The Yates County Legislature met in special session on Tuesday, October 25, 2022 at 9:00 a.m. for the purpose of conducting the budget workshop for the 2023 Yates County Budget with Chairwoman Church presiding, Mr. Jayne arriving at 9:07 a.m., and Mr. Killen absent.

**RESOLUTION NO. 423-22**

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

**AUTHORIZE CHAIRWOMAN TO SIGN PURCHASE ORDER WITH FIRSTLIGHT FIBER, INC. FOR HANDHOLDS FOR THE RECONNECT PROJECT**

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

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

WHEREAS, the County previously awarded the bid for Phase 1A materials (Resolution 174-22) to Graybar Electric Company (hereinafter referred to as “Graybar) including 29 Handholds at a price of $2,368.30/unit with a lead time of 20-22 weeks (October 2022); and

WHEREAS, Graybar has since updated the expected delivery for the quoted handholds to March 2023 which would significantly delay construction, and Graybar does not have other equivalent handholds available sooner; and

WHEREAS, the original bids from 3 firms which were received and publically opened on June 30 included Handholds;

<table>
<thead>
<tr>
<th>Company</th>
<th>Handhold Bid/unit</th>
<th>Lead Time (updated)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FirstLight</td>
<td>$1,137.50</td>
<td>In stock</td>
</tr>
<tr>
<td>Graybar</td>
<td>$2,368.30</td>
<td>March 2023</td>
</tr>
<tr>
<td>Walker</td>
<td>$2,279.49</td>
<td>24 weeks</td>
</tr>
</tbody>
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And

WHEREAS, FirstLight Fiber Inc (hereinafter referred to as “FirstLight”) has confirmed availability of the specified handholds including enough to cover most of the construction phases of the project at a unit price including shipping of $817.85, available due to a bulk purchase FirstLight has since procured;

NOW, THEREFORE, BE IT RESOLVED, that in order to not delay the ReConnect project construction, the Chairwoman of the Legislature is authorized to sign the Purchase Order with FirstLight Fiber, Inc. for 79 Handhold units for $64,610; and be it further

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

VOTE: Unanimous
RESOLUTION NO. 424-22

Mr. Willson offered the following resolution and moved its adoption, seconded by Dr. Cutler.
DISCUSSION:
Mr. Button asked what the change was to the resolution.

Mrs. Miller stated that the date was changed because the Public Hearing was not held in October as the original resolution declared.

AMEND RESOLUTION NO. 351-22

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 public hearing on proposed local law 7-2022 entitled “A Local Law Establishing Residency Requirements for Yates County Deputy Sheriff’s” be held November 14, 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. 425-22

Mr. Willson offered the following resolution and moved its adoption, seconded by Dr. Cutler.
DISCUSSION:
Mr. Paddock stated that the change orders are less than expected and he thinks they are worthy of being approved.

Mr. Button asked how they are over the estimate at the beginning. He hasn't ever seen an accounting, so he didn't know where they were at.

Mr. Paddock stated that they are actually about on budget. Fortunately, Ron Spike was able to get those two grants, so they are just about on budget.

Mr. Button what changed on the Bluff Point tower?

Mr. Paddock stated that primarily, the code changed. The governing code that covers construction of towers, and how they're assembled, and so on. They need to add significantly to the foundation there.

Mr. Button stated that it is a structural change. He asked that when they put up the new tower, whoever engineered it for them, they didn't see how the foundation needed to be.

Mr. Paddock stated that they put up a tower five years ago, and the code has changed since then. Anytime they do modifications to a tower subsequent to that, they have to examine it according to the current code, and that's what is causing this to occur. The code has changed since they put up the replacement tower.

Mr. Harper stated that is kind of why they see the monopoles over there at the public safety building. The difference in the size is due to difference in code.

AMEND RESOLUTION NO. 180-22

ACCEPT BID FOR PUBLIC SAFETY COMMUNICATIONS PROJECT TOWER SITE CONSTRUCTION

WHEREAS, Resolution No. 180-22 authorizing Bluff Point and Ovid tower site construction for the Public Safety Communications Project was duly adopted on May 9, 2022; and

WHEREAS, the total amount of the contract authorized to Kaplan-Schmidt Electric, Inc. (hereinafter referred to as “Kaplan”) in said Resolution was $247,630; and
WHEREAS, due to additional tower loading and changes in governing code it is necessary to make modifications to the tower foundation at Bluff Point and to towers themselves at both sites; and

WHEREAS, Kaplan has prepared change orders for the necessary modifications in the amount of $12,191.15 for the Ovid tower and $109,187.85 for the Bluff Point tower; and

WHEREAS, C & S Engineers, Yates County’s consultant, has reviewed the said change orders and found them to be reasonable;

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 180-22 be amended to change the total contract amount to $369,009; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Sheriff, County Administrator/Budget Officer, Director of Emergency Services, Highway Superintendent, Information Technology Director, Director of Finance, Treasurer, C & S Engineers and Kaplan-Schmidt Electric, Inc.

VOTE: Unanimous

Chairwoman Church made the following comments:

Although the year has been challenging, as we have eased out of the pandemic. We have weathered the storm well, thanks to all of the departments, and especially public health. The budget being considered for 2023 shows expenditures based on policy and that meet the budget criteria set by the Legislature to stay within the tax cap. Overall, the budget reflects what the Legislature believes is important to the needs of county citizens, as well as their quality of life. There are a number of necessary capital projects that must be addressed and made a priority which have been put off until the debt was paid off on the Courthouse and the County Office Building upgrades. These needs are the completion of the 911 Communications Project, Construction of a County Highway, Public health, Emergency Management Facility, Public Safety upgrades, broadband throughout the county, and a County-wide EMS. Since 2020, we have been putting funds into building an infrastructure reserve to address these projects, and with the goal of not borrowing money. I would like to thank Nonie Flynn and all of the department heads for a cooperative effort and bringing forth this budget. And now I would like to turn the meeting over to Noni Flynn for the presentation of the fund balance.

Budget Officer Flynn reviewed the fund balances.

Note: Minutes to the budget workshop only reflect motions made, discussion around them, and votes taken. A recording of the workshop can be found on the County’s website at www.yatescounty.org. Click on government then agendas and minutes.

Mr. Holgate moved, for the purpose of this workshop, that the rules of the Legislature be suspended and any decisions/votes made in the workshops be decided by the majority of those present, seconded by Mr. Paddock.

DISCUSSION:
Mr. Button stated that he was going to make the motion not to do that.

Ms. Chilson asked Mr. Button what his reason is for making this comment.
Mr. Button stated that it takes eight to pass anything. Mr. Killen isn't there today and he doesn’t know if he's on zoom and can vote, but there might be something close that seven makes the vote, instead of eight.

Ms. Chilson asked what the alternative is.

Mr. Button stated that they stay with what they always do. He was going to make the recommendation that they don't do that. Years ago, when he first came on, they didn't do that. Then they got into the next few years, where they did do that.

Mr. Paddock stated that rule occurs, or that change in the rules of the procedures, is one of the first, if not the first motion in every budget workshop. That's been done nearly every year, if not every year. They have had situations where, in fact, those have been comments, that at committee meetings a lot of people left, so they didn't hear the discussion. Well, that may occur here also, and sometimes they have to make decisions and go forward. So, he fully supports this.

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

Mrs. Percy moved to add $6,040 to revenue line item A1165.43030 ATP Grant-District Attorney, seconded by Mr. Willson.

DISCUSSION:
Mr. Button asked if that was when Mr. Casella got that grant to start the program.

Ms. Flynn stated that she thinks that was the additional one time source of revenue.

Mr. Button stated that was what he thought. For people speeding and they wanted to go to court.

Ms. Flynn stated that was his new program, but he did get grant funding for that and that went to A1165.43030. The actual revenue from the program he started is in A1165.42610. She thinks he didn't budget for that, because of the traffic diversion program.

VOTE: Unanimous

Mrs. Percy moved to add $9,000 to revenue line item A1165.42610 Fines, Restitution, Forfeit Bail-District Attorney, seconded by Dr. Cutler.

DISCUSSION:
Dr. Cutler stated that he thinks that he is likely to get some money from restitution and so on.

VOTE: Unanimous

Mr. Paddock moved to remove $3,000 from revenue line item A1650.41275 Telephone Charges-Central Communications, seconded by Mrs. Percy.

VOTE: Unanimous

Legislature recessed at 10:46 a.m.

Legislature reconvened at 11:00 a.m.

Mrs. Percy moved to add $1,500 to revenue line item A3110.42655 Fuel Sales-Sheriff Department, seconded by Mr. Harper.
VOTE: Unanimous

Legislature recessed at 12:40 p.m.

Legislature reconvened at 1:03 p.m.

Dr. Cutler moved to add $5,000 to line item A4330.54251 Mozaic-Community Services, seconded by Mr. Morris. 
DISCUSSION:
Mr. Holgate asked what Tompkins County actually funds.

Tammy Raub, from Mozaic, stated that they do not fund Mozaic itself, but an entity that Mozaic manages. If there's a nonprofit in Tompkins that was going under, one of their new missions is to save other nonprofits. They have challenge workforce programs with the County, and they fund that, it's not similar funding.

Mr. Willson stated that this kind of challenge workforce is being supported by Mozaic. He asked if they took up all their debt.

Tammy stated that they are not part of Mozaic. They are a standalone corporation and they're managed separately, but all of their debts are up to date, and they have a surplus, now that they're managing them.

Mr. Willson asked if they were still using the food processing.

Tammy stated that they sold food processing.

Mr. Banach stated that he had two questions. First, if they were to fund this $5,000, is there anything extra that they would be doing with these funds? Second, if they don't fund this, what's going to suffer?

Tammy stated that they use it for one of their most underfunded programs, which is the Community Supports Program. They are currently budgeting that at a $200,000 loss. The State has not funded that program adequately, and they are trying to continue to provide those services to the community. That is what they use it for, to assist with that budget. It has a very large loss. They have been able to turn around Keuka Lake School, that had a very large loss, and that was not break even, due to the merger between Yates, Seneca, and Cayuga there was a change. By doing that they got to put in another business plan for the school, and they've raised rates by like 25%. Now they are breaking even with the school. That’s the one remaining program in Yates that they struggle with, and a lot of that is due to pandemic related limitations of not taking large groups out, they are trying to address that.

Mr. Banach asked if that money would stay in Yates County or would it be spread across? Are they requesting $5,000 from other counties?

Tammy stated that they have not requested money from other counties. This is a program that ARC of Yates had always done, and it benefited them. They are still in the process of
developing relationships with the other counties. She doesn't think they have a supportive relationship with Seneca and Cayuga counties yet. Mr. Banach asked if they are Yates County residents.

Tammy stated that yes, they are Yates County residences. We have residences, they have Day Habilitation, community sports, vocational services, the drive program, and they also manage Yates Transit Service.

Mr. Button asked Ms. Flynn, if there was anything that she could add to this.

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

Ms. Chilson moved to add $810,000 to line item A7120.54370 Village of Penn Yan (Ladder Fire Truck) -Parks & Recreation, seconded by Mr. Banach.

DISCUSSION:
Dr. Cutler asked if this is specifically for the ladder truck.
Chairwomen Church clarified, that this is specifically for the ladder truck.

Mr. Harper asked what the actual overall cost of the truck is.

A representative for the Village of Penn Yan stated that the final cost with the purchase contract, if they make a couple of handling fee discounts ahead of time, is $1,777,416.

Mr. Paddock asked if everyone comprehends that is $810,000 and an additional $810,000 next year. The other part, and he appreciates this as part of their presentation and their request, they put together what the debt payment would be by the various fire departments or fire districts. It looks to him like it's a reasonable repayment schedule, so, he can't support this.

Ms. Chilson asked Mr. Paddock what he could support.

Chairwoman Church stated that the motion on the floor was for the $810,000 and as Mr. Paddock pointed out, that's not only for one payment. It’s for two payments of $810,000.

Ms. Chilson asked what they could support.

Mr. Bronson stated that he is a little dumbfounded that this year they need this truck, but St. Mark's Terrace has been there longer than he’s been in Penn Yan. Why hasn't the Village planned on this? It seems like the planning hasn't happened here.

Mr. Harper said that they said they have mutual aid contracts with certain towns. Do they have them with all the towns in the county?

The representative stated that they have fire contracts with the towns that they had listed, but they do shared services with the other ones. They don't pay them directly for a portion of their fire budget, but they do respond with the ladder truck if needed. In the village of Dundee, if they needed a ladder truck, their department would respond as mutual aid. They are on call for every
Mr. Harper asked if there would be any locations in the County that they would not respond.

Brian Winslow clarified some things. The ladder truck they have now is 100 feet, same as the truck they are replacing, and it will go to the roof of St. Marks Terrace. It will reach pretty much any building that they have in the County. In reference to mutual aid, each department in this county is on the county Mutual Aid agreement. That ladder truck does provide a service to every township, village, and any municipality in or out of the County through State law.

Ms. Chilson asked if he said it does reach the top floor, because that was not her understanding.

Brian stated that both trucks are 100ft, the old truck and the new truck, there might have been miscommunication with different things. The new truck they are looking at is a different design, this truck would be more versatile.

Mr. Harper stated that the payment is actually not going to be for three more years.

The representative stated that is correct, and that's where they would be flexible as to if the County were to make a commitment. The commitment from the County could be over multiple years. It could be towards, funding a debt payment even, over a longer term period. They are open to being flexible with a commitment from the County, but they wouldn't have to have a payment out, assuming it would be a three year bill time. They wouldn’t expect to receive the truck until July of 2025 and the debt payments would be a year out after that.

Chairwoman Church stated that they wouldn’t put it in this year’s budget.

Ms. Flynn stated that it sounds like they don’t need the payment of $810,000 for 2023.

Mr. Paddock stated that their payment schedule or their email from showed some significant discounts for payment of basically progress payments, the chassis and the aerial device. The amount that they've requested, the $810,000 per year for two years, it takes those in, he believes.

The representative stated that just to clarify, when they sent in this request back in August, they had an estimate of the purchase price, and by the time they got financing in place, the price of the truck had already increased twenty thousand for the chassis and a percentage for the remaining final specs of the truck. So the final purchase price was $1,805,693, and taking into account, the handling fee discounts $28,267, that's where they get to the bottom line purchase price of $1,777,416.

Mr. Paddock stated that the other thing he would remind folks is, if they proceed with this, they will be setting a precedent for every fire district within the county for asking for funding for trucks or equipment of some kind. And they are already talking about supplementing emergency medical services.

Another representative from the Village of Penn Yan asked if they think this is a special needs truck? He means that it is a ladder truck, it's just not a pumper or something like that.
Mr. Paddock stated that they know it's not an ambulance, it's not a not a pumper and it's not a tanker. They are correct, it's different.

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

Mr. Willson moved to add $22,000 to line item A7120.54370 Village of Penn Yan (Boat Launch Dock) -Parks & Recreation, seconded by Mr. Banach.

DISCUSSION:
Mr. Banach stated that enhances everything, that's what they are about, they are about water. They are about recreation, of which he reminded them that the County does very little in regards to recreation. They are on three lakes and they have no county park. He thinks these are the things that as a county, as a legislator, they have to jump into and support.

Ms. Chilson stated that she is wondering if there's any future funding for things like this that could be taken from their other accounts. It is bringing people into the County and putting them on the lake. That's about the only accessible spot, other than the State Park, that they can launch their boats, and the village does do a good job with upkeep of that, making it attractive to the public.

Mrs. Percy stated that they have Severne Point in the town of Starkey, on Seneca Lake.

Ms. Chilson stated that this is Keuka Lake.

Mr. Willson asked who is paying for the dredging in Kimball gully.

A representative for the Village of Penn Yan stated that KLOC, Keuka Lake Outlet Compact, is paying for that.

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

Dr. Cutler moved to add $2,000,000 to line item A7120.54370 Community Center-Parks & Recreation, seconded by Ms. Chilson.

DISCUSSION:
Ms. Chilson stated investing two million into a facility, which is desperately needed in their community, has great support for it, but they have nothing at the table. A permanent board member, accountability, all of that has to be talked about. To approve that amount of money, it is a lot of money, but as investors they have nothing represented with the community center and that concerns her. Especially, with the past history of it, and it has great leadership now, but they want that to continue. She thinks those things need to be worked out.

Chairwoman Church stated that there's been many concerns. For years this has been something that they wanted to have happen, and it just never has come to this point, and maybe it's time that they finally just jump right in and make it happen. It is a big ask and there have been concerns over the years as far as turnover of the board or turnover of management. It is her understanding, that it would still be owned by the Rec. Center.

Mr. Banach stated that they've told them that the city of Canandaigua and other communities around the area have these things, are they publicly supported, or are they supported by a YMCA
going to have a harder time attracting

hours do

growth will not sustain itself

manufacturers

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district utilize it. That's the easy answer, yes, they're already doing it.

Steve

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Brian Cunningham

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push to get it going.

Chairwoman Church asked what the two million affords. She then asked if she was correct in assuming that it gives them the push to be able to get the financing they need for the rest of it.

Brian Cunningham, representing the Yates County Community Center, stated that it allows them to start the project and to borrow the other two million, it is a four million project total. Once the building is built, then they can fund raise as well, to get it going.

Steve stated that the questions he seems to recall hearing the most is will the residents in their district utilize it. That's the easy answer, yes, they're already doing it. There's over 600 members now that belong to the Community Center, and they come from all over the County and outside of the County. They can see from the people that are in the crowd, they come from all over the County, they are willing to lend a hand to make this thing go. The why now, is another question he hears quite a bit. The simple answer is that they are at a different time than they were even five years ago. They are in an absolute battle, a nationwide battle for employees right now. They have heard him say it numerous times, where in the last fifteen years, they started with a change of their strategic direction, the economic development where activity breeds more activity, and since then they have led the nine county region in every economic category. The Department of State has brought in government and economic development leaders from China, Mexico, and Russia to figure out how they are doing what they are doing. The International Economic Development Council (IEDC) said that they are one of the seven highest performing organizations in the world. They are not just leading the nine Counties, they are leading the entire world in economic development efforts and initiatives. What has changed is that their manufacturers, service providers, retailers, and hospital systems cannot find people and that growth will not sustain itself. At some point, they're going to close, they're going to shut their hours down, and they’re doing it now. They close their hours of service, they can't open up, they become leaner, they become more efficient, eventually they leave, and it is only going to get worse. If they don't do it, they are going to be at a significant disadvantage. Their employers are going to be at a significant disadvantage in their attraction and retention efforts. The schools are going to have a harder time attracting young families with school age children. Yates County is
a wonderful place to live if you're from here, they have grown up getting used to going without some of the amenities that a lot of these other communities have. They are fine with driving out of the area to do it, but it's not the way anymore. It's too easy to go other places, and it's why they are seeing people leave this area now. He can't promise that when the Community Center gets built it will stop people from leaving, but he can guarantee it will help in their efforts to stop people from leaving and help attract people there.

Ms. Chilson stated that the other thing she really likes is that they have worked hard on developing their board, bringing people in from businesses to be put on the board, because that's where they are going to have stakeholders investing. The other thing is that they are talking about using their area contractors and people. For the building supplies everything to be purchased locally, which is really the way they should, as a county, do that as well as much as possible. They're setting the example and that she appreciates. The way they have explained the economic development to their county and keeping kids there. There's a lot of things that they are doing right, they are showing them that this is a serious program that wants to move forward.

Mr. Banach stated that one of the things that the legislature is up against is that they have a lot of infrastructure projects that are coming due that they've put off, they keep putting them off, and they're at a point where they are in the middle of getting some of this done. Two million is an awful lot of their budget, it's 12% of their annual budget, maybe a little more, and it’s a lot of money. Mr. Banach asked if one million would give them enough seed money and then they look at it next year, and if things go well, then, maybe they can get their other million or million two or a million three.

Steve stated that they did make sort of two requests. They said, two million this year, or they would take two and a half million over the next two years. He thinks they could make it work if it's over two years, but they sort of need, that commitment that it's coming in the second year. Not as of, see how things go, because they then have to go in their own financial projections. When they go to the bank for financing, they have to be able to show them what their expected costs are, when they know they are getting additional funding, and it would make it too challenging to go to them with a they got some of it, and there's a chance they will get the next. They could do it over two years, if there's a way to guarantee it over the two years.

Mr. Paddock stated that what he remembers from Brian's presentation, is that their timing was to start right after the first of the year and be done by June or July. They needed all of this funding in the first six months of 2023. Their application shows two million from the County, two million from other revenues and YCC funds, which is, community support of some kind from the State?

Steve stated that the other is the financing and the money that the Community Center has currently has gone down a little bit since then.

Mr. Paddock stated that there's a million dollars of in kind services. So it's really a five million dollars project. Correct?

Brian stated that he believes that million that they are speaking of, is a forgiven part from Knapp and Schlappi, Carey’s Lumber, and Penn Yan Plumbing. They are going to basically donate material at cost. So that's where that million dollars I think you're speaking about comes from.
Mr. Paddock asked if they are only going to be borrowing a million dollars.

Steve stated that no, they believe that they are going to need four million dollars after the materials. The local suppliers have discounts that they've offered them.

Mr. Paddock asked if their business model show that this can sustain the day to day operations. It does. He heard that for non-members occasionally every month there would be an open gym, that's free of charge. How many times a month would that occur?

Steve stated that it can be developed a little bit, he is kind of speaking on behalf of Jill here, but in the original programming, they were showing once a week. It was weekly that there would be segments of open time that the community could use it. Not at like 3:00 in the morning.

Mr. Willson stated that he thinks that they do need to move this move along. He would also like to see some contractual arrangement, somebody sitting on the board, whatever that takes to move along. As to funding this now or in the future, it is it's not a very pretty picture over the next four years. If they don't do this now, his grandchildren are going to have grandchildren before this thing gets built, he is in favor of getting it done.

Mr. Harper stated that most Insurance Companies are going to cover some health insurance now, or health memberships now. So, take a look at insurances and see what they are going to pay, because they will pay probably for a membership. So, it may not necessarily be that people have to come up with the fees. Their insurance may already pay for that. He thinks they will find most of the Medicare supplement plans cover that already.

Mr. Holgate stated that he does think this is a great thing. He thinks it's really great for Penn Yan, but he does have a problem with the outlying areas and asking those people to pay for this. Right now, they are trying to give a tax break. Mr. Holgate asked Nonie to plug this in to the budget to see what their tax increase will be if they actually fund this.

Steve stated that the entire county is using it.

Mr. Holgate stated that he is from the Dundee area, and he knows what is going on in Dundee School, and the fact is, those kids are poor. They have to do something to try to help with taxes.

Steve stated that this activity breeds activity. Just the fact that they have gotten this far with the County, has brought additional partners to the table under. There's a current feasibility study going on with Finger Lakes Community Health, they are talking about putting a full service health facility there that would absolutely service everyone in the County. It's a full health center. They have physical therapists that they are talking with, that are looking for how to partner with them. They are going to have talks with the schools, and how they can utilize the facility, fields, and everything there. He keeps gravitating towards the athletic side of this, but it's going to offer things beyond that. It is a large indoor year-round facility that the school districts, including Marcus Whitman, can utilize for various activities, such as robotics clubs. He understands they can't put a community center in every single community, which clearly doesn't work. So this one's here, it's already operating, it's been sustainable for a while as a fitness facility. They are going to enhance it, they are going to enhance their offerings, their services, that will increase their membership increase their reach, increase the amount of things they can
Chairwoman Church asked Mary, from Finger Lakes Community Health, if that is true. Is this something that they are considering putting a clinic there?

Mary Zelazny, CEO of Finger Lakes Community Health, stated that is true, they had talked about that quite a while ago with the Community Center and they just weren't in the right place at the time. The facilities that they currently have in Penn Yan are not adequate because it is their fastest growing Health Center site. They see about five thousand six thousand patients a year and growing, they need more room, and they really would like to be in a place such as the Community Center, because they are both there to try to promote wellness. They would build extra rooms that would accommodate the community, provide telehealth access for all the other people to come in there for all different activities, and educational training rooms. There's so many things that they can do if they are working together. She cannot get people to come to Yates County because they want to know what they are going to do there. It's been so great to hear of all the different things that have started to percolate around Yates County. They need to invest in themselves, so that people will come there and live and work and contribute to their community.

Steve stated that Mary has two hundred and fifty employees now at Finger Lakes Community Health, with thirty current job openings with the need for employees across all skill sets.

Dr. Cutler stated that he just wanted to make a point in response to Mr. Banach’s question, but also to reinforce what Steve was saying. He researched the communities that have community centers, in some cases they're dealing with towns like Henrietta and others that are many times larger than Yates County in terms of population, but all across Western New York. They're all municipally funded. When people come in and use the facility, for a birthday party or a baptism celebration, residents can use it for much, much less than if they tried to do it at other venues. It's very economical, even when there's a fee, where they might rent it, for a few hours or something like that. This is something they have to do for the community. The advantage of this location is that it is kind of central, and it's something that he thinks their community really needs.

Mr. Jayne stated that he lives in Barrington, pretty far away. He used to drive to SNAP fitness or the Community Center to work out, when he first heard about this he thought two million dollars was crazy, but the more they start thinking about it, Yates County is aging, the young professionals are leaving there. He was going to leave and start his business somewhere else, but someone like Steve Griffin and Michael Parr, helped him throughout the entire process, and he stayed, but people his age want to go to the city where there's amenities. He would really like to see this go forward, and he agrees with Ms. Chilson, that maybe they need someone on the board for a little accountability.

Brian stated that when he first started this project, he came to the Community Center and told them what his idea was, about this building, they welcomed him on the board. He was on the board for three weeks, four weeks, roughly, when he realized what the board was doing was completely different than what his expectations were. He is concerned with how are they going to make the construction part work? They're working on all of the events, youth programming things like that. Right now, he actually receives emails from Jill Byrd on a daily basis. So they are always in complete contact with the with the actual Community Center board. On top of that, he and Steve actually helped start funding a committee to help raise more money. He also
came up with a construction committee, so he had invested so much time in his own business, the Funding Committee, and Construction Committee, that he couldn't be on the board, but they are always still in complete contact with them. It's not like the board is separate, then the construction part and the fundraising part, it's all tied in, they are always communicating with one another and moving forward.

Mrs. Percy asked if it would be possible for them to come up with a fundraiser so that they can meet part of the two million dollars, and then the county would manage what they do.

Steve stated that they probably did this a disservice when they described the cost of the facility. Brian and his building committee were able to get one done for four million. The fundraising on this is in a large degree has been going on for quite some time. To be able to get Penn Yan Plumbing, Carey’s, Knapp & Schlappi, Paul Brown, and all these folks to donate whatever it is they're able to do is not insignificant and is real money. It might not be money to the Community Center, but it’s money that the Community Center doesn't have to pay out. They were trying to show how, why, they can make this thing work, and in a way, they did a disservice to how much effort has already gone in as far as the fundraising part of it. Early on they were told to come to them with what they need, and so we broke it all down, they got as bare bones as they could get, and said if the County gives them the two million, they can go. They can get a thirty-five thousand square foot, year round field house, built with two million dollars, that's low.

Mrs. Percy stated that she is in the southern part of the County, and if they go ask somebody about the Community Center, and they probably don't even know what they’re talking about. It's going to be a hard sell.

Steve stated that there's currently people in Mrs. Percy’s district that use it now. He believes Dundee has the second most amount of members at the Community Center. So there's a lot of people using it now from that area and all they are going to do is offer enhanced services and other reasons for them to come in. From a taxpayer perspective, it will return an investment to the County. This will continue to give back, how much they can't calculate just yet. People go to another community for amenities and while they are there, they are going out to eat or purchasing gas, or whatever because it’s there, they are spending money that could have been kept in Yates County.

Mrs. Percy stated that they have a big Mennonite population, will they be able to draw those people in to use this facility?

Brian stated that he actually spoke to some of the Mennonite community, and one of them is right next door. They're actually great to work with for the community board, they're in really good financial standing to help out, and they're very interested. For example, the turf field, they want to play ultimate Frisbee, they want them to put in a softball field, and they wanted them to put basketball courts in. That’s what they're telling them that they want, they live right next door, and they also mentioned about fifty people would become members from their organization right next door.

Steve stated that in the County's own comprehensive plan, there's a section that calls out one of the strategic parameters is to invest in cultural and recreational facilities. When it was put in
there, he doesn’t know if they knew how much was going to be requested, but it's in there. They are not necessarily asking for something that hasn't been previously thought of. He talked to the board, if it takes putting a county legislator or someone on the board, he’s sure they could probably work something like that out. Right now, it's a one-time request, they aren’t planning on having to come back.

Mr. Willson stated that a friend of his had a motorcycle accident a couple of months ago and ended up in Sayre and was basically trapped there trying to find physical therapy as he begins to migrate home. He just wanted to point that out that this also reaches out to the older people, the people who need physical therapy.

Mr. Willson made a motion, to modify Dr. Cutler’s motion, to make it subject to a successful Contract between Yates County and the Community Center.

Mr. Bronson stated that he is still waiting to hear Ms. Flynn’s answer.

Ms. Flynn stated that if they increase the budget by two million, it would bring the levy up to seventeen million nine hundred and twenty-two thousand. That is an 8.49% increase over last year's levy, but also that puts them over the tax cap, so they would have to use some of the unassigned general fund to get them under the tax cap, at least three hundred thousand. The tax rate would be 5.58 cents per thousand, it is at 5.51 cents per thousand now, so it would be an increase of about 7 cents per thousand.

Chairwoman Church stated that they were going to give a tax cut in the budget to residents.

Mr. Paddock stated that they still can, it doesn't have to come from tax levy. They can continue to take from the general fund balance.

Ms. Flynn stated that if they took the full amount from unassigned fund balance, they would still be reducing the levy over the 2022 levy about six hundred thousand, a reduction of 3.6%, and the tax rate would go from 5.51 cents per thousand to 4.96 cents per thousand, and it's still a 10% reduction in the tax rate. Their proposed unassigned general fund balance right now, is at fifteen million, and with the added sales tax revenue and the reduction in some of the DSS and Community College expenditures, she is projecting their unassigned fund balance will be right around nineteen million. So if they took two million from the unassigned general fund balance, it would put it at about seventeen million.

Mr. Paddock stated that the additional three million would put it at fourteen million, which is within their target. It could all be done with fund balance, he’s not saying that's the right way to do it, but he’s saying it could be done with fund balance. Mr. Paddock stated that he applauds the efforts of the folks that have worked on this, it’s been well assembled, and a lot of effort on the community. He would agree with the Board member, and also, if one of their department heads came to them and asked for this, they'd probably be sent packing. A thirty-five thousand square foot building, built for four million dollars is less than one hundred and fifteen dollars a square foot, the amount that the county would be contributing would be less than fifty-five dollars per square foot. Try to build something anywhere today for that, now is the right time to do it.
Chairwoman Church stated that as long as it's a focus on public health and community services, which goes along with their highway facility. It's also a focus on public health and community services with the EMS.

Mr. Paddock stated that if they do this this year, they are going to have to be very cognizant of what they do in the future, because their fund balance will not be able to support this two years in a row.

Ms. Chilson stated that because there's health care in the facility itself, is there any grant available from Covid relief funding?

Steve stated that he is not entirely too sure of, but by pulling in some health care partners, it opens up a whole other level of grant opportunities. That’s where they could start to see some definite cost sharing, like maybe the Community Health Building builds an extra-large parking lot that can be used by the Community Center members. They might start to see a shift on where some of the facility expansion goes, but it starts to open up those different avenues.

Mrs. Percy stated that the Mennonite population has many skills and carpentry, and that, are they going to be asked to help build this building?

Brian stated that yes, the Mennonites would build the outside structure of the building. It’s going to be a pole barn style structure on the outside, and that's why they can do it for four million, and that ten million that Steve spoke of instead of a steel building. It's going to be a wooden building, but they would also utilize the facility as well. That’s why he asked them to help build this. A lot of them donate their time to this.

Mr. Button stated that sixty percent of the twenty million for the highway building. He took to two thousand five hundred to two million five hundred thousand to complete their broadband project in the future. He has heard seven hundred and fifty thousand for the ambulance, two hundred and fifty thousand left, possibly, communications three point five million. He used it roughly for the public safety upgrades, that comes to twenty-seven million dollars if they could figure out, it's a no brainer here, if they could tweak each one of these ten, they have their two million dollars and get it done. He thinks they have the opportunity to possibly look at these a little closer. So he is willing to support this, if the legislature is willing to look at these other needs. These other things are needs, they would affect everybody every day as they talked about. So if they’re willing to do these, they can do what they need without a problem.

Mr. Paddock proposed an amendment that the funds come from general fun, unassigned balance; that a person from the legislature, or appointed by the legislature be assigned to the Board of Directors as a voting member, equal to anybody else on the board. The County Attorney has already deemed that a contract would have to be in place.

Ms. Flynn stated that if they have a member on the board, she will have to check with their auditors to make sure the Community Center wouldn't be considered a component unit of the county, because they don't want that. So maybe that could be something that could be or could not be in the contract, she doesn’t think they want it in the resolution.
Mr. Paddock stated that he will take that part out. So the changes are that funding comes from unassigned fund balance.

Mr. Paddock moved to amend the original motion, by adding that the $2,000,000 to line item A7120.54370 Community Center-Parks & Recreation comes from the General Unassigned fund, seconded by Mr. Morris.

VOTE: Unanimous
Original motion as amended-VOTE: Unanimous

Mr. Harper made a motion to approve the full $4,000 ($3,500 + $500 that was already in the proposed budget) for the Yates County History Center A7450, seconded by Ms. Chilson.

DISCUSSION:
Ms. Chilson stated that they have outfits, costumes, that they may be able to utilize as a legislature when the resolution needs to be presented in February, so more to come on that. She has been at the History Center and they have artifacts that are all becoming old and fragile and they need to be preserved.

VOTE: Unanimous

Mr. Paddock made a motion to put an additional $5,000 in the contingent fund, for use by the Yates County Arts Council, should the chair and administrator figure out a way, with the county attorney, for an appropriate purpose, seconded by Mr. Willson.

DISCUSSION:
Ms. Chilson stated that she just thinks there are ways that they can do this digital marketing without hiring a consultant. There are businesses all over that are doing that, and she’s given three options; the library, Keuka College, and Finger Lakes Community College. They could even reach out to the school, to the Arts Center in the school, and see if they can get students that can volunteer.

A representative from the Yates County Arts Council stated that they have tried all of those. They want to reach the County as a whole.

Mr. Paddock stated it's a motion to increase the contingent account, and an assignment to the Chair, Ms. Flynn, and the County Attorney.

Ms. Flynn stated that the County Attorney said no. They tried to find ways to make it work, he said no.

Chairwoman Church stated that he did say no, he does not recommend.

Dr. Cutler asked if it is a no, with no way to turn it into a yes.

Ms. Flynn stated that he said no for a number of reasons, no legitimate public purpose, it’s helping a retail store. They tried to make it work, he said no.

Chairwoman Church said he felt that it was helping a retail business.

Dr. Cutler stated that no, is no, with no way to turn it into a yes.
Mr. Harper stated that the pottery classes are not taught at the retail store, they are taught out at Sunny Point on Keuka Lake.

Ms. Flynn stated that there is a fee for that and the Community Center has free open gym. They did try.

Mr. Harper asked if the Arts Council has anything for people that can’t pay, that they will cover the costs.

The representative stated that they have an art gallery that is open to anyone free of charge at all times. The Keuka Arts Festival is the big one, that doesn’t cost anybody anything and it brings in eight to ten thousand people.

Chairwoman Church asked why they are not asking for funding for that event through the tourism advisory.

The representative stated that they have, they have been told that they funded it before, and they’re not going to fund it again. They did give them money a couple of years ago, so they could buy signage. She is a little confused, because not often, but they have gotten money from the County before to support their operations. Three thousand dollars two or three years ago, she can change it to say to support their operations. Supporting their operations is reaching out to the County more effectively, and they have been looking for ways to do that and have not been as successful as they’d like. They do a lot of fundraising, and because they are a 501C3 and people from out of the area say, why should they put money into supporting the organization when their own county doesn't support it. So that's a concern to her, because she’s the fundraiser.

Chairwoman Church stated that she wouldn't say they don't support it as many of them have attended workshops.

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

Mr. Holgate made a motion to put $100,000 into Contingent from the General Fund, seconded by Mr. Paddock.

DISCUSSION:

Mr. Harper stated that they are assuming the administrator and Budget officer is going to stay with the same person. He would think they would want that person there for the next budget at least.

Ms. Flynn stated that this last year, when she was doing the budget, she really documented every single line item in the budget. If she were to ever die, they want that binder because someone could grab the two binders and someone with good accounting experience could use them to figure out how to do the budget.

Mr. Harper stated that there's a lot of things that are behind the scenes that she knows. It's not going to be the same and he would say they should plan on at least having someone in place when they start the budget process.
Mr. Bronson stated or before, he thinks they should have someone there six months. It’s not just someone understanding the budget process, it is understanding every different office and it's a huge load to understand what every office does and the regulations from Albany for every office. He went from assistant principal to principal and the first five or six months, it was a major change, for himself. He had to go in on weekends, and say nights extra hours to get a job done. Ms. Flynn is the County Administrator, dealing with fourteen or fifteen different types of offices and Albany, he was dealing with one. Plus, it's the relationship, they want Ms. Flynn to help the person build relationships with their department heads and their staff so that they hit the ground running. They can't afford to wait.

Dr. Cutler stated that they've got to look at this thing, multi dimensionally, it's not just the good accounting skills. They have got to build relationships with the department managers, understand them, but he also wants to remind people around the room how difficult it was five or six years ago, when they were trying to externally find a good candidate. It isn’t easy, and they thought they were doing right, and they weren't. They we're very lucky to get Ms. Flynn, but they can't rely on luck. It is going to be hard work, to be able to have a successor.

Ms. Flynn stated that she didn’t apply for the job and it's not an easy job. The person in the position is open to a lot of criticism that sometimes is undeserved.

Chairwoman Church said and unwarranted.

Brian Winslow, Director of Emergency Services, stated that the relationship that Ms. Flynn has with the Department Heads is important and she has done a great job.

VOTE: Unanimous

RESOLUTION NO. 422-22

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

DISCUSSION:
There was discussion about changing the date, but it was ultimately decided that the date and time would remain unchanged.

ADOPT TENTATIVE BUDGET

WHEREAS, the Finance Committee recommends for adoption the Tentative Budget for the year 2023 as filed by the Budget Officer, and as modified and revised by the Legislature;

NOW, THEREFORE, BE IT RESOLVED, that the Legislature hereby adopts the Tentative Budget, and sets the date of the Budget Public Hearing for November 17, 2022 at 6:00 p.m. in the Legislative Chambers; and be it further

RESOLVED, that a copy of this resolution be given to the Budget Officer and County Departments.

VOTE: Unanimous

Meeting adjourned at 3:56 p.m.