 DHSES Grant; and

WHEREAS, this agreement retains Matt Kelly to provide services for the Recruitment and Retention Grant at a cost not to exceed \$7,650.00 payable consistent with the agreement;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the Yates County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign an agreement with Matt Kelly; and be it further

RESOLVED that a copy of this resolution be given to the Yates County Director of Emergency Services, Matt Kelly, and the Yates County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 290-20

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

AUTHORIZE SHERIFF AND CHAIRMAN TO RENEW JAIL BARBER AGREEMENT

WHEREAS, on a regular basis the Sheriff is required to provide hair cutting services for male and female inmates incarcerated at the Yates County Jail, and those services have been provided by registered cosmetologist Larrie Jo Kerrick of Penn Yan, NY in agreement since 2017 and these special jail services requires renewal;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Sheriff and Chairman are authorized to renew and sign said three year agreement at continued rate of \$15.00 a person; and be it further

RESOLVED, that the Sheriff and Treasurer receive a copy of this resolution.

VOTE: Unanimous

RESOLUTION NO. 291-20

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

**AUTHORIZE SHERIFF/CHAIRMAN TO SIGN MOU WITH
DUNDEE SCHOOL FOR 2020-21 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 are reimbursed by the school district as agreed for 2020-21 school year in the amount of \$41,183.27

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

RESOLVED, that the 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. 292-20

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

ESTABLISH CORONER'S AUTOPSY FEES

WHEREAS, autopsies have traditionally been performed for Yates County Coroners by Dr. William H. Dean as established by Resolution 392-98 along with related services, and said costs have remained the same since 1998;

NOW, THEREFORE, BE IT RESOLVED, effective 1/1/2021 the pathology professional component rate only will be \$750 per case, and the denier rate remains at its current \$150 per case; and be it further

RESOLVED, that copies of this resolution be provided to Dr. William H. Dean of Finger Lakes Health, the Sheriff, elected County Coroners, and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 293-20

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

DISCUSSION:

Chairman Paddock stated this is for what they are calling Reform Police Services. It has been over 2 months and there has been no guidance coming from the Office of Budget which was part of executive order 203. If we do something now, we stand a chance of having to redo it and he is not a big fan of having to do things twice.

**RESOLUTION IN SUPPORT OF NYSAC SEEKING STATEWIDE ASSISTANCE FOR
A COUNTY TO COMPLY WITH EXECUTIVE ORDER 203**

WHEREAS, following the tragic death of Mr. George Floyd and the call for reforms to policing in subsequent days, Governor Andrew M. Cuomo signed Executive Order 203 (E.O. 203), the “New York State Policy Reform and Reinvention Collaborative; and

WHEREAS, the stated purpose of E.O. 203 was to create significant law enforcement changes in response to police-involved deaths and concerns about racially biased law enforcement and to create accountability for law enforcement agencies, and in our case the Office of Sheriff that does have the NYS recognition as an accredited law enforcement agency; and

WHEREAS, E. O. 203 includes five actions that local governments must take to comply with this new requirement:

1. Each local government entity must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices for the purpose of developing a plan to improve each element for addressing the particular needs of the communities served by such police agency and promoting community engagement to foster trust, fairness, and legitimacy; and to address any racial bias and disproportionate policing of communities of color;
2. Each chief executive of the local government entity must convene with the head of the local police agency and community stakeholders to develop the plan to improve such deployments, strategies, policies, procedures, and practices;
3. The local government entity, in coordination with its police agency, must consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices that are tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing;
4. The plan must be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution as appropriate, no later than April 1, 2021;
5. The local government entity must transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted; and

WHEREAS, while county government and the office of Sheriff recognize the significance and importance of this reform initiative, the financial and administrative burden coupled with a lack of state guidance creates a challenging situation to comply;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature does herein support the efforts of the New York State Association of Counties (NYSAC) encouraging the Governor and the State Division of Budget and the State Division of Criminal Justice Services (DCJS) to promulgate guidance and provide state financial assistance to aid counties in compliance and implementation with Executive Order 203; and be it further

RESOLVED, that this resolution be forwarded to NYSAC, Governor Andrew M. Cuomo, Senator O'Mara, Assemblyman Palmesano, the Sheriff and all others deemed necessary and proper.
VOTE: Unanimous

RESOLUTION NO. 294-20

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

**AUTHORIZE CHAIRMAN TO SIGN CONSULTING AGREEMENT BETWEEN
YATES COUNTY AND REMEDY ONE CONSULTING D/B/A ALIGN RX
CONSULTING**

WHEREAS, the County desires to enter into an agreement with Remedy One Consulting d/b/a Align Rx Consulting concerning the administration of negotiating pharmacy pricing with drug managers;

NOW, THEREFORE, BE IT RESOLVED, that to this end, and contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign an agreement between Yates County and Remedy One Consulting d/b/a Align Rx Consulting; and be it further

RESOLVED, that a copy of this resolution be provided to Remedy One Consulting d/b/a Align Rx Consulting, Relph Benefit Advisors an Alera Group Company, the Personnel Officer, County Administrator, and County Treasurer.
VOTE: Unanimous

RESOLUTION NO. 295-20

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

AUTHORIZE TREASURER TO PAY (BENETECH) PRIOR TO AUDIT

WHEREAS, Benetech, the vendor that administers the County's Health Reimbursement Arrangement (HRA) and Flexible Spending Arrangement (FSA) accounts is requesting payment within three (3) days of billing the County;

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer is authorized to pay Benetech prior to audit; and be it further

RESOLVED, that a copy of this resolution be provided the Personnel Officer, County Administrator, and County Treasurer.
VOTE: Unanimous

RESOLUTION NO. 296-20

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
(Layer 3 Technologies - Rochester, NY)**

BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Layer 3 Technologies of Rochester, NY for Professional Services to make configuration changes to our production firewall at a cost not to exceed 3,000.00; and be it further

RESOLVED, that a copy of this resolution be given to Layer 3 and to the IT Director.

VOTE: Unanimous

RESOLUTION NO. 297-20

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

A PETITION TO AMEND STATE ELECTION LAW SECTIONS 4-100 (3a) and 4-104 (8)

WHEREAS, Yates County has 14,204 registered voters, who reside in 9 towns and are further assigned to 18 election districts; and

WHEREAS, Election Law Section 4-104 (8), allows for consolidation of election districts into a reduced number of poll sites, but not beyond the level of one poll site in every town; and

WHEREAS in accordance with section 4-100 (3a) an election district is not to contain more than 1,200 registered voters; and

WHEREAS, Election Law requires a centrally located, easily accessible Early Voting poll site for every 50,000 registered voters, which in the case of Yates County is within 31 minutes travel time by road for any registered voter in the County; and

WHEREAS, single party Democratic or Republican primary elections in Yates County can be consolidated in 5 poll sites, with each serving less than 1,200 voters, instead of 9 town poll sites, and save at least 15% of election day labor costs; and

WHEREAS, in a recent election, 980 voters cast absentee ballots. Only 40 voted at early voting, and 235 voted in-person at poll sites, which in total could have been consolidated in one poll site at a savings of 65% of labor costs; and

WHEREAS, a primary election for one of the minor parties (less than 1,200 registered voters in the county), such as Serve America Movement Primary in 2020, can be consolidated to the one poll site used by early voting, and save at least 65% of a total election labor cost; and

WHEREAS, technological advances, which have made voting both easier and faster and thereby reduce the potential of voters waiting in line, now allow much larger populations of voters at a poll site and therefore in an election district; and

WHEREAS, technological advances in electronic poll books and Imagecast machines accommodate multiple different ballots being printed, completed and cast at any poll site; and

WHEREAS, small, rural counties and counties with sparsely populated towns, across the state are financially burdened by sections 4-100 (3a) and 4-104 (8) of the Election Law;

NOW, THEREFORE, BE IT RESOLVED, that Yates County petitions the State of New York to amend section 4-104 (8) of the Election Law to permit the election-by-election consolidation of election districts in multi-town poll sites, so long as the number of registered voters at such poll site is less than the limits of section 4-100 (3a), and the resulting poll site serves contiguous election districts; and be it further

RESOLVED that Yates County petitions the State of New York to amend section 4-100 (3a) to increase the limits from 1,200 to 2,000; and be it further

RESOLVED, that a copy of this resolution be sent to Assemblyman Palmesano, Senator O'Mara, Senate Elections Committee Chair Zellnor Myrie and Assembly Committee on Election Law Chair Charles D. Lavine

VOTE: Unanimous

RESOLUTION NO. 298-20

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

AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL VACANCY (SOCIAL WELFARE EXAMINER)

WHEREAS, a Social Welfare Examiner vacancy will be created August 29, 2020 as the result of a retirement; and

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

WHEREAS, the estimated annual cost to fill the position is \$48,831 which includes fringe benefits; with the 100% reimbursement there will be no cost to the County to refill this position;

NOW, THEREFORE, BE IT RESOLVED, that effective August 10, 2020 the Commissioner of Social Services is hereby authorized to start recruiting for a Social Welfare Examiner position; and be it further

RESOLVED, that effective August 30, 2020 the Commissioner of Social Services is hereby authorized to fill the Social Welfare 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 County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 299-20

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

AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL VACANCY (CASEWORKER)

WHEREAS, a Caseworker position became vacant effective June 26, 2020 as the result of a resignation; and

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

WHEREAS, the estimated annual cost to fill the position is \$67,583 which includes fringe benefits; with the 80% reimbursement the total cost to the County will be \$13,517 to refill this position;

NOW, THEREFORE, BE IT RESOLVED, that effective August 10, 2020 the Commissioner of Social Services is hereby authorized to fill a full-time Caseworker position; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 300-20

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

SIGN AGREEMENT WITH DURHAM SCHOOL SERVICES FOR TRANSPORTATION SERVICES

RESOLVED, that the Chairman is authorized to sign an agreement with Durham School Services for Transportation of developmentally delayed infants and preschoolers for the period September 1, 2020 through August 31, 2021 at the following rates:

To and from Happiness House Geneva site	\$205.84 per child per day
To and from Happiness House Canandaigua	\$205.84 per child per day
To and from Keuka Lake School	\$46.32 per child per day

And be it further

RESOLVED, that the County reserves the option to renew this contract for no more than two (2) one year periods; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 301-20

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

APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD MENTAL HEALTH SUB-COMMITTEE

WHEREAS, Ashley Lewis, LCSW residing at 11175 Hillside Dr., Pavilion, New York 14525, has been recommended for appointment to serve on the Mental Health Sub-committee;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature appoints Ashley Lewis to the Mental Health Subcommittee; and be it further

RESOLVED, that said term will end 12/31/2024; and be it further

RESOLVED, that copies of this resolution be provided to Ashley Lewis and the Yates County Department of Community Services.

VOTE: Unanimous

RESOLUTION NO. 302-20

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

AUTHORIZE WORKFORCE DEVELOPMENT BUDGET ALLOCATIONS

WHEREAS, Yates County received funding from the Office of Temporary and Disability Assistance for the Summer Youth Employment Program;

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

Program Operating	CD6294.4A	\$12,375
Participant Wage	CD6294.11A	\$51,000
Participant Fringe	CD6294.81A	\$6,665
(Revenue)	CD6294.42802	\$70,040

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 303-20

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

AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING FOR LIFEGUARD SERVICES

WHEREAS, funding has been appropriated in the 2020 Yates County Budget for the following municipalities

Village of Penn Yan (Lifeguard Services)	\$10,260.00
Town of Middlesex (Lifeguard Services)	\$1,026.00
Town of Torrey (Lifeguard Services)	\$1,026.00

NOW, THEREFORE, IT BE RESOLVED, that after review by the County Attorney, the Chairman of the Yates County Legislature and the Youth Bureau Director are hereby authorized to sign said memorandums of understanding for the allocation for these funds; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 304-20

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

**ENTER INTO CONTRACT WITH PROACTION OF STEUBEN AND YATES
COUNTIES INC. FOR THE ADMINISTRATION OF THE HEATING ENERGY
ASSISTANCE PROGRAM (HEAP) PROGRAM FOR 2020-2021**

WHEREAS, the Department of Social Services requires assistance with the processing of HEAP applications and an alternate certifier during the upcoming HEAP season;

NOW, THEREFORE, BE IT RESOLVED, that contingent on the approval of the County Attorney, the Chairman of the Legislature and the Social Services Commissioner are authorized to sign a contract for the administration of the HEAP program with ProAction of Steuben and Yates Counties, Inc. at an amount not to exceed \$54,000 for the period of 8/1/20-7/31/21; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 305-20

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 2019-2020 Yates County Workforce Development account:

From: DW Staff Wage	CD6293.1B	\$51.86
To: DW Staff Fringes	CD6293.8B	\$51.86

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. 306-20

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

AWARD BID FOR PROPANE GAS

WHEREAS, bids were requested for Propane Gas and received on July 23, 2020 at 10:00 a.m. and two firms submitted a bid to the Yates County Highway Department;

Bidder	Price Per Gallon Over Selkirk
<u>Ferrellgas LP</u>	<u>\$0.27</u>
<u>Phelps Sungas</u>	<u>\$0.30</u>

NOW, THEREFORE, BE IT RESOLVED, to award the bid to Ferrellgas LP; and be it further

RESOLVED, that copies of this resolution be forwarded to each bidder, the Yates County Treasurer, and the Yates County Highway Superintendent.
VOTE: Unanimous

RESOLUTION NO. 307-20

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

AUTHORIZE CHAIRMAN TO SIGN CONTRACT FOR REPAIRS TO GENERATOR SET

WHEREAS, the Building Maintenance Supervisor has reported to the Public Works Committee that repairs are required on the generator set that provides emergency power to the Courthouse and County Office Building; and

WHEREAS, the Building Maintenance Supervisor is expediting quotes for the required repairs from responsible vendors; and

WHEREAS, repairs should not be unduly delayed;

NOW, THEREFORE, BE IT RESOLVED, that the Building Maintenance Supervisor, the Chairman of the Public Works Committee and the Chairman of the Legislature are authorized to review quotes received and select a responsible vendor; and be it further

RESOLVED, that the Chairman of the Legislature is authorized to sign a contract with the selected vendor; and be it further

RESOLVED, that copies of this resolution be sent to the Building Maintenance Supervisor and the Treasurer/Budget officer.

VOTE: Unanimous

RESOLUTION NO. 308-20

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

2020 BUDGET TRANSFERS

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

From:	To:	Amount:
A6123.54310 DSS-Juvenile Del	A6010.52180 DSS-Vehicle	\$ 15,170.00
D5110.51505 HWY-Overtime	D5112.51505 HWY-Overtime	\$ 169.34

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 309-20

Mr. Holgate offered resolutions 309 thru 311-20 and moved their adoption, seconded by Mr. Harper.

**APPROPRIATE ADDITIONAL SUMMER YOUTH FEDERAL AID
(SOCIAL SERVICES)**

WHEREAS, the Department of Social Services has been awarded additional federal aid for the TANF Summer Youth Employment Program in the amount of \$8,040.00; and

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

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

Revenue:

A6010.44610 DSS-Social Services Administration	\$8,040.00
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Appropriation

A6010.54381 DSS-Summer Youth Employment Program	\$8,040.00
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And be it further

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

RESOLUTION NO. 310-20

**APPROPRIATE ADDITIONAL CODE BLUE STATE AID
(SOCIAL SERVICES)**

WHEREAS, the Department of Social Services has been awarded additional state aid for Code Blue in the amount of \$45,728.00; and

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

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

Revenue:

A6010.43610 DSS-Social Services Administration	\$45,728.00
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Appropriation

A6010.54027 DSS-Misc. Contractual Expenses	\$45,728.00
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And be it further

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

RESOLUTION NO. 311-20

**APPROPRIATE ADDITIONAL EMERGENCY PREPAREDNESS FEDERAL AID
(PUBLIC HEALTH)**

WHEREAS, Public Health has been awarded additional federal aid for Emergency Preparedness in the amount of \$7,700.00; and

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

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

Revenue:		
A4010.44489 PH-Disaster Planning		\$7,700.00
Appropriation		
A4010.51332 PH-PH Nurse PT		\$2,500.00
A4010.54320 PH-Disaster Planning		\$2,000.00
A4010.54153 PH-Education		\$ 500.00
A4010.54470 PH-Office Supplies		\$ 200.00
A4010.54515 PH-Postage		\$ 200.00
A4010.54516 PH-Printing		\$ 200.00
A4010.54654 PH-Mileage		\$ 500.00
A4010.54682 PH-Utilities		\$ 100.00
A4010.51506 PH-Phone Work		\$ 500.00
A4010.51508 PH-35-40 OT		\$ 500.00
A4010.51504 PH-On Call		\$ 500.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 312-20

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

Chairman Paddock thanked Rick Willson for bringing this to our attention and Nonie Flynn for making sure that this occurred.

Mr. Holgate also thanked Steve Manning for making it occur.

AUTHORIZE CHAIRMAN TO ENTER INTO AN AMENDMENT (NO. 2) TO DARK FIBER IRU AGREEMENT WITH SOUTHERN TIER NETWORK, INC. CONCERNING THE YATES COUNTY OPEN ACCESS FIBER NETWORK

WHEREAS, Yates County (the "County") established an Open Access Model backbone network consisting of strands of fiber optic cable within the geographical area of Yates County and portions of Ontario and Schuyler Counties; for the purposes of broadband expansion, enhancement of economic development opportunities, improvement of healthcare and education, as well as general improvement of quality of life for its residents and interconnection with other telecommunications networks (the "Network"); and

WHEREAS, in relation thereto, the County entered into a certain Dark Fiber IRU Agreement with Southern Tier Network, Inc. ("STN") dated May 14, 2015, which was

subsequently amended by the parties by way of that certain Amendment No. 1 dated June 17, 2016 (said Dark Fiber IRU Agreement, as amended by said Amendment No. 1 hereinafter collectively referred to as the "IRU Agreement"); and

WHEREAS, the parties have agreed to further amend the IRU Agreement as it relates to the issue of the status of the Network upon a dissolution of STN, its successors and/or assigns, and to this end, a proposed Amendment No. 2 has been drafted in this regard (the "Amendment");

NOW, THEREFORE, BE IT RESOLVED, that the County is authorized to enter into the Amendment, and to this end, the Chairman of the Legislature, upon the approval of the County Attorney, is hereby authorized on behalf of the County to sign said Amendment; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 313-20

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

APPOINT MEMBER TO THE YATES COUNTY PLANNING BOARD FOR THE TOWN OF MILO (Amber Degner)

WHEREAS, Amber Degner (51 Route 54, East Lake Rd., Penn Yan) has expressed her interest to serve as the representative from the Town of Milo, and this person's experience and knowledge would provide the Board with someone compatible to the serving members;

NOW, THEREFORE, BE IT RESOLVED, that Amber Degner is hereby appointed as the representative of the Town of Milo on the Yates County Planning Board, to a term to expire on August 10, 2022; and be it further

RESOLVED, that copies of this resolution be given to Amber Degner, the County Planner, the Town of Milo, and a copy filed with the County Clerk.

VOTE: Unanimous with Mr. Banach abstaining.

RESOLUTION NO. 314-20

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

APPROVE THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2021-2025

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

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

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

Yates County Capital Improvement Plan

Fiscal Years: 2021 - 2025

Office / Department	Project Description	2021			2022			2023			2024			2025			Comment
		Total Project Cost	Federal, State, Sale, Reserve	Net Tax Levy	Total Project Cost	Federal, State, Sale, Reserve	Net Tax Levy	Total Project Cost	Federal, State, Sale, Reserve	Net Tax Levy	Total Project Cost	Federal, State, Sale, Reserve	Net Tax Levy	Total Project Cost	Federal, State, Sale, Reserve	Net Tax Levy	
Administration	Debt Service - Horizon Park	\$27,422		\$27,422	\$24,689		\$24,689										
Airport	De-Icing Equipment (Truck)	\$175,000	\$175,000	\$0												Airport Reserve	
Airport	Terminal Apron Rehabilitation - Design	\$90,000	\$90,000	\$0												Airport Reserve	
Airport	Fuel Trucks	\$415,500	\$415,500	\$0												Airport Reserve	
Airport	Obstruction Removal - Design and Construction				\$150,000	\$150,000	\$0									Airport Reserve	
Airport	Parallel Taxiway B Extension - Design				\$180,000	\$180,000	\$0									Airport Reserve	
Airport	Runway 10-28 Rehabilitation - Design							\$110,000	\$110,000	\$0						Airport Reserve	
Airport	Terminal Apron Rehabilitation - Construction							\$400,000	\$400,000	\$0						Airport Reserve	
Airport	Parallel Taxiway B Extension - Construction										\$1,600,000	\$1,600,000	\$0			Airport Reserve	
Airport	Parallel Taxiway A Rehabilitation - Design													\$120,000	\$120,000	\$0	
Airport	Runway 10-28 Rehabilitation - Construction													\$600,000	\$600,000	\$0	
B & G	Annex Windows Replacement	\$100,000		\$100,000													
B & G	Old Courthouse, Annex and New COB Attic Insulation	\$40,000		\$40,000													
B & G	Courthouse Elevator B Controls	\$80,000	\$13,500	\$66,500													
B & G	Replace HVAC Components in COB and Courthouse				\$150,000	\$22,500	\$127,500										
B & G	Replace Chillers in COB and Courthouse				\$64,000	\$2,000	\$62,000										
B & G	Compact Wheeled Loader							\$80,000	\$15,400	\$64,600							
B & G	Vehicle Replacement							\$35,000	\$31,000	\$4,000							
B & G	Replace Outdated Electronics in Courthouse							\$120,000	\$20,000	\$100,000							
B & G	Annex Preservation Study							\$20,000		\$20,000							
B & G	Annex Brick/Exterior Restoration										\$400,000	\$400,000					
B & G	Parking Lot Resurfacing and Drainage Enhancement													\$250,000	\$17,500	\$232,500	
Central Garage	Vehicle Replacement	\$40,500	\$27,000	\$13,500	\$44,600	\$28,000	\$16,600	\$73,300	\$46,000	\$27,300	\$44,400	\$28,000	\$16,400	\$50,300	\$30,000	\$20,300	
Elections	Voting Machines							\$213,500		\$213,500							
Highway - Roads	Road Rehabilitation/Construction	\$1,800,000	\$1,167,431	\$632,569	\$2,300,000	\$1,167,431	\$1,132,569	\$2,000,000	\$1,167,431	\$832,569	\$2,100,000	\$1,167,431	\$932,569	\$2,300,000	\$1,167,431	\$1,132,569	
Highway - Machinery	Trucks and Heavy Equipment	\$681,900	\$78,000	\$603,900	\$790,000	\$72,000	\$718,000	\$782,300	\$102,000	\$680,300	\$588,300	\$87,000	\$501,300	\$402,000	\$79,800	\$322,200	
Highway	Phase 2 Highway Facilities Project				\$0		\$0										
IT	Computer Capital Equipment	\$181,850	\$11,550	\$170,300	\$125,384	\$12,450	\$112,934	\$116,543	\$16,050	\$100,493	\$91,525	\$8,400	\$83,125	\$91,250	\$5,000	\$86,250	
OEM	Vehicle Replacement	\$53,000	\$0	\$53,000													
Sheriff	Vehicle Replacement	\$200,000		\$200,000	\$210,000		\$210,000	\$212,000		\$212,000	\$247,000	\$20,000	\$227,000	\$218,000	\$20,000	\$198,000	
Sheriff	Body Worn Cameras	\$67,611		\$67,611	\$34,686		\$34,686	\$34,686		\$34,686	\$34,686		\$34,686	\$34,686		\$34,686	
Sheriff	Assignment to Communications Reserve	\$1,400,000		\$1,400,000	\$5,340,000	\$3,200,000	\$2,140,000										
Sheriff	Communications Tower Access Road	\$103,500		\$103,500													
Totals:		\$5,456,283	\$1,977,981	\$3,478,302	\$9,413,359	\$4,834,381	\$4,578,978	\$4,197,329	\$1,907,881	\$2,289,448	\$5,105,911	\$2,910,831	\$2,195,080	\$4,066,236	\$2,039,731	\$2,026,505	

Total Capital Project Costs 2021 - 2025:

\$28,239,118

Revenues from Federal, State, Sales and Reserves:

\$13,670,805

Net Tax Levy 2021 - 2025:

\$14,568,313

Total 2021 - 2025 Spending by Office/Department

Office/Department	Total Projects	Revenue	Appropriation
Administration		\$52,111	\$0
Airport		\$3,840,500	\$3,840,500
B & G		\$1,339,000	\$121,900
Central Garage		\$253,100	\$159,000
Elections		\$213,500	\$0
Highway - Roads		\$10,500,000	\$5,837,155
Highway - Machinery		\$3,244,500	\$418,800
Highway		\$0	\$0
IT		\$606,552	\$53,450
OEM		\$53,000	\$0
Sheriff		\$8,136,855	\$3,240,000

Yates County Capital Improvement Plan

Fiscal Year: 2021

Office / Department	Project Description	Total Project Cost	Revenue Sources				County Funds			Net Tax Levy	Comment
			Federal Aid	State Aid	Sale of Equipment	Reserve	General	Road	Road Machinery		
Administration	Debt Service - Horizon Park	\$27,422					\$27,422			\$27,422	
Airport	De-icing Equipment (Truck)	\$175,000	\$157,500	\$8,750		\$8,750				\$0	Airport Reserve
Airport	Terminal Apron Rehabilitation - Design	\$90,000	\$81,000	\$4,500		\$4,500				\$0	Airport Reserve
Airport	Fuel Trucks	\$415,500		\$373,950		\$41,550				\$0	Airport Reserve
B & G	Annex Windows Replacement	\$100,000				\$100,000				\$100,000	
B & G	Old Courthouse, Annex and New COB Attic Insulation	\$40,000				\$40,000				\$40,000	
B & G	Courthouse Elevator B Controls	\$80,000		\$13,500		\$66,500				\$66,500	
Central Garage	Vehicle Replacement	\$40,500			\$27,000	\$13,500				\$13,500	
Highway - Roads	Road Rehabilitation/Construction	\$1,800,000		\$1,167,431			\$632,569			\$632,569	
Highway - Machinery	Trucks and Heavy Equipment	\$681,900			\$78,000			\$603,900		\$603,900	
IT	Computer Capital Equipment	\$181,850		\$11,550		\$170,300				\$170,300	
OEM	Vehicle Replacement	\$53,000				\$53,000				\$53,000	
Sheriff	Vehicle Replacement	\$200,000				\$200,000				\$200,000	
Sheriff	Body Worn Cameras	\$67,611				\$67,611				\$67,611	
Sheriff	Assignment to Communications Reserve	\$1,400,000				\$1,400,000				\$1,400,000	For 2022 Communications Project
Sheriff	Communications Tower Access Road	\$103,500				\$103,500				\$103,500	
Totals:		\$5,456,283	\$238,500	\$1,579,681	\$105,000	\$54,800	\$2,241,833	\$632,569	\$603,900	\$3,478,302	

Total Aid from other sources (not including fees/revenue): \$1,818,181
 Percentage of Aid vs. Total Cost: 33.32%
 Total Aid, Revenue and Reserve Funds Projected: \$1,977,981

Modifications		Original Request	Change	Resulting Amount
R.1, 07/07/20 -				
OEM - Vehicle Replacement - Deleted		\$53,000	-\$53,000	\$0
Highway - Deleted Highway Phase 1 Facilities Project		\$1,694,000	-\$1,694,000	\$0
Sheriff - Storage Building - Deleted		\$130,000	-\$130,000	\$0
Sheriff - Communications Upgrade Project - Reduced contribution		\$1,200,000	-\$700,000	\$500,000
Sheriff - Communications Upgrade Project - Deleted State Aid		-\$300,000	\$300,000	\$0
Total changes this revision:			-\$2,277,000	
R.2, 07/10/20 -				
Highway - Road - Road Rehabilitation/Construction - Changed to reflect correct amount, deleting equipment purchases from that line		\$2,481,900	-\$681,900	\$1,800,000
Total changes to date:			-\$2,958,900	
R.3, 07/20/20 -				
OEM - Vehicle Replacement - Restored		\$0	\$53,000	\$53,000
Sheriff - Changed Communications Upgrade Project to Assignment to Communications Reserve		\$500,000	\$1,000,000	\$1,500,000
Total changes this revision:			\$1,053,000	
Total changes to date:			-\$1,905,900	
R.4, 07/23/20 -				
Sheriff - Assignment to Communications Reserve - Corrected to reflect appropriate amount		\$1,500,000	-\$100,000	\$1,400,000
Total changes to date:			-\$2,005,900	

Yates County Capital Improvement Plan

Fiscal Year: 2022

Office / Department	Project Description	Total Project Cost	Revenue Sources				County Funds			Net Tax Levy	Comment
			Federal Aid	State Aid	Sale of Equipment	Reserve	General	Road	Road Machinery		
Administration	Debt Service - Horizon Park	\$24,689					\$24,689			\$24,689	
Airport	Obstruction Removal - Design and Construction	\$150,000	\$135,000	\$7,500		\$7,500				\$0	Airport Reserve
Airport	Parallel Taxiway B Extension - Design	\$180,000	\$162,000	\$9,000		\$9,000				\$0	Airport Reserve
B & G	Replace HVAC Components in COB and Courthouse	\$150,000		\$22,500		\$127,500				\$127,500	
B & G	Replace Chillers in COB and Courthouse	\$64,000		\$2,000		\$62,000				\$62,000	
Central Garage	Vehicle Replacement	\$44,600			\$28,000	\$16,600				\$16,600	
Highway - Roads	Road Rehabilitation/Construction	\$2,300,000		\$1,167,431				\$1,132,569		\$1,132,569	
Highway - Machinery	Trucks and Heavy Equipment	\$790,000			\$72,000				\$718,000	\$718,000	
Highway	Phase 2 Highway Facilities Project	\$0				\$0				\$0	
IT	Computer Capital Equipment	\$125,384		\$12,450		\$112,934				\$112,934	
Sheriff	Vehicle Replacement	\$210,000				\$210,000				\$210,000	
Sheriff	Body Worn Cameras	\$34,686				\$34,686				\$34,686	
Sheriff	Communications Upgrade Project	\$5,340,000		\$300,000		\$2,900,000	\$2,140,000			\$2,140,000	
Totals:		\$9,413,359	\$297,000	\$1,520,881	\$100,000	\$2,916,500	\$2,728,409	\$1,132,569	\$718,000	\$4,578,978	

Total Aid from other sources (not including fees/revenue):	\$1,817,881
Percentage of Aid vs. Total Cost:	19.31%
Total Aid, Revenue and Reserve Funds Projected:	\$4,834,381

Modifications		Original Request	Change	Resulting Amount
R.1, 07/23/20 -				
Sheriff - Communications Upgrade Project - Modified amount to reflect entire project		\$1,200,000	\$4,140,000	\$5,340,000
Sheriff - Communications Upgrade Project - Modified to reflect use of Communications Reserve		\$0	-\$2,900,000	-\$2,900,000
Highway - Phase 2 Highway Facilities Project - Deleted		\$2,466,150	-\$2,466,150	\$0
Total changes this revision:			-\$1,226,150	

Yates County Capital Improvement Plan

07/13/20

Fiscal Year: **2023**

R.0

Office / Department	Project Description	Total Project Cost	Revenue Sources				County Funds			Net Tax Levy	Comment
			Federal Aid	State Aid	Sale of Equipment	Reserve	General	Road	Road Machinery		
Airport	Runway 10-28 Rehabilitation - Design	\$110,000	\$99,000	\$5,500		\$5,500				\$0	Airport Reserve
Airport	Terminal Apron Rehabilitation - Construction	\$400,000	\$360,000	\$20,000		\$20,000				\$0	Airport Reserve
B & G	Compact Wheeled Loader	\$80,000		\$6,400	\$9,000		\$64,600			\$64,600	
B & G	Vehicle Replacement	\$35,000		\$2,000	\$29,000		\$4,000			\$4,000	
B & G	Replace Outdated Electronics in Courthouse	\$120,000		\$20,000			\$100,000			\$100,000	
B & G	Annex Preservation Study	\$20,000					\$20,000			\$20,000	
Central Garage	Vehicle Replacement	\$73,300			\$46,000		\$27,300			\$27,300	
Elections	Voting Machines	\$213,500					\$213,500			\$213,500	
Highway - Roads	Road Rehabilitation/Construction	\$2,000,000		\$1,167,431				\$832,569		\$832,569	
Highway - Machinery	Trucks and Heavy Equipment	\$782,300			\$102,000				\$680,300	\$680,300	
IT	Computer Capital Equipment	\$116,543		\$16,050			\$100,493			\$100,493	
Sheriff	Vehicle Replacement	\$212,000					\$212,000			\$212,000	
Sheriff	Body Worn Cameras	\$34,686					\$34,686			\$34,686	
Totals:		\$4,197,329	\$459,000	\$1,237,381	\$186,000	\$25,500	\$776,579	\$832,569	\$680,300	\$2,289,448	

Total Aid from other sources (not including fees/revenue): \$1,696,381
 Percentage of Aid vs. Total Cost: 40.42%
 Total Aid, Revenue and Reserve Funds Projected: \$1,907,881

Yates County Capital Improvement Plan

07/13/20

Fiscal Year: **2024**

R.0

Office / Department	Project Description	Total Project Cost	Revenue Sources				County Funds			Net Tax Levy	Comment
			Federal Aid	State Aid	Sale of Equipment	Reserve	General	Road	Road Machinery		
Airport	Parallel Taxiway B Extension - Construction	\$1,600,000	\$1,440,000	\$80,000		\$80,000				\$0	Airport Reserve
B & G	Annex Brick/Exterior Restoration	\$400,000				\$400,000				\$400,000	
Central Garage	Vehicle Replacement	\$44,400			\$28,000		\$16,400			\$16,400	
Highway - Roads	Road Rehabilitation/Construction	\$2,100,000		\$1,167,431				\$932,569		\$932,569	
Highway - Machinery	Trucks and Heavy Equipment	\$588,300			\$87,000				\$501,300	\$501,300	
IT	Computer Capital Equipment	\$91,525		\$8,400			\$83,125			\$83,125	
Sheriff	Vehicle Replacement	\$247,000		\$20,000			\$227,000			\$227,000	
Sheriff	Body Worn Cameras	\$34,686					\$34,686			\$34,686	
Totals:		\$5,105,911	\$1,440,000	\$1,275,831	\$115,000	\$80,000	\$761,211	\$932,569	\$501,300	\$2,195,080	

Total Aid from other sources (not including fees/revenue): \$2,715,831
 Percentage of Aid vs. Total Cost: 53.19%
 Total Aid, Revenue and Reserve Funds Projected: \$2,910,831

Yates County Capital Improvement Plan

Fiscal Year: 2025

Office / Department	Project Description	Total Project Cost	Revenue Sources				County Funds			Net Tax Levy	Comment
			Federal Aid	State Aid	Sale of Equipment	Reserve	General	Road	Road Machinery		
Airport	Parallel Taxiway A Rehabilitation - Design	\$120,000	\$108,000	\$6,000		\$6,000				\$0	Airport Reserve
Airport	Runway 10-28 Rehabilitation - Construction	\$600,000	\$540,000	\$30,000		\$30,000				\$0	Airport Reserve
B & G	Parking Lot Resurfacing and Drainage Enhancement	\$250,000		\$17,500			\$232,500			\$232,500	
Central Garage	Vehicle Replacement	\$50,300			\$30,000		\$20,300			\$20,300	
Highway - Roads	Road Rehabilitation/Construction	\$2,300,000		\$1,167,431				\$1,132,569		\$1,132,569	
Highway - Machinery	Trucks and Heavy Equipment	\$402,000			\$79,800				\$322,200	\$322,200	
IT	Computer Capital Equipment	\$91,250		\$5,000			\$86,250			\$86,250	
Sheriff	Vehicle Replacement	\$218,000		\$20,000			\$198,000			\$198,000	
Sheriff	Body Worn Cameras	\$34,686					\$34,686			\$34,686	
Totals:		\$4,066,236	\$648,000	\$1,245,931	\$109,800	\$36,000	\$571,736	\$1,132,569	\$322,200	\$2,026,505	
							Total Aid from other sources (not including fees/revenue):			\$1,893,931	
							Percentage of Aid vs. Total Cost:			46.58%	
							Total Aid, Revenue and Reserve Funds Projected:			\$2,039,731	

VOTE: Unanimous

Chairman Paddock closed the public hearing on proposed Local Law 4-20 entitled Renewing A Local Law Establishing An Additional Mortgage Tax For Mortgages On Real Property Situated In Yates County at 1:37 pm. There were no comments.

RESOLUTION NO. 315-20

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

ADOPT LOCAL LAW 4-20 ENTITLED: RENEWING A LOCAL LAW ESTABLISHING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED IN YATES COUNTY

WHEREAS, proposed Local Law 4-20 “Entitled: “Renewing A Local Law Establishing An Additional Mortgage Tax For Mortgages On Real Property Situated In Yates County” was introduced at the July 27th meeting; and

WHEREAS, a public hearing was duly held on August 10th, 2020;

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law 4-20 Entitled: “Renewing A Local Law Establishing An Additional Mortgage Tax For Mortgages On Real Property Situated In Yates County” is hereby adopted; and be it further

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

NEW YORK STATE DEPARTMENT OF STATE

Local Law Filing 162 WASHINGTON AVENUE,
ALBANY, NY 12231 (Use this form to file a local law with the Secretary of State.)

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

County
City of Yates
Town
Village

LOCAL LAW 4-20 ENTITLED “ RENEWING A LOCAL LAW ESTABLISHING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED IN YATES COUNTY”

Be it enacted by the Legislature of the

County
City of Yates_ as follows:
Town
Village

SECTION 1. Pursuant to §253-t of the Tax Law, and commencing December 1, 2020, there is hereby imposed in Yates County a tax of twenty-five cents (\$0.25) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or

under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of twenty-five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00). This local law hereby continues without interruption the imposition of the Yates County Mortgage Recording Tax as authorized by Yates County local law number 1 of 2005.

SECTION 2. The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under subdivision 1 of Section 253 and paragraph (b) of subdivision 1 of Section 255 of the Tax Law. Except as otherwise provided in this section, all the provisions of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this section with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this local law, except to the extent that any provision is either inconsistent with a provision of this local law or not relevant to the tax authorized by this local law. For purposes of this section, reference in this article to the tax or taxes imposed by Article 11 of the Tax Law shall be deemed to refer to a tax imposed pursuant to this local law, and any reference to the phrase “within this state” shall be read as “within Yates County”, unless a different meaning is clearly required.

SECTION 3. Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of this local law is situated in this State but within and without Yates County, the amount of such tax due and payable to Yates County shall be determined in a manner similar to that prescribed in the first paragraph of Section 260 of the Tax Law, which concerns real property situated in two or more counties. Where such property is situated both within Yates County and without the State, the amount due and payable to Yates County shall be determined in the manner prescribed in the second paragraph of Section 260 of the Tax Law, which concerns property situated within and without the State. Where real property is situated within and without Yates County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

SECTION 4. A tax imposed under the authority of this section shall be in addition to the taxes imposed by Section 253 of the Tax Law and shall take effect on December 1, 2020 and shall expire and be deemed repealed on December 1, 2023.

SECTION 5. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all moneys paid to the recording officer of the County of Yates during each month upon account of the tax imposed pursuant to the authority of this local law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth (10th) day of each succeeding month to the Treasurer of Yates County and, after the deduction by such County Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law shall be deposited in the general fund of the County of Yates for expenditure on any county purpose. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of said Commissioner.

SECTION 6. Any local law imposing a tax pursuant to the authority of this local law repealing or suspending such a tax shall take effect only on the first day of a calendar month. Such a local law shall not be effective unless a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at the Commissioner's office in Albany at least thirty (30) days prior to the date the local law shall take effect.

SECTION 7. Certified copies of any local law described in this section shall also be filed with the County Clerk of the County of Yates, the Secretary of State and the State Comptroller within five days (5) after the date it is duly enacted.

VOTE: Unanimous

Steve Manning from the Southern Tier Network (STN) updated the Legislature on Broadband.

Mr. Willson moved to enter into executive session to discuss 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 County Information Technology Director present by phone or Zoom access.

It was not anticipated that there would be any resolutions forthcoming after the conclusion of the executive session. Seconded by Mr. Bronson.

VOTE: Unanimous

Meeting adjourned at 2:52 p.m.