

## REGULAR SESSION-MONDAY, SEPTEMBER 12, 2022

The Yates County Legislature convened in regular session Monday, September 12, 2022 at 1:00 p.m. with Chairwoman Church presiding and Mr. Paddock absent.

Minutes from the August 8th Meeting were approved as presented.

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

Airport Fund	\$ 26,603.37
Finance	\$ 159,905.08
Flint Creek	\$ 0
Government Operations	\$ 112,051.05
Human Services	\$ 316,899.32
Prior to Audit	\$ 79,735.27
Public Safety	\$ 387,918.91
Public Works	\$ 205,376.31
Total	\$ 1,288,489.31

### COMMITTEE REPORTS

Mr. Button reported there is a small Committee formed for an event that is called Touch a Truck. They are going to have a meeting later this month to keep moving it forward.

Ms. Flynn reported that they just received the okay from Ross Rural Utility Services, from the USDA, to proceed with the construction of Phase 1A of their Broadband project and that will be done by First Light.

Mr. Killen reported that in regards to surplus equipment and finding a fair evaluation, he previously reported that he was having difficulty finding exact language in other municipalities existing policies and procedures determining a language for a policy for fair value. He is going to look at an organization, either a five or ten year span, depending on the type of equipment and the scrap cost, and then come to some fair evaluation. He is going to try and put some words to that, and then submit that. So they at least have a concept of how to go forward, because he couldn't find a sample policy to mirror.

Dr. Cutler reported that Genesee Finger Lakes Regional Planning Council has announced that they are hosting an in-person, local government workshop on November 3<sup>rd</sup>, at Del Lago. It is closer to their end of the region. Registration will be opening on the 15th, so there will be communications on that, he will make sure they get out to the Legislature. It's for local government officials elected and appointed, and they've got topics in there that range from future farming to managing and protecting watersheds. This is open to town and village officials.

Mr. Morris reported that the Seneca Watershed Improvement Organization is going to be moving the Nine Element plan presentation from October to November. They need some more time to finish. Mark reported that the Yates County Constitutional County ad Hoc Committee is going to disband, cancel and disband their activities, and cancel their next meeting on September 26. They have received numerous questions, inputs, and advice to investigate and consider. About three quarters of these have been in opposition to the concept with many of those being

vehemently opposed. They prefer not to get into a big community issue on this right now, in the future, if the Legislature receives a significant amount of support for the concept they may consider reopening this. Mr. Morris wanted to make a couple of other points. One is that they haven't spent any money on this, just a little bit of meeting time of those people that are on the legislature. The Ad Hoc Committee was set up to kind of look at the situation and decide if they propose making Yates County a Constitutional County. Right now, they are not ready to do that.

Ms. Chilson reported that the Bicentennial Committee met together, and they will be starting their first event in February. They need to contact Assemblyman Palmesano and Senator O'Mara and remind them about their resolution. They are coming together with activities, and they are still working on things that need to be done, but it's coming together.

Mr. Banach reported that he attended the Wildlife Management Board meeting two weeks ago. There was an awful lot of discussion on the gun bill coming out of Albany, most of them were not in favor of it. On the New York State Police website there is a questions and answers section, and it's about three or four pages long. The Sheriff put out a blurb regarding this, what the concerns were, and how he was going to handle it. Mr. Banach reported that in most of the lakes in the Finger Lakes, people are having trouble catching fish. Cayuga Lake is the exception, it has a huge bass population, they had the big bass tournament there a month or so ago, and they caught the State record. They are looking into it, they have netted, and they are going to have a comparison as to what they net a year ago at three different levels. The study hasn't been presented yet, but hopefully, by the next time they have a meeting they will know the results.

Chairwoman Church reported that several legislators are attending the NYSAC conference in Buffalo next Monday, Tuesday, and Wednesday.

#### PUBLIC COMMENT

John Prendergast stated that he spoke on this proposed resolution 356-22, the creation of a deputy county administrator position, before at the Committee meeting. It seems like the legislature has come to the determination and are bringing this forward for a vote today. This would block in the potential of \$132,000 added to the budget. He stated that inflation is at 8.5% and will probably keep going up. At the town level he has already seen some project phases canceled. The price on the town project has gone up two and a half to three times. The County has a major project that's going on. If that cost goes up two to three times, it is going to put an awful burden on the taxpayers. They need to start looking at every detail of finance, because he thinks they have got a very tough time coming down the road. John stated that regarding proposed resolution 352-22, the Domestic Terrorism Prevention, he spoke on this previously. Within two to three weeks they're funding the County \$117,413, until September 2024. This is an unfunded mandate, the governor is giving them money up front, and they are applying for it right now. They are going to give the County the money, but down the road in two years, this is going to be the County's cost. Threat Assessment management will be through the sheriff's department. He fully supports the Yates County Sheriff's Department, but this is another invasion of privacy, because people are going to call in reporting people and the Sheriff's Department will have to investigate it, and that's going to allow the Sheriff's Department to go into all their emails and everything else. John knows this is a mandate from the State and they don't have a choice. This is another encroachment of government, New York State is becoming almost intolerable to live in with this, plus the new gun laws that are in.

Joy Schank stated that she agrees with Mr. Prendergast and she agrees with the idea of not adding another position for Yates County Legislature. She thinks that at this point, with the economy as it is, it's a bad thing, because the residents are struggling right now. If yet another administrative position is filled in, it's by the taxpayer. It's something to really seriously consider. If it is necessary, maybe consider it after they see how they do with economics, not only in New York, but in the United States.

Bob Brechko stated that he was speaking as first a taxpayer, second as a County Department Head, and he doesn't report to Nonie. He wanted to address the Deputy County Administrative position. Bob stated that he is sure that Nonie is well aware of every county expense and the impact it has on account. He is sure that Nonie would not have brought this resolution forward if she didn't think it was absolutely necessary. As a County Department Head, that has prepared at least fifteen annual budgets, he has had personal experience working with Nonie. When it comes to spending their taxpayer's money, she is not one to waste it. Bob trusts that if she says it is in the best interest of the County to create this position of the Deputy County Administrator, then it should be created.

### **RESOLUTION NO. 348A-22**

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

#### **AUTHORIZE CHAIRWOMAN TO SIGN LETTER OF COMMITMENT FOR HAZARD MITIGATION PLAN UPDATE GRANT**

WHEREAS, The New York State Division of Homeland Security and Emergency Services (DHSES) is pleased to announce the availability of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMPG) funds for Presidential Declaration: DR-4480 (COVID-19) (hereinafter referred to as the "Grant"); and

WHEREAS, the New York State Emergency Management Office has recommended that Yates County apply for this funding to update the Multijurisdictional All Hazard Mitigation Plan in the amount of \$150,000; and

WHEREAS, Yates County has applied for such Grant; and

WHEREAS, the Federal Emergency Management Agency (FEMA) will appropriate 90% of the funds totaling \$135,000, and Yates County is responsible for appropriating the remaining 10% of the funds totaling \$15,000; and

WHEREAS, as part of the Grant application process, a letter of commitment from Yates County acknowledging that it would appropriate the required 10% of the funds for Hazard Mitigation Plan updating totaling \$15,000 is required (hereinafter referred to as the "Letter of Commitment");

NOW, THEREFORE, BE IT RESOLVED, that Chairwoman Leslie Church is authorized to sign the Letter of Commitment on behalf of Yates County and deliver the same to the appropriate agency(s), and the appropriation of the requisite \$15,000 is hereby approved; and further, any actions previously taken by the Chairwoman in this regard are hereby ratified and affirmed in all respects; and be it further

RESOLVED, that a copy of this resolution be provided to the Emergency Services Director.

VOTE: Unanimous

### **RESOLUTION NO. 349-22**

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

#### **DISCUSSION**

Mr. Willson stated that he would be remiss if he did not say that in his lifetime in Yates County, he has experienced three different sheriffs. In all three cases, they ran very professional operations. He has never seen a group of people who the statement of protect and serve is more true than the Yates County Sheriff's Department.

### **PROCLAMATION IN RECOGNITION OF 2022 SHERIFF'S WEEK**

WHEREAS, the Office of Sheriff has been an integral part of the criminal justice system in New York State and in Yates County 199 years since 1823, and the office was established in the State's first Constitution in 1777 and continued in every succeeding Constitution, and having been one of our original Constitutional offices upon the founding of our County; and

WHEREAS, despite changes in its function, status and powers during its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguishing heritage, and continued to be an essential component of our criminal justice community; and

WHEREAS, the Office of Sheriff has evolved into a modern, professional, full-service law enforcement agency, manned by fully trained police and peace officers, using state-of-the-art technology and applying the latest and most advanced theories and practices in the criminal justice field and public safety; and

WHEREAS, the Office of Sheriff is unique in the community, and the duties of the Office go far beyond the traditional role of "Conservator of the Peace" via a county police force, and extend into many facets of public service, including maintaining the county jail, providing security in our courts, dispatching 9-1-1 emergency services, public safety communications, animal control, administration of Coroners, and serving and executing civil process for our courts; and

WHEREAS, it is fitting to celebrate the historical contributions of the Office of Sheriff and the significant role that the Sheriffs play in our modern criminal justice system;

NOW, THEREFORE, BE IT RESOLVED, that we, the Yates County Legislature do recognize the important public safety services provided to the citizens of this County by Sheriff Spike, and the men and women of the Sheriff's Office, and do hereby proclaim September 18 to 24, 2022 to be Sheriffs' Week in Yates County; and further

RESOLVED, that a copy be provided the Sheriff, and the Presidents of the three labor units for the offices employees.

VOTE: Unanimous

## **RESOLUTION NO. 350-22**

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

### **AUTHORIZE CHAIRMAN AND COORDINATOR TO SIGN APPROVED 2023 STOP-DWI BUDGET AND PLAN**

WHEREAS, the 2023 STOP-DWI budget and plan shows appropriations of \$77,964 and an anticipated revenue of \$77,964 with a reserve fund of \$30,107.17 in place; and

WHEREAS, the Coordinator and the Public Safety Committee have discussed the budget and plan, noting, that the NYS Governors Traffic Safety Committee requires this plan be submitted before or by no later than September 30, 2022;

NOW, THEREFORE, BE IT RESOLVED, that this 2023 STOP-DWI budget and plan is approved and the Board Chairman and Coordinator are authorize to sign it; and be it further

RESOLVED, that a copy of this resolution be provided to the Budget Officer, Fiscal Manager and STOP Coordinator for attachment to the plan being submitted as required.

VOTE: Unanimous

## **RESOLUTION NO. 351-22**

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

### **SET DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW 7-22 ENTITLED: A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS FOR YATES COUNTY DEPUTY SHERIFF**

BE IT RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed local law 7-2022 entitled "A Local Law Establishing Residency Requirements for Yates County Deputy Sheriff's"; and be it further

RESOLVED, said public hearing shall be held October 11, 2022 at 1:00 p.m. in the Yates County Legislative Chambers, 417 Liberty Street, Penn Yan, NY, or may be held by remote access if needed.

### **LOCAL LAW NO. 7 OF THE YEAR 2022**

**ENTITLED:**

**A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS FOR  
YATES COUNTY DEPUTY SHERIFF**

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

#### **SECTION 1 Title**

This Local Law shall be known as ESTABLISHING RESIDENCY REQUIREMENTS FOR YATES COUNTY DEPUTY SHERIFFS

#### **SECTION 2 Purpose**

This Local Law established residency requirements for appointed Yates County Deputy Sheriffs (County Police Officers) as this Legislature recognizes the need to retain qualified and experienced police officers, and that it is occasionally necessary to employ individuals that do not reside within the County of Yates, but that reside in close proximity, determined to be five (5) miles. Therefore the Legislature elects to supersede certain provisions of Section 3 of the Public Officers Law of the State of New York to the extent it is restrictive in residency qualification for holding the Deputy Sheriff office within Yates County, and adopt exceptions for certain towns in certain counties contiguous to the County of Yates.

### **SECTION 3 Exemption**

An individual appointed as a Deputy Sheriff by the Sheriff of Yates County shall at the time of his appointment or employment be a resident of the State of New York, and the County of Yates, or in certain Towns of certain counties contiguous to, five (5) miles of the Yates County boarder. Specifically for Ontario County the Towns of Naples, Gorham, Seneca, or Geneva excluding any city. For Schuyler County the Towns of Tyrone and Reading. For Steuben County the Towns of Pulteney, Prattsburgh and Wayne.

### **SECTION 4 Effective date**

This local law shall be effective upon its filing in the office of the Secretary of State pursuant to the Municipal Home Rule Law Section 27.

VOTE: Unanimous

## **RESOLUTION NO. 352-22**

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

### **DISCUSSION**

Ms. Chilson stated that this is something that's mandated. They heard from the public on this point, and she is wondering if they can clarify that it is mandated. Is there anything that's being discussed about the concerns that were brought to them today?

Chairwoman Church stated that nothing is really being done at this point, but it is mandated. They will follow through with it and she is sure they will bring it up in more discussion next week at the NYSAC Conference and also with their representatives.

## **AUTHORIZE CHAIRWOMAN TO SIGN FY2022 DOMESTIC TERRORISM PREVENTION GRANT PROGRAM ATTESTATION FORM AND APPOINT SHERIFF'S OFFICE AS LEAD AGENCY**

WHEREAS, Yates County is being awarded \$172,413 under the FY2022 Domestic Terrorism Prevention (DTP) Grant Program; and

WHEREAS, this funding is to be utilized to support the County's capability to prevent targeted violence and domestic terrorism through the utilization of Threat Assessment and Management (TAM) teams and the development of comprehensive Domestic Terrorism Plans; and

WHEREAS, the New York State Division of Homeland Security and Emergency Services (DHSES) will manage and administer these program funds and the performance period for this grant will be from September 1, 2022 through August 31, 2024; and

WHEREAS, Yates County is required to designate a lead implementing agency for the Governor's initiative; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature is authorized to execute the Threat Assessment Management Team-Attestation Form, as well as any other necessary documentation related thereto; and be it further

RESOLVED, that the Yates County Sheriff's Office be appointed as the lead implementing agency; and be it further

RESOLVED, that copies of this resolution be provided to New York State Department of Homeland Security and Emergency Services, the Legislative Chairwoman, the Sheriff, the Director of Emergency Services, the County Administrator/Budget Officer, the Director of Finance, and the Treasurer.

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

#### **RESOLUTION NO. 353-22**

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

#### **AUTHORIZE VICE-CHAIRMAN TO HAVE AND EXERCISE POWERS AND DUTIES OF THE CHAIRWOMAN IN THE CHAIRWOMAN'S ABSENCE**

WHEREAS, pursuant to New York State County Law, in the absence of the Chair, the Vice-Chair shall preside over each duly constituted meeting of the Legislature and shall have and exercise all the powers and duties of the Chair at any meeting over which he/she is called to preside; and

WHEREAS, in addition to the foregoing, and further pursuant to New York State County Law, in the absence of the Chair, the Vice Chair shall have and exercise those additional powers and duties so authorized by resolution of the Legislature; and

WHEREAS, Chairwoman Church will be unavailable from September 19, 2022 until September 30, 2022, the Legislature wishes to assign such additional powers and duties to Vice-Chairman Bronson in instances of the Chair's absence, by way of resolution in accordance with the applicable provision of the New York State County Law;

NOW, THEREFORE, BE IT RESOLVED, that from September 19, 2022 until September 30, 2022, on any day the Chair is absent the Vice-Chair is hereby authorized and vested with all the powers and duties of Chair, including but not limited to, the power to sign contracts, agreements and tax warrants on behalf of the County; and be it further

RESOLVED, that on any day during the above stated time period that the Vice-Chair shall have the above recited powers and duties due to the Chair's absence, such powers and duties shall not be exercised by the Chair; and be it further

RESOLVED, that copies of this resolution be given to the County Administrator, Chairwoman and Vice-Chairman.

VOTE: Unanimous

#### **RESOLUTION NO. 354-22**

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

#### **AMEND RESOLUTION 274-22 (ADOPT POLICY FOR USE OF YATES COUNTY FACILITY)**

WHEREAS, resolution 274-22 adopted the Policy for the Use of the Yates County Facility; and

WHEREAS, resolution 317-22 adopted the County Office Building Hours;

NOW, THEREFORE, BE IT RESOLVED, that Section 4 of such policy be amended to comply with resolution 317-22 as follows:

#### **4. Facility hours of operation:**

- A. Building hours-Except holidays
  - Monday-Friday 8:00 a.m. – 4:30 p.m.
- B. After hours-Except holidays
  - Monday-Friday 4:30 p.m. – 9:00 p.m.
- C. NO WEEKEND USE

And be it further

RESOLVED, that copies of this resolution/policy be provided to all Yates County Department Heads and current known users of the facility.

VOTE: Unanimous

#### **RESOLUTION NO. 355-22**

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

#### **AMEND RESOLUTION 317-22 (ADOPT COUNTY OFFICE BUILDING HOURS)**

WHEREAS, Resolution 317-22 was duly adopted on August 8, 2022 adopting Yates County Office Building hours;

NOW, THEREFORE, BE IT RESOLVED, that Resolution 317-22 be amended to reflect that the office hours of the County Treasurer will be as determined by the Treasurer; and be it further

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

VOTE: Unanimous

## RESOLUTION NO. 356-22

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

Mr. Killen stated that when they looked at security for the office building they spent several months looking at various options. They looked at status quo, they looked at contracting outside assistance, they looked at one additional security staffer, and they looked at two. They had a range of options and costs, debated the pros and cons of them and came to a solution. He is not convinced that creating a position for this job is going to be a temporary thing. He thinks, once it's created, it's going to stay. He thinks the full expectation of someone who works as a deputy, if they were later promoted to County Administrator, would be that they also get a full time Deputy. In a time of looking carefully at their dollars, he is not confirmed that this is a position that has been thoroughly analyzed at various options to cover the needs for this.

Mr. Willson stated that as he said last week, if this is truly about succession planning, then the proper time to deal with this is when that discussion comes about retirement, and they've already had a implemented a policy of three months in regard to Connie Hayes. They are not asking for somebody that is just out of college, they are asking for somebody with 2-4 years' experience. That is not somebody that should need a year or six months' worth of time. If they do, then they have the wrong person. The other piece that's really important is the proper time to debate this issue is when they go to talk about budgets. They are way ahead of themselves on this whole discussion.

Mr. Bronson stated that he doesn't believe they created a policy when they chose to have the clerk have someone with them for three months to learn the job, which would fit that particular job. It's not a policy, it's not written anywhere.

Mr. Willson stated that he accepts the correction.

Mr. Bronson stated that the discussion last week was that yes, it would move forward, but they would just hold it until they get through the budget process to see where they are at. This is not a thing they are going to run out and fill the position tomorrow. They said last week that they would sit on this and wait until the budget process went through to see where they are at. He believes that Nonie did tell them last week that she did not want to be reappointed as County Administrator effective January 1, 2024, so it is on their horizon.

Mr. Willson asked if she said retire, or did she say not renew her contract?

Chairwoman Church clarified that she said not be reappointed.

Mr. Willson stated that those are two different things, she can still hold her position without contract. Most people in the world don't have contracts for their jobs. That's the time where they need to talk about this, not trying to force any issue. He also thinks that they really need to take a look at what they have spent over the last twelve months. They have spent money like it's going out of style. It is time to catch up and to sit down with an adding machine to see where they are. He thinks that they are not protecting the citizens of this county when they don't do that.

Mr. Bronson stated that is what the budget process is.

Mr. Willson stated then they should wait until then to approve it.

Mr. Holgate stated that he wanted clarification on that very point. This resolution was brought forth to actually authorize the filling of the position today, but would they like to amend this resolution to wait for the budget process.

Mr. Bronson stated that was the discussion last week.

Mr. Holgate made a motion to amend this resolution to bring it forth at the Budget Workshop, seconded by Mr. Killen.

#### DISCUSSION

Ms. Chilson stated that she thinks that it is lacking a timeframe. That is where she thinks some of the questions are coming in. She likes the way that it's being worded with Bill, to put that time frame in would bring more understanding to the resolution.

Mr. Killen made a motion to table this resolution until after the budget process, seconded by Mr. Button.

VOTE: Unanimous

### **AUTHORIZE COUNTY ADMINISTRATOR TO CREATE AND FILL DEPUTY COUNTY ADMINISTRATOR POSITION**

WHEREAS, the County Administrator has requested to create and fill a full-time Deputy County Administrator position; and

WHEREAS, the County Administrator has identified the need to create the Deputy County Administrator position for efficient and effective succession planning and is requesting that the position be filled; and

WHEREAS, the estimated annual cost to fill the position, including fringe shall not exceed \$132,000;

NOW, THEREFORE, BE IT RESOLVED, that effective August 8, 2022 the County Administrator is hereby authorized to create and fill a full-time Deputy County Administrator position; and be it further

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

#### **RESOLUTION NO. 357-22**

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

### **AUTHORIZE DIRECTOR OF VETERANS SERVICES TO FILL VETERANS SERVICES OFFICER POSITION**

WHEREAS, the Veterans Services Officer position became vacant effective August 23, 2022 as the result of a resignation; and

WHEREAS, the Director of Veterans Services through the vacancy review process has identified the continued need for the Veterans Services Officer position and is requesting the position be filled; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is \$51,559 to \$75,488, depending on health insurance;

NOW, THEREFORE, BE IT RESOLVED, that effective September 12, 2022 the Director of Veterans Services is hereby authorized to fill a full-time Veterans Services Officer position; and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 358-22**

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

#### **AUTHORIZE COUNTY CLERK TO SIGN AMENDED MEMORANDUM OF UNDERSTANDING (MOU) FOR E-RECORDING**

WHEREAS, the Yates County Clerk desires to offer voluntary recording of real property documents by electronic transmission in substitution for conventional paper based documents; and

WHEREAS, electronic recording (e-recording) requires the services of one or more third party providers for the submission of real property records for the purpose of electronic recording; and

WHEREAS, the County Clerk has received an MOU from one company offering to submit documents via electronic transmission;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Clerk, pending approval by the County Attorney, is authorized to sign the MOU agreement with the following vendors:

Corporation Service Company (CSC), 251 Little Falls Drive, Wilmington, DE  
Simplifile LC, 5072 North 300 West, Provo, Utah, 84604

RESOLVED, that a copy of this resolution be provided to the County Clerk and the County Attorney.

VOTE: Unanimous

#### **RESOLUTION NO. 359-22**

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

#### **AMEND RESOLUTION NO. 325-21**

**(Regarding Temporary Correction Officer)**

WHEREAS, Resolution 325-21 authorized the Sheriff to fill a full time temporary Correction Officer position effective September 13, 2021; and

WHEREAS, the resolution is in need of being amended;

NOW, THEREFORE, BE IT RESOLVED, that “twenty-four (24) months” replace “twelve (12) months” in the paragraph 3; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 360-22**

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

**AUTHORIZE CHAIRWOMAN TO SIGN INTERGOVERNMENTAL AGREEMENT  
(NYS ITS – New York, NY)**

WHEREAS, Governor Hochul recently announced that every county in New York State may access endpoint detection and response (EDR) services at no cost, provided by the State’s Joint Security Operations Center (JSOC); and

WHEREAS, ITS is responsible for protecting New York State Government’s cyber security infrastructure and does so by employing a multi-faceted approach that includes coordinating policies, standards and programs on cyber security across the State, partnering with State agencies and law enforcement, monitoring the State’s technology assets and responding to abnormalities and threats to their systems; and

WHEREAS, DHSES is responsible for working with federal, state, local and private entities to protect the State's critical infrastructure from cyber threats and vulnerabilities and to coordinate and facilitate information and intelligence sharing amongst these entities to assist in the early identification of and response to natural and man-made disasters; and

WHEREAS, Yates County provides vital services to residents of New York State and within its jurisdictional boundaries; and

WHEREAS, Yates County recognizes that deployment and use Endpoint Detection and Response (EDR) software, and rapid information sharing are foundational components of a sound cybersecurity program; and

WHEREAS, increasingly sophisticated cyber-attacks on governmental entities as well as unauthorized access to their systems may compromise the security and integrity of government data, disrupt operations and services and damage critical infrastructure, thereby risking the health and welfare of the public; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman is authorized to sign an Intergovernmental Agreement between Yates County and The New York State Office of Information Technology Services and The New York State Division of Homeland Security and

Emergency Services for the provision of Endpoint Protection and Response Services for a 3-year term at no cost to Yates County; and be it further

RESOLVED, that a copy of this resolution be given to the I.T. Director and NYS ITS.  
VOTE: Unanimous

**RESOLUTION NO. 361-22**

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

**AUTHORIZE CHAIRWOMAN OF LEGISLATURE TO SIGN NYS ELECTIONS  
ABSENTEE BALLOT PRE-PAID POSTAGE GRANT**

WHEREAS, the New York State Board of Elections has allocated certain State funds provided to the County Boards of Election for reimbursement of expenses related to Absentee Ballot Pre-paid Postage; and

WHEREAS, the Yates County Board of Elections desires to use the funding (approximately \$13,000) allocated to the county for the purposes set forth as quickly as possible; and

WHEREAS, time is of the essence, as the State is asking for remediation in critical areas prior to December 31, 2022;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of this Legislature be authorized to sign the contract for the acceptance of this grant funding; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 362-22**

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

**ABOLISH SENIOR ACCOUNT CLERK TYPIST POSITION AND CREATE AND FILL  
PRINCIPAL ACCOUNT CLERK TYPIST POSITION  
(SOCIAL SERVICES DEPARTMENT)**

WHEREAS, review of a Position Classification Questionnaire by supervisory personnel in the Social Services Department and the Personnel Officer has determined that one (1) of the Senior Account Clerk Typist positions in the Social Services Department be reclassified to a Principal Account Clerk Typist position;

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Personnel Officer and the Commissioner of Social Services, effective September 12, 2022, the relevant position of Senior Account Clerk Typist in the Social Services Department be abolished and the position of Principal Account Clerk Typist be created and filled; and be it further

RESOLVED, that a copy of this resolution be given to the Commissioner of Social Services, Personnel Officer, President of CSEA, Representative of Local CSEA, County Administrator, Director of Finance, and the Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 363-22**

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

**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH THE YATES COUNTY SHERIFF'S OFFICE**

WHEREAS, Yates County Community Services wishes to enter into a contract with the Yates County Sheriff's Office to provide additional funds for Medication-Assisted Treatment to the jail inmates; and

WHEREAS, the funds to be received are from the 2022 OPIOID Settlement as follows, April 2022 Distributors Settlement Year 1 Payment: Direct Unrestricted Funds - \$5,719.62 April/May 2022 Janssen Settlement: Direct Unrestricted Funds - \$22,945.04 June/July 2022 Allergen Settlement: Direct Unrestricted Funds - \$24,794.79 August/September 2022 Distributors Settlement Year 2 Payment: Direct Unrestricted Funds - \$6,011.04; and

WHEREAS, that said distribution period will be for the period of January 1, 2022 through December 31, 2022; however, such Agreement will contain recitations that the initial consideration amount is subject to change by the applicable state funding agency, and that consequently in such instance where said agency changes the ultimate funding amount for the time period covered by an Agreement the amount of consideration to be paid pursuant to such Agreement shall be adjusted accordingly; and further that the payment of the consideration therein is contingent on Yates County receiving the New York State agency funding for such purpose and in the amount of such consideration;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairperson of the Legislature is authorized to enter into an agreement with the Yates County Sheriff's Office; and be it further

RESOLVED, that said contract will run from 1/1/2022 to 12/31/2022; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 364-22**

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

Mr. Button stated that he looked into the resume of this individual, and it looks like he does a very good job, has been very successful, and Mr. Button hopes he brings a lot to the Workforce Development Board.

**APPOINTMENT TO THE FINGER LAKES  
WORKFORCE INVESTMENT BOARD**

WHEREAS, this Legislature, by Resolution #334-99, has authorized the creation of the Finger Lakes Workforce Investment Board for the Counties of Yates, Ontario, Seneca and Wayne in compliance with the Workforce Investment and Opportunity Act (WIOA) of 2017; and

WHEREAS, the Workforce Investment Board members must be appointed by the respective Legislative Boards; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby appoint the following representative to the Finger Lakes Workforce Investment Board to replace the vacancy left by outgoing representative Michael Manikowski, effective immediately through 6/30/2024;

William J. Pealer  
City Councilor  
47 Castle St.  
Geneva, NY 14456

And be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 365-22**

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

#### **AUTHORIZE CHAIR TO SIGN ADMINISTRATIVE AGREEMENT FOR THE WORKFORCE INVESTMENT BOARD**

RESOLVED, that after review by the County Attorney, the Chair of the Legislature is hereby authorized to sign the Administrative Agreement with the Finger Lakes Workforce Investment Board for the Program years 2022-2023; and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 366-22**

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

#### **REAPPOINTMENT TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD**

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby reappoint the following representatives to the Finger Lakes Workforce Investment Board to fill a three-year term from July 1, 2022 to June 30, 2025.

**Peter Bekisz**

Associate Vice President  
Keuka College

**Randi DiAntonio**

Vice President  
NYS Public Employee Federation

**C. Mitchell Rowe**

County Manager  
Seneca County

And be it further

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

VOTE: Unanimous

**RESOLUTION NO. 367-22**

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

**DISCUSSION**

Mrs. Percy stated that they were asking for the bill to be paid prior to the sixteenth. When she read the request from Steve, she thought it said payment.

Mrs. Miller stated that it doesn't need to be paid prior to audit.

Ms. Chilson stated that it was her understanding that there won't be a lapse in coverage if it was brought forward now.

Mrs. Miller stated that it is due by October the seventeenth, so if they get it in, if the legislature passes this, they can go ahead with it and get it in before the September audit is done.

**AUTHORIZE THE CHAIRWOMAN TO SIGN SOFTWARE SUPPORT AGREEMENT  
EXTENSION FOR PUBLIC DEFENSE CASE MANAGEMENT SYSTEM  
MAINTENANCE AND SOFTWARE SUPPORT AGREEMENT BETWEEN THE  
YATES COUNTY PUBLIC DEFENDER OFFICE, THE ASSIGNED COUNSEL  
PROGRAM, AND NEW YORK STATE DEFENDERS ASSOCIATION, INC.**

WHEREAS, the Public Defender's office and the Assigned Counsel Program use a software package called Public Defense Case Management System; and

WHEREAS, the maintenance agreement is due to expire and the Public Defender seeks to renew said agreement to October 17, 2023; and

WHEREAS, the Public Defense Case Management System Maintenance and Software Support are renewable annually, the Public Defender's Office is requesting authorization to have the Chairwoman of the Legislature sign the one year contract;

NOW, THEREFORE, BE IT RESOLVED, that the Chairwoman of the Legislature upon approval of the County Attorney is hereby authorized to sign an extension agreement for one year at the cost of \$2,000.00 (\$500.00 per license); and be it further

RESOLVED, that copies of this agreement be given to the Public Defender, the Assigned Counsel Program, the Director of Finance, and the County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 368-22**

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

**DECLARE SURPLUS EQUIPMENT**

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

WHEREAS, the following equipment shall be declared surplus property;

<u>Unit:</u>	<u>Year/Make/Model:</u>	<u>Miles/Hrs.:</u>	<u>VIN #:</u>
RW-3	1999 Blaw Knox RW100	4,461 hours	10028-9
L-6	1999 John Deere 644H	5,552 hours	DW644HX572172
T-10	2017 Chevrolet 2500HD	50,081 miles	1GC2KUEG9HZ324586

NOW, THEREFORE, BE IT RESOLVED, to authorize the Yates County Highway Superintendent to sell the above equipment at auction or by other appropriate method; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 369-22**

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

DISCUSSION

Mr. Willson stated that he was very happy that the Highway Superintendent decided to break up the millings into smaller piles and bid them out, so that more people had a chance to take advantage of the surplus. He thinks that means a lot to the citizens of the County and thanks the Highway Superintendent.

Mr. Button stated that the Highway Superintendent was being responsible to taxpayers beyond that, because by breaking it up into four separate biddings, there is a possibility to recruit a little bit more of their original cost back, and especially as oil has gone up this year on asphalt.

**DECLARE SURPLUS MATERIALS**

WHEREAS, the Yates County Highway Department has materials that have been removed and/or replaced and are no longer being used and should be sold, as is by the county; and

WHEREAS, the following material(s) shall be declared surplus property;

<u>Materials:</u>	<u>CR#:</u>	<u>Road Name:</u>	<u>Mileage:</u>	<u>Quantity:</u>
Asphalt Millings	CR10	North Vine Valley Road	2.96 miles	+/-3,300 cy
Asphalt Millings	CR10F	Pierce Hill Road	0.78 miles	+/-877 cy
Asphalt Millings	CR23	Lovejoy Road	5.85 miles	+/-6,500 cy
Asphalt Millings	CR1S	Lakemont-Himrod Road	4.31 miles	+/-4,800 cy

NOW, THEREFORE, BE IT RESOLVED, to authorize the Yates County Highway Superintendent to sell the above materials at auction or by other appropriate method; and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 370-22**

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

DISCUSSION

Mr. Killen stated that in looking over the various bids that they received and the discussions that they had, he is very pleased to see that they are trying to control those costs and the staffing through those discussions. He thanked them for working on that.

**AUTHORIZE CHAIRWOMAN TO SIGN A CONTRACT WITH WATCHDOG BUILDING PARTNERS, LLC FOR CONSTRUCTION MANAGEMENT SERVICES ON THE YATES COUNTY HIGHWAY/OES/PH BUILDING PROJECT**

WHEREAS, Yates County intends to undertake a building project for its Highway/Office of Emergency Services and Public Health facility; and

WHEREAS, such project requires construction management services not available within County resources; and

WHEREAS, Watchdog Building Partners, LLC has submitted a proposal to provide construction management services consistent with a Request for Proposal distributed by the County; and

WHEREAS, said proposal has been reviewed by the Ad Hoc Highway/OES/PH Project Committee and the Committee recommends that it be accepted;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into a contract with Watchdog Building Partners; and be it further

RESOLVED, that said contract fees will be invoiced on a “Lump Sum” basis as stated in said proposal but are not to exceed a total of \$570,500; and be it further

RESOLVED, that copies of this resolution be provided to Watchdog Building Partners, LCC, the Highway Superintendent, the Director of Emergency Services, the Director of Public Health, the Director of Finance, the Treasurer, and the County Administrator.

VOTE: Unanimous

### **RESOLUTION NO. 371-22**

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

#### **DISCUSSION**

Mr. Button stated that he appreciates the Highway Superintendent pointing out the ability to update costs for the different towns because their costs have gone up and that they have adjusted contracts going forward.

Mr. Jayne stated that he talked to the town of Barrington Highway Supervisor, and he said that this is the first time in, he doesn't know how many years, that somebody was willing to hear him out and listen to getting the pay up to where it needed to be for these contracts. Mr. Jayne thanked Doug Rapalee for that.

### **AUTHORIZE LEGISLATURE CHAIRWOMAN TO SIGN 2022 – 2023 SNOW AND ICE CONTRACTS**

WHEREAS, in the interest of public safety all County roadways need to be cleared of snow and ice during the months of November to April; and

WHEREAS, the Yates County Highway Department does not employ sufficient staff to accomplish the snow and ice removal on all County roadways; and

WHEREAS, several Townships have agreed to contract this snow and ice removal on County roadways,

NOW, THEREFORE, BE IT RESOLVED, to authorize the Chairwoman of the Yates County Legislature to sign contracts with participating Townships for Snow and Ice Removal for the County; and be it further

RESOLVED, that a copy of this resolution be sent to the County Administrator, the Director of Finance, the Highway Superintendent and each Town contracting with the County for Snow and Ice removal.

VOTE: Unanimous

### **RESOLUTION NO. 372-22**

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

#### **DISCUSSION**

Mr. Button stated that as Mr. Holgate pointed out, that this stays in their county and helps another township.

### **AUTHORIZE SALE OF SURPLUS HIGHWAY EQUIPMENT (ROAD WIDENER RW-3) TO THE TOWN OF BARRINGTON**

WHEREAS, the Yates County Highway Department has a piece of equipment commonly known as a Road Widener that is no longer being used by the Yates County Highway Department and should be sold, as is by the County; and

WHEREAS, the Town of Barrington has expressed interest in purchasing the Road Widener for the amount of fifteen thousand dollars (\$15,000); and

WHEREAS the County Attorney has advised that the County can legally sell the named piece of equipment directly to the Town of Barrington,

NOW, THEREFORE, BE IT RESOLVED, to authorize the sale of the surplus Road Widener to the Town of Barrington for fifteen thousand dollars (\$15,000) and authorize the Legislature Chairwoman to execute any and all documents necessary to effectuate such transfer; and be it further

RESOLVED, that in the event of any conflict or inconsistency between the terms of this Resolution and the terms of the County's Purchasing Policy in resolution no. 391-13, the terms of this Resolution shall control; and be it further

RESOLVED, that a copy of this resolution be provided to the Highway Superintendent, the Town of Barrington, the County Administrator, the County Attorney and the Director of Finance, and the Treasurer.

VOTE: Unanimous

### **RESOLUTION NO. 373-22**

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

### **2022 BUDGET TRANSFERS**

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

From:	To:	Amount:
A6129.54316 SS-State Training	A6070.54302 SS- Counseling Contract	\$ 20,000.00
D5110.51636 HW- Highway PT	D5110.54011 HW- Consultants	\$ 12,200.00
A3645.43407 OES- EMS Revenue	A3645.54156 OES- Training	\$ 11,857.00

A3645.54716 OES- CFSI	A3645.52218 OES- Trailer	\$ 700.00
A3645.54156 OES- Training	A3645.52218 OES- Trailer	\$ 1,000.00
A3645.54715 OES-Fire Prevention	A3645.52218 OES- Trailer	\$ 1,200.00
DM5130.52338 HW- Major Equipt.	DM5130.54653 HW-Gasoline	\$ 8,883.95
DM5130.52314 HW- Pick Ups	DM5130.54653 HW- Gasoline	\$ 8,936.15
DM5130.52314 HW- Pick Ups	DM5130.54618 HW- Heating Fuel	\$ 235.00
DM5130.52516 HW- Small Equip.	DM5130.54520 HW- Tools	\$ 107.25
A1990.54905 CF- Contingent	A1410.51005 CC-County Clerk	\$ 356.00
A1990.54905 CF- Contingent	A3110.51025 SH- Sheriff	\$ 516.00
A1990.54905 CF- Contingent	A1340.51575 BO- Budget Officer	\$ 87.00
A1990.54905 CF- Contingent	A1625.51040 BM- Bldg. Main. Sup	\$ 4,209.00
A1990.54905 CF- Contingent	A3150.51791 CO- Chief Corr. Off.	\$ 348.00
A1990.54905 CF- Contingent	A1010.51045 LEG- Clerk of Leg.	\$ 2,400.00
A1990.54905 CF- Contingent	A6010.51052 SS-Commissioner SS	\$ 5,915.00
A1990.54905 CF- Contingent	A3110.51105 SH- Confident. Asst.	\$ 468.00
A1990.54905 CF- Contingent	A1230.51035 CA-County Admin	\$ 1,586.00
A1990.54905 CF- Contingent	A1410.51110 CC- Dep. Co. Clerk	\$ 2,389.00
A1990.54905 CF- Contingent	A6010.51102 SS-Dir Fam/Ch Ser	\$ 2,380.00
A1990.54905 CF- Contingent	A4320.51605 CS- Dir Comm. Ser.	\$ 397.00
A1990.54905 CF- Contingent	A4010.51065 PH-Dir. Public Health	\$ 782.00
A1990.54905 CF- Contingent	A1355.51060 RP- Dir of Real Prop	\$ 689.00
A1990.54905 CF- Contingent	A6510.51060 VS- Dir of Vet. Ser.	\$ 3,237.00
A1990.54905 CF- Contingent	A1450.51050 EL- Elect Comm. (R.)	\$ 269.00
A1990.54905 CF- Contingent	A1450.51051 EL- Elect Comm. (D)	\$ 269.00
A1990.54905 CF- Contingent	A1680.51076 IT- IT Director	\$ 799.00
A1990.54905 CF- Contingent	A1430.51080 PER- Pers. Officer	\$ 710.00
A1990.54905 CF- Contingent	A8020.51085 PL- Planner	\$ 1,744.00
A1990.54905 CF- Contingent	A3140.51090 PB- Probation Dir	\$ 4,004.00
A1990.54905 CF- Contingent	A3110.51155 SH- Undersheriff	\$ 411.00
A1990.54905 CF- Contingent	A6010.51645 SS- SS Attorney	\$ 13,010.00
A1170.54156 PD- Training	A1170.54507 PD- Copier	\$ 800.00
A1170.54156 PD- Training	A1170.54682 PD- Utilities	\$ 300.00

And be it further

NOW, THEREFORE, BE IT RESOLVED, that copies of this resolution be provided to the Highway Supervisor, Public Defender, Commissioner of Social Services, Director of Emergency Services, the Personnel Officer, the County Treasurer, the Finance Director and the Budget Officer.

VOTE: Unanimous

### **RESOLUTION NO. 374-22**

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

#### **APPROPRIATE ADDITIONAL AID (HIGHWAY)**

WHEREAS, the Highway Department has received additional revenue over the 2022 budgeted amount from FEMA with corresponding expenditures; and

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

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

Revenue:	
D5110.43960 HWY- State Aid Homeland Security	\$ 12,597.61
D5110.44960 HWY- Federal Aid- Homeland Security	\$ 113,378.48
Appropriation:	
D5120.54606 HWY- Culvert Pipe	\$ 125,976.09

And be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 375-22**

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

### **APPROPRIATE ADDITIONAL AID (SOCIAL SERVICES)**

WHEREAS, the Department of Social Services has received revenue over the 2022 budgeted amount from Pandemic EAF Back to School Payments with corresponding expenditures; and

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

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

Revenue:	
A6010.44610 DSS- Social Service Admin	\$ 18,278.00
Appropriation:	
A6109.54305 DSS- Family Assistance	\$ 18,278.00

And be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 376-22**

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

### **ENTER INTO AGREEMENTS WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO OBTAIN HIGHWAY WORK PERMITS FOR THE RECONNECT PROJECT**

WHEREAS, Yates County (hereinafter referred to as "County") has been awarded a USDA ReConnect grant to enable design and construction of a fiber-to-the premises broadband network to reach the unserved and underserved with regard to internet access; and

WHEREAS, the network design includes multiple segments of aerial and buried fiber in New York State Department of Transportation Right of Ways (hereinafter known as "NYS DOT ROW"); and

WHEREAS, in order to obtain a permit to build in the NYS DOT ROWs, Yates County must complete and sign Form Perm 75 Application for Highway Work for Fiber Optic Facilities and Supporting Infrastructure and other supporting forms as required by the NYS DOT for every segment in the NYS ROW; and

WHEREAS, by signing the contract the County agrees to abide the terms therein including Limitations and Conditions of Use, Indemnification, Site Care and Restoration, Traffic Maintenance and others; and

WHEREAS, along with each signed application the County must include technical work plans, Certificates of Insurance from the County and the Contractor, and pay only a nominal Highway Permit fee as the annual Use and Occupancy Fees have been discontinued; and

WHEREAS, the Regional Permit Engineers will conduct a technical review of the each submitted work plans, and upon satisfaction of all requirements, a Highway Work Permit will be issued to allow construction to commence;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into an agreement with the NYS DOT and submit other forms as requested for each segment in the NYS ROW in order to obtain the required Highway Work Permits; and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 377-22**

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

#### **ENTER INTO AN AGREEMENT WITH AIROSMITH INC. FOR NEW YORK STATE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PERMITTING SERVICES FOR PHASE 1B OF THE RECONNECT PROJECT**

WHEREAS, Yates County (hereinafter referred to as "County") has been awarded a USDA ReConnect grant to enable design and construction of a fiber-to-the premises broadband network to reach the unserved and underserved with regard to internet access; and

WHEREAS, the network design includes aerial and buried fiber in New York State Department of Transportation Right of Ways (hereinafter known as "NYS DOT ROW"); and

WHEREAS, in order to obtain a license to build in NYS DOT ROWs, Yates County must complete and submit Perm 75 and Perm 32 permit packages including detailed survey and mapping plans for each Phase of the project; and

WHEREAS, Airosmith Inc. (hereinafter known as “Airosmith”) has extensive experience and expertise in developing NYS DOT ROW permit plans and is contracted with Yates County for Phase 1A;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to enter into an agreement with Airosmith for its provision of NYS DOT ROW permitting services for Phase 1B of the ReConnect project, for a price not to exceed \$50,000; and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 378-22**

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

#### **DISCUSSION**

Mr. Button stated that he is going to abstain on this motion. He never had enough information of where they stand in terms of the fees and how it's going forward from the past.

Mr. Holgate stated that he would like to point out though, he thinks that since they actually have this overlash agreement, it's actually saving them quite a bit.

Mr. Button stated that it wasn't about the money. It was more of the fine print for him in the future. He appreciates saving money, but again he thinks it would have been better for him to understand more fully, some of the fine print and obligations that they might be into.

### **AUTHORIZE CHAIRWOMAN TO SIGN OVERLASH AGREEMENT WITH SOUTHERN TIER NETWORK FOR THE RECONNECT PROJECT**

WHEREAS, Yates County (the “County”) is currently undertaking the design and construction of a fiber optic broadband network (hereinafter referred to as the “project”); and

WHEREAS, Yates County has signed an IRU Lease Agreement between the County and Southern Tier Network (hereinafter referred to as “STN”) dated November 18, 2021; and

WHEREAS, STN policies allows 3<sup>rd</sup> parties to overlash portions of STN’s own network that are included in an IRU Lease Agreement; and

WHEREAS, overlashing the STN network would result in reduced cost of construction and faster implementation for the project; and

WHEREAS, specific portions of the STN network in various areas throughout the County have been identified by the project engineers and agreed to by the County and STN for overlashing; and

WHEREAS, an agreement has been jointly developed to govern the terms and conditions for use in the project of specific portions of STN's network; and

WHEREAS, the specific portions of STN's network are detailed in the Appendix of the agreement and may be amended as the project design continues;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of legal counsel, the Chairwoman of the Legislature is authorized to execute on behalf of the County the Overlash Agreement with STN and subsequent amendments to the Appendix; and be it further

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

VOTE: Unanimous, with Mr. Button abstaining.

### **RESOLUTION NO. 379-22**

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

#### **AUTHORIZE SIGNING OF RUS FORM 675 CERTIFICATE OF AUTHORITY WITH RURAL UTILITIES SERVICE UPDATING AUTHORIZED SIGNERS OF RUS FORM 481 FINANCIAL REQUIREMENTS STATEMENT**

WHEREAS, in Resolution 416-20, the County authorized signing of RUS Form 675, identifying Winona Flynn, County Administrator, and Douglas Paddock, Chairman of the Legislature, as authorized signers of RUS Form 481 Financial Requirements Statements which is used to requisition (payment of invoices) and account for ReConnect grant funds in the Pledged Deposit Account; and

WHEREAS, RUS requires a new RUS Form 675 for any changes in authorized signers;

NOW, THEREFORE, BE IT RESOLVED, that the County is authorized to re-submit RUS FORM 675, Certificate of Authority, and to this end, the Chairwoman of the Legislature, is hereby authorized to sign RUS Form 675, identifying Winona Flynn, County Administrator, and Leslie Church, Chairwoman of the Legislature, as authorized signers of RUS Form 481; and be it further

RESOLVED, that copies of this resolution be given to the County Administrator, the County Planner, the broadband Project Manager, and the Rural Utilities Service.

VOTE: Unanimous

### **RESOLUTION NO. 380-22**

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

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

WHEREAS, Resolution 328-22 authorized the Chairwoman to sign Equipment Contract with Nokia for quote price of \$379,215.57; and

WHEREAS, the quote price obtained for the Buy American Waiver request covered equipment purchase and installation only and did not include shipping or potential miscellaneous equipment and software; and

WHEREAS, these additional costs will be invoiced at actual cost;

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

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

VOTE: Unanimous

### **RESOLUTION NO. 381-22**

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

#### **AUTHORIZE CHAIRWOMAN TO SIGN A CONTRACT WITH A-VERDI, LLC FOR THE DELIVERY AND RENTAL OF UP TO 2 (TWO) 40' STORAGE CONTAINERS**

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

WHEREAS, Yates County has tried to circumvent longer than typical lead times by purchasing materials in as far in advance as possible; and

WHEREAS, a number of the fiber-optic materials purchased require dry and clean storage space; and

WHEREAS, the ill-suited, temporary storage space we have been using in the Guyanoga Highway barn is going to be filled with the Sherriff's patrol boat and other seasonal items shortly; and

WHEREAS, we currently only have need for a single 40' storage container but we do not know the packaging dimensions of a number of the, as-yet to be delivered materials; and

WHEREAS, the option of an additional container would allow us to have one delivered in a matter of days over the winter when protection from the elements would be most critical; and

WHEREAS, the following quotes were received from 3 suppliers for a single 40' container and its delivery and pickup;

Company	Delivery & Pickup	Monthly Rental
Spano Container	\$400.00	\$155.00
Mobile Mini Storage Solutions	\$1052.00	\$139.20
A-Verdi LLC	\$464.00	\$125.00

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

RESOLVED, that copies of this resolution be provided to A-Verdi, LLC. the County Administrator, the Director of Finance, the County Planner, and the Broadband Project Manager.  
VOTE: Unanimous

### **RESOLUTION NO. 382-22**

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

#### **APPOINT MEMBER TO THE YATES COUNTY PLANNING BOARD (Steven Fulkerson, Town of Starkey)**

WHEREAS, Steven Fulkerson (89 N Glenora Rd, Dundee, NY 14837), has been recommended by his respective municipality to be their representation on the Yates County Planning Board;

NOW, THEREFORE, BE IT RESOLVED, that *Steven Fulkerson* is hereby appointed as a member of the Yates County Planning Board, representing the *Town of Starkey*, to a term to expire on October 10, 2022; and be it further

RESOLVED, that copies of this resolution be given Steven Fulkerson, Jeffrey D. Ayers, the County Planner, the Town of Starkey, and a copy filed with the County Clerk.  
VOTE: Unanimous

### **RESOLUTION NO. 383-22**

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

#### **AUTHORIZATIONS FOR CONVEYANCE OF REAL PROPERTY**

WHEREAS, the delinquent tax parcels set forth below remain subject to pending tax foreclosure proceeding(s) concerning delinquencies of tax liens for 2018, 2019 and/or 2020, and if the requested judgments of foreclosure are granted by the Court, said delinquent tax parcels would then be subsequently conveyed to the County of Yates:

Town of Italy	55.62-1-6	Persson Margaret A
Town of Italy	44.03-1-20	Punnett Revocable Trust Victor
Town of Jerusalem	83.02-1-21	Gleason Smart McClain Cindy
Town of Middlesex	32.01-1-4	Nittler Joseph W
Town of Milo	61.27-1-51.1	Brisco Donald
Town of Milo	49.67-2-25	Clark Theresa J
Town of Milo	50.61-1-8	Sullivan Sara F
Town of Milo	87.84-1-9	Gregory Michael, Robinson Trina
Town of Potter	3.44-1-26	RVFM 13 Series LLC
Town of Potter	24.04-1-1	Chiappara Giuseppe
Town of Potter	24.01-1-35	Hey Kenneth

Town of Potter	24.03-1-4	Mooney Francis G III
Town of Starkey	120.24-1-20.1	Caron Michelle
Town of Starkey	113.82-1-28	Earl William J
Town of Starkey	120.23-1-3	Marsh Judy
Town of Starkey	120.33-1-39	Nageldinger Larry

(Each of the above parcels hereinafter referred to as a “Delinquent Tax Parcel” and all of the above parcels hereinafter collectively referred to as “Delinquent Tax Parcels”); and

WHEREAS, the delinquent property tax foreclosure process for 2018, 2019 and 2020 delinquent tax parcels was subject to certain unique events, including but not limited to: the COVID pandemic, publication errors, legal matters and/or time constraints; and

WHEREAS, pursuant to Section 1166 of the Real Property Tax Law and the County’s Resolution No. 337-16, the County has adopted a policy whereby prior to the County’s first public tax sale of a tax acquired property, such property may be reacquired by the former owners of such property at the time it was taken by the County through the tax foreclosure process, by way of a private sale between the County and said former owners, if the following conditions are met: 1) all of the said former owners makes such a request to reacquire the property no later than thirty calendar days prior to the date of the first public tax sale of the property and 2) the purchase price is paid in the amount, manner and timeframe set forth herein, namely the purchase price for an aforementioned private sale property shall be the total dollar amount of i) the foreclosed delinquent tax lien and all other delinquent tax liens on the property, plus ii) interest, penalties and all other related delinquency expenses thereon plus iii) a processing fee of \$1,500; and that the payment of said purchase price shall be paid to the Yates County Treasurer in the form of cash or certified check made payable to the Yates County Treasurer, and said purchase price must be received by the Yates County Treasurer’s Office no later than thirty calendar days prior to the date of the first public tax sale of the property; and

WHEREAS, it is anticipated that should the County acquire the Delinquent Tax Parcels, certain former owners may be desirous of reacquiring his/her/its respective Delinquent Tax Parcel from the County by way of private sale pursuant to the above recited framework;

NOW, THEREFORE, BE IT RESOLVED, that Yates County Legislature hereby holds that should the County acquire any or all of the Delinquent Tax Parcels, the Yates County Treasurer and Chair of the Yates County Legislature may proceed with the sale of any Delinquent Tax Parcel to its respective former owners of such property at the time it was taken by the County through the tax foreclosure process, by way of private sale, including the execution by the Treasurer and/or Legislative Chair of any and all necessary documents to effectuate the same, culminating in the County’s granting and delivery of a Quit Claim Deed conveying title of any such Delinquent Tax Parcel to such former owner(s) for the respective purchase price as determined pursuant to said Resolution No. 337-16; with each such respective title conveyance being contingent upon compliance with Resolution 337-16 as modified herein and payment of said purchase price to the County and compliance with and being in accordance with all terms of sale and other provisions promulgated by the County Treasurer in its respective written document entitled “Private Sale to Former Owners” and the former owner(s) execution of said written document; and be it further

RESOLVED, that due to the unique factors related to the above recited tax foreclosure processes, that said Resolution No. 337-16 is hereby amended in this limited instance to allow

such former owners to make its request to reacquire and pay the requisite purchase price no later than two calendar weeks prior to the date of the first public tax sale of the property, rather than the customary thirty calendar days; and be it further

RESOLVED, that passage of this resolution shall constitute the final approval and confirmation of any such resulting private sales engaged by the Yates County Treasurer and Chair of the Yates County Legislature in accordance with the parameters set forth above, without the need for any subsequent request for Yates County Legislative approval or subsequent approval resolution related thereto; and be it further

RESOLVED, that a copy of this resolution be furnished to the County Treasurer, County Administrator, Director of Finance, and County Attorney.

VOTE: Unanimous

### **RESOLUTION NO. 384-22**

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

#### **DISCUSSION**

Mr. Button stated that he believes they ought to hold this until next month. It was discussed without the full legislature present and Mr. Paddock asked Emilee to turn the microphone off. There were only six of them there. They had the opportunity to hear about that in his report, it was up there in may require a tower height agreement at South Hill. There was never any discussion on that at all. He looked down through the four towers. They also didn't get an update on where they stand on the Barrington Tower in the expenditure of funding.

Mrs. Percy stated that was discussed.

Mr. Button stated that it was not discussed in public and asked what the dollar amount was.

Mrs. Percy stated that it was \$8,500.

Mr. Button stated that he stands wrong then, but as he reads through this resolution, he looks back at the back page, eighth paragraph, he took time to call the Code Enforcement officer yesterday in Middlesex. They've had no discussions and they are not even aware of it.

Mrs. Percy stated that they gave all the code things to the County to proceed with this project.

Mr. Button stated that the Town Board of Middlesex knows nothing of it. Mr. Button stated that Mr. Paddock talked of it, as they were there, Mr. Harper, himself, Leslie, Mr. Bronson, and they didn't even have a quorum.

Chairwoman Church stated that they held a meeting, and those that weren't there either chose to not be there, or were not able to be there. So the meeting was held, but it was just a Committee meeting.

Mr. Button stated that Mr. Paddock, asked Emilee to shut the tape off, how would anybody else know?

Mr. Harper stated that if he is correct in the timing on this, what Doug was referring to at that time was all speculation. This is still actually in a little limbo as to which way this is going to go. They had more meetings last Friday, which is when this got set out, with C & S. The basic

issue is that MNI, who is the Microwave Company, feels that there is a potential issue, even though the current microwave is working, they are trying to look a little longer term and say that there may be a problem with the line of site path that's needed. They are still working on the options, whether the tower can go up without any other modifications, or if there's going to need to be modifications that will add wiring requirements, things like that. He thinks this is basically Doug's best attempt to give them a heads up within the timelines that they need to be operating in of what's actually happening. He doesn't think at this point there's any dollars that are associated with this, because the actual firm design is not yet in place. He asked if that was the Chairwoman's understanding as well.

Chairwoman Church stated, that yes that was her understanding as well.

Dr. Cutler stated that he wanted to be clear and complete the story. He did discuss this with the Middlesex Town Board last Thursday and they didn't raise any particular concerns, but of course he raised it in the context of a lot of the uncertainties, which Dick was talking about. Dr. Cutler didn't say they were coming back, he told them that they may have to come back with this kind of issue to deal with, and Donna was there.

Mr. Killen stated that from the user end for many years, trying to get radio signal in a bus in a county with lots of hills and trees, and having been disturbed at times when their radio person would tell them that trees were interfering sometimes with their ability to communicate. It's disturbing when they need to get through and can't. So, on the one hand, for all the men and women in law enforcement, EMS, and Fire that need this, he thinks they have to do it. He is kind of disturbed, that there seems to be a pattern of kind of last-minute changes or additions when it comes to some of these things. He knows that they have some time sensitive things to act on, but it would be good to have a little time to digest things. That said, he would be in favor of this today, but he would like, if possible, more advanced time, to reduce some of these things, and discuss them further before they implement them.

Mrs. Percy stated that it has been talked quite often, about the Tower in Middlesex having to have something done with it. In Doug's defense, these things come up quickly and she doesn't think they should slow down the project, because in another month, they will be getting into winter, and she thinks maybe they have to do some ground work on that tower too.

Mr. Button stated that he can withdraw his motion to table this, but to speak to what Mr. Killen said, in the past, this type of behavior wouldn't have been tolerated when Mr. Paddock was chairman. He always wanted to make sure the policy and procedures were adhered to. He wouldn't have done this. Terry agreed with Mr. Killin, he doesn't want to hold this up. This has happened in the past multiple times for the past four years, and it happens a lot. Hopefully they put an end to that.

Mr. Willson stated that this resolution is basically about modifying agreements and things. This is not financial.

Mr. Harper stated that they are not making a commitment of dollars as far as he understands. C & S is looking at some other options as well, but there's no dollar signs attached to this at this point. There is potential that this could require modifications of the SEQRA, with the understanding that they are trying to cut the system over, potentially, by the end of the year or

into the beginning of the following year. Obviously, this is not where anybody on the Committee would like to be, but this is where they are. They are finally getting some information back from MNI, it's not C & S doing the actual tests. It is very late into the system, and that's why some of these things don't come in up front.

Mr. Willson stated that he thinks that it is wise to pursue all of the investigations. They are kind of affirming what he saw in the resolution, which is mostly legal work, and as long as they are not committing to any dollar amount beyond the investigation, he can support this.

Mr. Holgate stated that all this is doing is authorizing the SEQRA, and it's just boilerplate stuff that you have to go through all the time with any project and it always takes time to do it. This is saying that if they need to go forth with the SEQRA, this gives permission to do so, that's all there is to it.

Mr. Button stated that again he is fine supporting this, he thinks about the procedure that went on, whether it needed to be an executive session to discuss some things with everyone there. He supports the Sheriff and he wasn't even in the room either. Terry was just pointing out some facts, but he is glad they are going to move forward on it today.

Mr. Morris stated that he would just like to add that he was not in this meeting, so he listened to a tape. He didn't hear this part, because he did hear turn the tape off. He thinks as a principal, they shouldn't do that if they are in a situation. In that particular case, they'd also just lost a quorum. He thinks that they ought to be a little more careful about making sure that if they are losing a quorum, and if they are running at the end of a meeting, they shouldn't be turning the tape off. If somebody really wanted to make a stink out of something like this, they could because they are not following their own procedures. He agrees that they probably ought to do this, it's probably low risk, it's only doing a SEQRA, but he thinks they need to hold themselves to a certain set of values in terms of how they operate.

Chairwoman Church stated that she just has to say to an elected body of legislators, that if they are that passionate about learning about the issue, they either need to make sure they listen to the tape or make sure they are there. They need to make sure they are there for the discussion, because this gets very disappointing.

**MODIFY PUBLIC SAFETY COMMUNICATIONS PROJECT TO INCLUDE  
REPLACEMENT/ POTENTIAL REPLACEMENT OR MODIFICATION OF  
EMERGENCY COMMUNICATIONS TOWER IN THE TOWN OF MIDDLESEX**

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, Report and subsequent engineering investigations, the County determined to install a new public safety communications system which included the construction of four (4) new emergency communication towers to be located in the Towns of Barrington, Italy and Jerusalem and the Village of Penn Yan (the “Project”); and

WHEREAS, by Resolution Nos. 277-21 dated August 9, 2021 and 401-21 dated November 8, 2021, the County authorized the commencement of review of the Project under the State Environmental Quality Review Act (“SEQRA”), and set forth other determinations regarding the Project, and it thereafter performed a coordinated review of the Project in accordance with SEQRA; and

WHEREAS, by Resolution No. 491-21 dated December 29, 2021, the County determined that the Project would not have a significant environmental impact, and it prepared and filed a Negative Declaration in accordance with SEQRA; and

WHEREAS, since adoption of Resolution No. 491-21, the County has determined that the Project should be modified to also include the replacement or potential replacement or modification of an existing emergency communication tower located in the Town of Middlesex (the “Middlesex Tower Component”); and

WHEREAS, the Middlesex Tower Component will further 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 Middlesex Tower Component will include, in relevant part, the design and construction and/or replacement or modification of an emergency communication tower, and improvements and enhancements to microwave and tower radio equipment, base radios, shelters and associated equipment and appurtenances; and

WHEREAS, at the present time it is anticipated that the Town of Middlesex will not require strict compliance with local land use regulations for the Project; and

WHEREAS, the County continues to desire to comply with the requirements of SEQRA and its implementing regulations set forth at 6 NYCRR Part 617, and will therefore conduct a supplemental SEQRA review of the Middlesex Tower Component; and

WHEREAS, the County desires (i) to serve as lead agency for the supplemental SEQRA review, and (ii) in furtherance of the foregoing, to engage in a coordinated review and provide Part 1 of a Full Environmental Assessment Form (“FEAF”) for the Middlesex Tower Component to other interested and involved agencies for their review and comment.

NOW THEREFORE, BE IT RESOLVED, that the County restates and ratifies all actions and determinations made with respect to the Project set forth in Resolution Nos. 277-21, 401-21 and 491-21, and expressly extends such actions and determinations as set forth below for the Middlesex Tower Component; and be it further

RESOLVED, that the County restates its desire, upon the consent of other involved agencies, to serve as “Lead Agency” for the Middlesex Tower Component’s supplemental environmental review; 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 Middlesex Tower Component 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 the Middlesex Tower Component will serve the public interest, and that the County is therefore committed to a process of information-sharing with municipal representatives of this Town; and be it further

RESOLVED, that the County anticipates that any local approvals for the Middlesex Tower Component will 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 Services, Highway Superintendent, Administrator, Planner, the Town of Middlesex, Eric Kenna of C & S Engineers and Robert Tyson of Bond Schoeneck and King Attorneys.

VOTE: Unanimous

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

1. The employment history of a particular individual with Legislators Present and the County Administrator.

Seconded by Mr. Button.

VOTE: Unanimous

Meeting adjourned at 4:22 p.m.