The Yates County Legislature convened in regular session Monday, November 8, 2021 at 1:00 p.m. with Chairman Paddock presiding.

Chairman Paddock observed a moment of silence for the recent deaths of former Legislator Elden Morrison and Chief Dispatcher, Sandra Smith.

Sara Christensen, Director of Public Health, updated the Legislature regarding COVID-19. Over the weekend there were 19 new cases bringing the total case count to 1,870. There are currently 45 active cases, 145 individuals in isolation/quarantine, 2 hospitalized, 1,977 individuals recovered, and 28 deaths. As of today the CDC Transmission Level still remains high in the red. The 7 day average positivity rate is 6.33%. The vaccine booster clinics have been very busy over the last 2 weeks and over 500 boosters have been administered. November 15th will be the first vaccination clinic for children ages 5-11. An additional vaccination clinic for children ages 5-11 will be held on November 22nd at the Gordman’s building.

Mr. Holgate asked if at the clinics they are seeing people coming in for the first dose of the vaccine.

Sara stated that over the last two weeks it has been primarily boosters, but they are seeing some individuals come in for their first dose. Probably less than 10 individuals at each clinic come for the first dose. When asked why they are getting their first dose now many of the individuals respond that they have had a personal connection to someone that was diagnosed with COVID recently. The 12-17 year old group is the main target right now for the vaccines.

Chairman Paddock stated that the fully vaccinated percentage is inching up, it was 47.8 and now it’s 48.3.

Ms. Chilson asked if children are included in the fully vaccinated percentage.

Sara stated yes, children 0 and up are included. That is why we look at the breakdowns of 12 and up and 18 and up to get an overall sense of the vaccination rates.

Marla Hedworth representing Laurentide Inn presented the Tourism Advisory Committee (TAC) recommendations.

Marla reported there were 14 total submissions. Through their review process they have selected 6 projects they would like to grant allocations for that total $297,207. These projects include:

<table>
<thead>
<tr>
<th>Project</th>
<th>Requested: $</th>
<th>Recommended: $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finger Lakes Museum (Playground)</td>
<td>24,000</td>
<td>17,288</td>
</tr>
<tr>
<td>Friends of the Outlet Trail (Campsite)</td>
<td>24,250</td>
<td>20,962</td>
</tr>
<tr>
<td>Dundee Historical Society (Reenactment)</td>
<td>1,700</td>
<td>1,472</td>
</tr>
<tr>
<td>Finger Lakes Tourism Alliance</td>
<td>22,860</td>
<td>19,761</td>
</tr>
<tr>
<td>Finger Lakes Wine Country</td>
<td>70,000</td>
<td>60,511</td>
</tr>
<tr>
<td>Chamber of Commerce-TPA</td>
<td>205,000</td>
<td>177,213</td>
</tr>
</tbody>
</table>

Mr. Button wondered if the need for the Finger Lakes Museum Playground was because the one by the library in Branchport was getting too crowded.

Marla stated she hadn’t heard anything about the playground in Branchport. This is to add to the experience of the Finger Lakes Museum with an interactive playground.
Ms. Flynn stated it is a different type of playground.

Mr. Willson expressed concern with all the awardees being able to complete their projects with the amount of funds allocated.

Marla stated that one of the considerations when going through the applications is how much funds the applicant is putting in themselves.

Mr. Holgate stated that it seems like less and less of the smaller applicants are being selected. The main goal of this is to bring more people into the area.

Marla stated they did try to advertise as much as possible on different platforms.

Chairman Paddock stated that the Tourism Advisory Committee had quite an effort to sort these out as all 14 applications had merit.

Ms. Chilson stated that winter time seems to be a really difficult time for the community. Is there a way to use this grant to bring more tourism in during the winter time?

Marla stated that none of the applications were particularly geared towards winter.

Ms. Chilson wondered if there is a way to make that a priority for the Tourism Advisory Committee allocations.

Marla stated that the application is broken down into 7 different criteria’s and off season and winter activities was one of the criteria’s. There weren’t any winter related projects.

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

<table>
<thead>
<tr>
<th>Committee</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>Airport Fund</td>
<td>$ 59,136.10</td>
</tr>
<tr>
<td>Finance</td>
<td>$ 350,116.47</td>
</tr>
<tr>
<td>Flint Creek</td>
<td>$ 0</td>
</tr>
<tr>
<td>Government Operations</td>
<td>$ 48,526.31</td>
</tr>
<tr>
<td>Human Services</td>
<td>$ 642,389.39</td>
</tr>
<tr>
<td>Prior to Audit</td>
<td>$ 66,302.86</td>
</tr>
<tr>
<td>Public Safety</td>
<td>$ 72,023.95</td>
</tr>
<tr>
<td>Public Works</td>
<td>$ 122,910.66</td>
</tr>
<tr>
<td>Total</td>
<td>$ 1,361,405.74</td>
</tr>
</tbody>
</table>

COMMITTEE REPORTS

Mr. Button reported Flint Creek has reached out to farmers. Torrey has had some significant damage on their onions and Tomion’s had a loss of carrots. There were other financial losses and the farmers will be doing a lot of work through the winter and spring to continue to keep the drainage open.

Mr. Cutler congratulated all of his colleagues that were reelected. Thank you to the two retiring Legislators. Congratulations to the two newly elected Legislators.

Mr. Killen reported that they are still working on the plan for Employee Recognition.

Ms. Chilson reported that she attended the Village of Penn Yan meeting on the marijuana dispensary. The Village is leaning towards opting in. Ms. Chilson attended the unveiling of the monument for the
Sampson Theater. It is exciting to see this historical building come alive, and have development growth, and plans for the future.

Mrs. Church commended Public Health for the clinics they are holding. They are so well organized and go along smoothly.

Mr. Banach reported attending the Finger Lakes Wildlife Management Board Meeting. There are 280 Conservation Officers in New York State and in 2020 they received 29,673 calls. There were 11,952 tickets written. The top reasons for tickets written were deer poaching, solid waste dumping, illegal mining, black market pet trading, and excessive emissions.

Ms. Flynn reminded everyone that the Public Hearing on the 2022 budget is November 18th at 6:00 p.m. in the Legislative Chambers.

PUBLIC COMMENT
Joy Shank stated that the COVID vaccine mandates need to be looked at very carefully. This shot has not been out for a full year. For children there is a 99.9% recovery from COVID. We do not know the long term side effects and to mandate that children be given a shot that we don’t know anything about is unbelievable. In the beginning if you got the vaccine you wouldn’t get COVID and now they say you just have less symptoms. Ms. Shank also stated we should be a Constitutional County and follow the Constitution. The more we can combine together the greater voice we will have in New York State. We also need to look at voting fraud and the voting machines.

Arlene Wilson stated that Cornell Cooperative Extension will be having their annual meeting via Zoom on December 9th at 6:30 p.m. and all are cordially invited.

RESOLUTION NO. 393-21

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

AUTHORIZE SHERIFF AND CHAIRMAN TO SIGN 2022 MOU WITH BEVERLY ANIMAL SHELTER

BE IT RESOLVED, that upon the approval of the County Attorney, the Sheriff and Chairman of the Legislature are hereby authorized to sign an MOU for group cremation at $1.50/200 pounds, $1.75/less than 200 pounds with Beverly Animal Shelter in Waterloo, NY for the 2022 year; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff and Treasurer.
VOTE: Unanimous

RESOLUTION NO. 394-21

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

AUTHORIZE SHERIFF AND CHAIRMAN TO SIGN 2022 RENEWAL EQUITABLE SHARING AGREEMENT

WHEREAS, existing contractual agreements have been in place for several years and in the event of forfeiture funds sharing should there be a qualifying criminal prosecuted case therein requires a sharing agreement of criminal proceeds in place with the USDOJ and the US Dept. of Treasury;
NOW, THEREFORE, BE IT RESOLVED, that the Chairman and Sheriff are authorized to sign the agreement; and be it further

RESOLVED, that a copy of this resolution be provided the District Attorney, Treasurer and Sheriff.

VOTE: Unanimous

RESOLUTION NO. 395-21

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

DISCUSSION:
Mr. Button questioned if this will be the same as last year with no increase.

Chairman Paddock stated that is correct.

AUTHORIZE CHAIRMAN TO RENEW MOU WITH FINGER LAKES RADIO GROUP

WHEREAS, Resolution 208-17 established a sub-lease MOU for 2017-18 on our tower shelter building that now requires renewal for the MOU with the Finger Lakes Radio Group (FLRG) for annual payment of $365 by FLRG to the County for use of the outside of communications building;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney the Sheriff and the Chairman are hereby authorized to sign a renewal MOU for 2021-22 with the Finger Lakes Radio Group (FLRG) for annual payment by FLRG to the County for use of the outside of communications building for equipment attachment at the Italy tower site; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 396-21

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

AUTHORIZE CHAIRMAN AND SHERIFF TO SIGN MOU DOG POUND & RELATED SERVICES AGREEMENT FOR 2022 WITH HUMANE SOCIETY OF YATES CO.

BE IT RESOLVED, that upon the approval of the County Attorney, the Sheriff and the Chairman of the Legislature are hereby authorized to sign the 2022 agreement with the Humane Society of Yates County for the following: Monthly Lease $325.00, Monthly Utility Costs $200.00 and Monthly Labor costs $1,035.00; and be it further

RESOLVED, that a copy of this resolution be provided to the Sheriff, Treasurer, Budget Officer, and the Humane Society of Yates County Administration.

VOTE: Unanimous

RESOLUTION NO. 397-21

Mr. Cutler offered the following resolution and moved its adoption, seconded by Mrs. Percy.
AUTHORIZE SHERIFF AND CHAIRMAN TO SIGN INTER-MUNICIPAL DOG CONTROL 2022 AGREEMENTS WITH TOWNS

BE IT RESOLVED, that upon the approval of the County Attorney, the Sheriff and Chairman are hereby authorized to sign dog control services agreements for 2022 with the Towns of Barrington, Benton, Italy, Jerusalem, Middlesex, Milo, Potter, Starkey and Torrey; and be it further

RESOLVED, that a copy of this agreement be provided to the Sheriff.

VOTE: Unanimous

RESOLUTION NO. 398-21

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

AUTHORIZE 2022 AGREEMENT WITH PENN YAN AREA VOL. AMBULANCE CORPS FOR INMATE MEDICAL TRANSPORTATION

BE IT RESOLVED, that upon the approval of the County Attorney, the Sheriff and Vice-Chairman are hereby authorized to execute an agreement for the year 2022 with the Penn Yan Area Volunteer Ambulance Corps for transportation costs for an inmate with medical needs of hospitalization at a cost of $300 plus $12 fuel charge from the jail to Soldiers and Sailors Memorial Hospital, and that insurances are herein waived; and be it further

RESOLVED, that the Sheriff be provided a copy of this resolution.

VOTE: Unanimous, with Paddock & Harper abstaining.

RESOLUTION NO. 399-21

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

AUTHORIZE SHERIFF AND CHAIRMAN TO SIGN MOU WITH SAFE HARBORS OF THE FINGER LAKES (2022)

WHEREAS, the Sheriff has the opportunity to use the services of a Victim Services Specialist assigned to the Public Safety Building from Safe Harbors of the Finger Lakes at no cost, to address and advocate for victims of domestic violence or related miscellaneous crime issues wherein the case did not reach the level of the District Attorney’s victims’ advocacy;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Sheriff and Chairman are hereby authorized to execute an MOU agreement with Safe Harbors of the Finger Lakes for the period 1/1/2022 through 12/31/2022; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff.

VOTE: Unanimous

RESOLUTION NO. 400-21

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

AUTHORIZE 2022 STOP DWI SERVICES AGREEMENT WITH FLACRA
BE IT RESOLVED, that upon the approval of the County Attorney, the Sheriff and Chairman are hereby authorized to sign a renewal contract with Finger Lakes Addictions and Counseling Referral Agency for the year 2022 for rehabilitative and counseling services for DWI related offenders at $7,800; and be it further

RESOLVED, that a copy of this resolution be provided to the Sheriff/STOP-DWI.
VOTE: Unanimous

RESOLUTION NO. 401-21

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

MODIFY PUBLIC SAFETY COMMUNICATIONS PROJECT TO INCLUDE REPLACEMENT/ POTENTIAL REPLACEMENT OF EMERGENCY COMMUNICATIONS TOWERS IN THE TOWN OF JERUSALEM AND VILLAGE OF PENN YAN

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

WHEREAS, as a result of the study and Report, the County desires to install a new public safety communications system which shall include the construction of two (2) new emergency communication towers to be located in the Towns of Barrington and Italy and the potential construction of a tower in Benton (the “Project”); and

WHEREAS, by Resolution No. 277-21 dated August 9, 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

WHEREAS, since adoption of Resolution No. 277-21, the County has determined that the Project should be modified to also include the replacement or potential replacement of existing emergency communication towers located in the Town of Jerusalem and the Village of Penn Yan (the Project as modified is referred to herein as the “Project”); and

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

WHEREAS, the Project will include, in relevant part, the acquisition of real property interests, the design and construction and/or replacement of emergency communication towers, 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 Towns of Barrington, Italy, Benton, Jerusalem and the Village of Penn Yan 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
WHEREAS, the County continues to desire (i) to classify the type of action for which the Project qualifies under SEQRA, (ii) to serve as lead agency for the SEQRA review, and (iii) in furtherance of the foregoing, to engage in a coordinated review and provide Part 1 of the Full Environmental Assessment Form (“FEAF”) to other interested and involved agencies for their review and comment.

NOW, THEREFORE, BE IT RESOLVED, that the County restates and ratifies all actions and determinations made with respect to the Project set forth in Resolution No. 277-21, and expressly extends such actions and determinations as set forth below for the Project as modified to include the replacement or potential replacement of existing emergency communication towers located in the Town of Jerusalem and the Village of Penn Yan; 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 Project’s environmental review and preliminarily classifies the Project as a Type “I” Action under SEQRA; and be it further

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

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

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

RESOLVED, that the County anticipates that any local approvals for the Project 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 Management, Highway Superintendent, Administrator, Planner, the Towns of Barrington, Italy, Benton, Jerusalem and the Village of Penn Yan, Eric Kenna of C & S Engineers and Robert Tyson of Bond Schoeneck and King Attorneys.

VOTE: Unanimous

RESOLUTION NO. 402-21

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

AUTHORIZE CHAIRMAN TO SIGN MEMORANDUMS OF UNDERSTANDING BETWEEN OFFICE OF EMERGENCY SERVICES, YATES COUNTY FIRE DEPARTMENTS AND AMBULANCE CORPS

WHEREAS, the Continuing Medical Education (CME) recertification program is a vital component to the recertification and retention of volunteer Emergency Medical Service (EMS) Providers, and requires the signature of a New York State Certified Instructor Coordinator; and
WHEREAS, it is recommended by the New York State Bureau of EMS that the Office of Yates County Emergency Services enter into an agreement with participating departments/agencies in order to utilize and be billed for the services of Certified Instructor Coordinators contracted by Yates County for the purpose of signing recertification packets for EMS providers; and

WHEREAS, participating departments/agencies may seek reimbursement from the New York State Bureau of EMS for the cost of services, due to the certification requirements; and

WHEREAS, the Office of Yates County Emergency Services currently contracts with the New York State Certified Instructor Coordinators for the purpose of instructing EMS classes for certifications, and therefore they have agreed to fulfill the additional obligations until the signing of a new and updated contract; and

WHEREAS, the Office of Yates County Emergency Services has drafted a Memorandum of Understanding to provide the above services that has been approved by the New York State Bureau of EMS Education Department that will be utilized by each department/agency within Yates County, unless they have currently entered into a different agreement with another Certified Instructor Coordinator or Agency providing like services; and

WHEREAS, the Office of Yates County Emergency Services has requested authorization to enter into Memorandums of Understanding with Bellona Fire Department, Benton Fire Department, Branchport Keuka Park Fire Department, Dresden Fire Department, Dundee Fire Department and Emergency Squad, Himrod Fire Department, Middlesex Fire Department, Middlesex Valley Volunteer Ambulance Service, Penn Yan Fire Department, Penn Yan Area Volunteer Ambulance Corps, Potter Fire Department, Rushville Fire Department, and Yates County Advanced Life Support to collect the funds for services rendered by the contracted New York State Certified Instructor Coordinators as listed in the Memorandum of Understanding;

NOW THEREFORE, BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign said Memorandums of Understanding to be effective retroactive to October 1, 2021 and be it further

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

VOTE: Unanimous, with Harper abstaining.

RESOLUTION NO. 403-21

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

AUTHORIZE I.T. DIRECTOR TO PURCHASE SOPHOS CENTRAL MTR STANDARD SUPPORT
(Layer 3 Technologies - Rochester, NY)

WHEREAS, I.T. has identified a solution to further increase the county security platform by adding the Sophos Central (Managed Threat Response) MTR Standard support service to our existing platform to increase protection and response time to possible threats 24/7; and

WHEREAS, I.T. has vetted the solution and recommends moving forward with the purchase of the Sophos Central MTR add-on service to our current Sophos products, which will run concurrent with the services currently provided through March 15, 2024 at a cost of $21,000.00 for the remaining 29 months;
NOW, THEREFORE, BE IT RESOLVED, that the Director of I.T. is authorized to purchase
the Sophos Central MTR Standard support services from Layer 3 Technologies at a cost not to exceed $21,000.00; and be it further

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

RESOLUTION NO. 404-21

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

AMEND RESOLUTION 10-21
ADOPT 2021 NON-UNION NON-EXEMPT EMPLOYEE WAGE SCHEDULE

WHEREAS, Resolution 10-21 was duly adopted on January 11, 2021 which amended the 2021 Non-Union Non-Exempt Employee Wage Schedule; and

WHEREAS, the resolution is in need of additional amendments;

NOW, THEREFORE, BE IT RESOLVED, that effective November 15, 2021, “Clerk (Historian/Records Management Officer/Sheriff)…$15.24” be amended as follows “Clerk (Sheriff)…$15.24”; and be it further

RESOLVED, “Clerk (Historian/Records Management)…$19.23” be added after “Clerk (Sheriff)”; and be it further

RESOLVED, that copies of this resolution be given to the Personnel Officer, County Administrator and County Treasurer.
VOTE: Unanimous, with Harper abstaining.

RESOLUTION NO. 405-21

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

AMEND RESOLUTION 449-20 ADOPT 2021 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE

WHEREAS, Resolution 449-20 was duly adopted on December 14, 2020 which adopted the 2021 Non-Union Exempt Employee Salary Schedule; and

WHEREAS, the resolution is in need of additional amendments;

NOW, THEREFORE, BE IT RESOLVED, that effective November 15, 2021 the salary schedule shall be amended as follows;

- County Planner $60,462
- Assistant Public Defender $20,000
- Assistant Public Defender - Upstate Quality Improvement and Caseload Reduction Grant Add-On $65,000

And be it further
RESOLVED, that copies of this resolution be given to the Personnel Officer, County Administrator and County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 406-21

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

AUTHORIZE PUBLIC DEFENDER TO CREATE AND FILL FULL-TIME ASSISTANT PUBLIC DEFENDER POSITION

WHEREAS, the Public Defender through the position review process has identified the need to create and fill a full-time Assistant Public Defender position in order to allow for adequate staffing and to alleviate the strenuous and unsustainable caseload currently being demanded of the Public Defender’s Office employees; and

WHEREAS, the estimated annual cost to fill the position, including fringe, is $107,389 to $130,302, depending on health insurance; the County receives reimbursement from the Upstate Quality Improvement and Caseload Reduction Grant at a rate not to exceed $92,950 for salary and fringe, and therefore, the estimated cost to fill the position shall not exceed $37,352;

NOW, THEREFORE, BE IT RESOLVED, effective November 8, 2021 the Public Defender is hereby authorized to create and fill a full-time Assistant Public Defender position; and be it further RESOLVED, that copies of this resolution be given to the Public Defender, Personnel Officer, County Administrator, and County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 407-21

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

AUTHORIZE CHAIRMAN TO SIGN AMENDMENT TO ADMINISTRATIVE SERVICES CONTRACT WITH EXCELLUS HEALTH PLAN, INC., D/B/A UNIVERA HEALTHCARE FOR PLAN ADMINISTRATION OF THE YATES COUNTY MEDICAL PLAN

BE IT RESOLVED, that, contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign an amendment to the administrative services contract between Excellus Health Plan, Inc., d/b/a Univera Healthcare and Yates County concerning the Yates County Medical Plan and specifically, the SaveonSP Program for specialty drug copay assistance; and be it further

RESOLVED, that a copy of this resolution be provided to Excellus Health Plan, Inc., d/b/a Univera Healthcare, Relph Benefit Advisors an Alera Group Company, the Personnel Officer, County Administrator and County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 408-21

Mr. Bronson offered the following resolution and moved its adoption, seconded by Ms. Chilson.
APPOINT DIRECTOR OF PUBLIC HEALTH

RESOLVED, that Sara L. Christensen is hereby appointed provisionally to the position of Director of Public Health, effective November 1, 2021 for a term to expire October 31, 2023; and be it further

RESOLVED, that her compensation for Director of Public Health be made retroactive to October 5, 2021; and be it further

RESOLVED, that copies of this resolution be given to Ms. Christensen, the Personnel Officer, County Administrator and County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 409-21

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

AMEND RESOLUTION 214-21
GRANT UNPAID MILITARY LEAVE OF ABSENCE
(SCHAFER)

WHEREAS, Resolution 214-21 was duly adopted on June 14, 2021 which granted Corrections Officer Mason Schafer an unpaid military leave of absence from July 25 to November 16; and

WHEREAS, the resolution is in need of being amended to extend the leave of absence as in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA); Mr. Schafer has fourteen (14) days from the time his training ends on November 16 to return to work;

NOW, THEREFORE, BE IT RESOLVED, that in the fourth paragraph “…for a time period not to exceed November 18, 2021” be changed to “…for a time period not to exceed November 30, 2021”; and be it further

RESOLVED, that copies of this Resolution be given to Mr. Schafer, the Sheriff, Personnel Officer, County Administrator and County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 410-21

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

AUTHORIZE CONTRACT RENEWALS WITH THE FOLLOWING AGENCIES/PERSONS:

WHEREAS, Yates County Community Services wishes to renew their agreements with the following agencies/persons; and

WHEREAS, the term of these agreements is January 1, 2022 through December 31, 2022;

NOW, THEREFORE BE IT RESOLVED, that upon approval by the County Attorney, the Chairman of the Yates County Legislature and Director of Community Services are hereby authorized to sign renewal Agreements with the following agencies/persons:
<table>
<thead>
<tr>
<th>NAME</th>
<th>SERVICE</th>
<th>RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mozaic Chapter NYSARC, Inc</td>
<td>School Based Counselor</td>
<td>$5,000</td>
</tr>
<tr>
<td>Mozaic Chapter NYSARC, Inc</td>
<td>Integrated Support Employment Program</td>
<td>$80,473</td>
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<tr>
<td>AspireHopeNY</td>
<td>Family Support</td>
<td>$50,719</td>
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<td>Big Brothers/ Big Sisters</td>
<td>Mentoring &amp; Advocacy Services</td>
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<td>Catholic Charities-</td>
<td>Home Based Intervention</td>
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<td>Steuben/Kinship Family and Youth Services</td>
<td>Recreational Program</td>
<td>$39,178</td>
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<td>Council on Addiction of the Finger Lakes</td>
<td>Community Based &amp; School Based Prevention &amp; Education</td>
<td>$244,644</td>
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<td>Dundee Central School District</td>
<td>Advocacy Services to Students</td>
<td>$46,608</td>
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<tr>
<td>Finger Lakes Area Counseling &amp;</td>
<td>Addiction Treatment Services</td>
<td>$149,544</td>
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<tr>
<td>Recovery Agency</td>
<td>Fiscal Consultant</td>
<td>$82/hour</td>
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<tr>
<td>Roberta Fisher</td>
<td>Psychological Consultation Services</td>
<td>$125/hour</td>
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<tr>
<td>Richard Hoyt, PhD</td>
<td>Outreach</td>
<td>$110,044</td>
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<td>Adult SPOA</td>
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<td>Residential</td>
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<td>Drop In Center</td>
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<td>Psychosocial Club</td>
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<td>System of Care</td>
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<td>Total</td>
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<tr>
<td>Mark Reynolds, PhD</td>
<td>Psychological Consultation Services</td>
<td>$125/hour</td>
</tr>
<tr>
<td>Safe Harbors of the Finger Lakes</td>
<td>Advocacy Services for At Risk Youth</td>
<td>$16,905</td>
</tr>
<tr>
<td>Sexual Behaviors Outreach Consultants</td>
<td>Individual and Group Treatment</td>
<td>$200/Group as needed and $200/assessment Not to exceed $5,000</td>
</tr>
</tbody>
</table>
And be it further

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

RESOLUTION NO. 411-21

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

AUTHORIZE CHAIRMAN TO SIGN PURCHASE AGREEMENT WITH ABBOTT RAPID DX NORTH AMERICA, LLC

WHEREAS, Yates County Public Health is desirous of entering into an agreement with Abbott Rapid DX North America, LLC to lease an ID-NOW COVID-19 Testing equipment; and

WHEREAS, the cost of such equipment is 100% funded through the ELC School Funding Grant;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is authorized to enter into a contract with Abbott Rapid DX North America, LLC to lease an ID-NOW COVID-19 Testing equipment; and be it further

RESOLVED, that said contract will run one year from commencing on the effective date for an amount not exceeding $21,313; and be it further

RESOLVED, that copies of this resolution be provided to the Public Health Department and the County Treasurer.
VOTE: Unanimous

RESOLUTION NO. 412-21

Mrs. Church offered the following resolution and moved its adoption, seconded by Mrs. Percy.
RESOLUTION NO. 413-21

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

AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH PENN YAN CENTRAL SCHOOL DISTRICT

WHEREAS, Yates County Public Health wishes to enter into an agreement with Penn Yan Central School District for screening testing for COVID-19 as it is outlined in the Yates County Public Health COVID-19 School Testing Plan; and

VOTE: Unanimous

RESOLUTION NO. 414-21

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

AUTHORIZE LEGISLATURE TO RATIFY AGREEMENT WITH PENN YAN CENTRAL SCHOOL DISTRICT

WHEREAS, Yates County Public Health wishes to enter into an agreement with Penn Yan Central School District for screening testing for COVID-19 as it is outlined in the Yates County Public Health COVID-19 School Testing Plan; and
WHEREAS, the Yates County Public Health Director executed said contract on September 21, 2021;

NOW, THEREFORE, BE IT RESOLVED, that the execution of the contract with Penn Yan Central School District for COVID-19 School Testing Services by the Director of Public Health is hereby ratified; and be it further

RESOLVED, that a copy of this resolution be provided to the Public Health Department and Penn Yan Central School District.
VOTE: Unanimous

RESOLUTION NO. 415-21

Mrs. Church offered the following resolution and moved its adoption, seconded by Mrs. Percy.
DISCUSSION:
Mr. Button asked who Mark Chamberlain is.

Chairman Paddock stated he will drive a county vehicle for us.

Ms. Chilson stated they were trying to think outside of the box with possible Office for the Aging transportation grants and ARC’s buses. Transportation is a huge problem that we have.

AUTHORIZE CONTRACT FOR CLIENT TRANSPORTATION

WHEREAS, Yates County and the Yates County Department of Social Services wish to enter into a contract with the following person; and

WHEREAS, the term of this contract is November 1, 2021 through December 31, 2022;

NOW THEREFORE BE IT RESOLVED, that after review by the County Attorney, the Chairman of the Yates County Legislature and Commissioner of Social Services are authorized to sign a contract with:

- Mark Chamberlain, waiving liability insurance

And be it further;

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

RESOLUTION NO. 416-21

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

AUTHORIZE CONTRACTS WITH THE FOLLOWING AGENCIES/PERSONS

WHEREAS, Yates County and the Yates County Department of Social Services wish to enter into contracts with the following agencies/persons; and

WHEREAS, the term of these contracts is October 1, 2021 through December 31, 2022;
NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairman of the Yates County Legislature and Commissioner of Social Services are authorized to sign contracts with the following agencies/persons:

- Tonya Nesbit Baker for the provision of counseling services at $90 per hour
- Crossroads Consulting Services for the provision of Qualified Individual Assessments for $125 per hour

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 417-21

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

AUTHORIZE CONTRACTS WITH THE FOLLOWING AGENCIES/PERSONS

WHEREAS, Yates County and the Yates County Department of Social Services wish to enter into contracts with the following agencies for the provision of Qualified Residential Treatment Programs; and

WHEREAS, the term of these contracts is September 29, 2021 through June 30, 2023;

NOW, THEREFORE, BE IT RESOLVED, that after review by the County Attorney, the Chairman of the Yates County Legislature and Commissioner of Social Services are authorized to sign contracts with the following agencies/persons at rates set by New York State:

- Children’s Home of Wyoming Conference
- Glove House
- House of the Good Shepherd
- Northeast Parent and Child Society
- Saint Anne Institute
- St. Catherine’s Center
- Vanderhyden Hall
- Villa of Hope
- William George Agency
- Elmcrest Children’s Center
- Hillside Children’s Center

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 418-21
AUTHORIZE WORKFORCE DEVELOPMENT BUDGET ALLOCATIONS

WHEREAS, Yates County received additional WIOA Youth funds to serve Youth from 7/1/2021-6/30/2022;

NOW, THEREFORE, BE IT RESOLVED, that the following amounts be allocated to the 2021-2022 Workforce Budget;

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD6293.1C</td>
<td>(WIOA OSY Title I Youth Staff Wage)</td>
<td>$1326.00</td>
</tr>
<tr>
<td>CD6293.4C</td>
<td>(WIOA OSY Title I Youth Operating)</td>
<td>$1275.00</td>
</tr>
<tr>
<td>CD6293.8C</td>
<td>(WIOA OSY Title I Youth Staff Fringe)</td>
<td>$499.00</td>
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<tr>
<td>CD6293.11C</td>
<td>(WIOA OSY Title I Youth Participant Wage)</td>
<td>$6200.00</td>
</tr>
<tr>
<td>CD6293.81C</td>
<td>(WIOA OSY Title I Youth Participation Fringe)</td>
<td>$995.00</td>
</tr>
<tr>
<td>CD6293.1F</td>
<td>(WIOA ISY Title I Youth Staff Wage)</td>
<td>$234.00</td>
</tr>
<tr>
<td>CD6293.41F</td>
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<tr>
<td>CD6293.11F</td>
<td>(WIOA ISY Title I Youth Participant Wage)</td>
<td>$3475.00</td>
</tr>
<tr>
<td>CD6293.81F</td>
<td>(WIOA ISY Title I Youth Participation Fringe)</td>
<td>$500.00</td>
</tr>
<tr>
<td>CD6293.44791</td>
<td>(REVENUE)</td>
<td>$15,347</td>
</tr>
</tbody>
</table>

And be it further

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

RESOLUTION NO. 419-21

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

RESOLUTION CALLING ON THE GOVERNOR TO COMPLETE AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE RECONCILIATIONS THAT ARE YEARS OVERDUE AND IMMEDIATELY RELEASE THE FEDERAL FUNDS OWED TO COUNTIES AND NEW YORK CITY

WHEREAS, the funding to support the Medicaid program is provided by a combination of federal, state and local resources; and

WHEREAS, the state requires the counties and New York City to contribute $7.6 billion annually to pay for the federal and state defined and controlled program; and

WHEREAS, the locally required share of Medicaid funding paid in New York is the highest of any state in the country; and

WHEREAS, this large local funding share for Medicaid and other state programs is a major contributor to New York’s high local tax burden compared to other states; and
WHEREAS, under the Affordable Care Act (ACA), the federal government provided an enhanced Medicaid matching share (eFMAP), which has saved New York state billions of dollars; and

WHEREAS, the state is required under federal law to share these savings with counties and New York City based on the proportionate share localities pay of the nonfederal match; and

WHEREAS, the state has utilized a methodology that provides 80 percent of these estimated federal savings to counties in the year the costs accrue; and

WHEREAS, the balance of savings owed to counties is required to be reconciled annually to ensure the withheld savings are transferred to county budgets and local taxpayers, as well as meeting the intent of federal law; and

WHEREAS, the last completed reconciliation and transfer of federal savings owed to counties was for state fiscal year 2015-16; and

WHEREAS, individual counties and NYSAC have made numerous requests, over multiple years, regarding the status of outstanding Medicaid ACA eFMAP reconciliations and the federal funds withheld from counties; and

WHEREAS, due to the lack of a meaningful response from state officials, dozens of counties have submitted Freedom of Information Law (FOIL) requests to the New York State Department of Health (DOH); and

WHEREAS, DOH has been providing detailed responses to county FOIL inquiries and initial responses indicate, if current trends continue, that well over $1 billion in federal funding is owed to counties and New York City for SFY’s 2017, 2018, 2019 and 2020; and

WHEREAS, the Yates County share of this federal funding is $710,127; and

WHEREAS, because the state is withholding these federal funds, it requires counties and New York City to reserve funds locally to make up for the loss, meaning local taxes have been kept higher than they need to be over multiple years, or local services are scaled back or eliminated; and

WHEREAS, in the years leading up to the last completed ACA eFMAP reconciliation, counties were provided an estimate of their coming year Medicaid costs by September, in time to incorporate the savings in their budgets, which ceased when regular reconciliations ended;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature urges the Governor to complete these unfinished reconciliations as soon as possible and to provide counties and New York City a full accounting of the federal funds owed, and to take immediate steps to release the funds to localities; and be it further

RESOLVED, that the state should also renew its practice of providing timely notice to counties of coming year Medicaid costs so they can appropriately budget those savings for local taxpayers and to preserve highly desired local quality of life services provided in our communities; and be it further

RESOLVED that Yates County shall forward copies of this resolution to Governor Kathy Hochul, the New York State Legislature, the New York State Association of Counties (NYSAC) and all others deemed necessary and proper.
RESOLUTION NO. 420-21

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

RESOLUTION URGING NEW YORK STATE TO RENEW ITS COMMITMENT TO PREVENT AND PROTECT CHILDREN FROM ABUSE AND NEGLECT BY RESTORING STATE SHARE FUNDING LEVELS TO 65 PERCENT UNDER THE EXISTING OPEN-ENDED CHILD WELFARE FINANCING MECHANISM

WHEREAS, the current 62 percent/38 percent preventive, protective, adoption funding stream reflects a reduction in the State’s financial commitment to the well-being of children; and

WHEREAS, the reduction of State funding for these child welfare programs has made it more difficult and costly for counties to provide services designed to keep children safe and to provide them with permanent homes and reduced stays in foster care; and

WHEREAS, the COVID pandemic has made reaching children more difficult as many mandated reporters have not been in direct contact with children due to state and federal social distancing restrictions and public health protocols; and

WHEREAS, the safety and welfare of children should remain the State’s highest priority; and

WHEREAS, the uncapped child welfare funding stream at 65 percent state share (which was lowered to 62 percent to backfill state budget shortfalls) provided counties with critical fiscal support allowing for the development of innovative community-based programs that led to a dramatic reduction in the number of children in the foster care system; and

WHEREAS, the gradual, but steady, pullback in State funding support for a variety of human services programs including child welfare, adoption subsidies, food stamp administration, Family Assistance, Safety Net, youth detention and foster care creates an environment in which the State is directly moving away from its constitutional requirement to care for the needy, effectively forcing this State constitutional responsibility on county government and local property taxpayers; and

WHEREAS, New York State enacted a two percent property tax cap which further exacerbates local budget pressures while additional costs are shifted from the state to counties for state mandated programs; and

WHEREAS, the State Comptroller has recently identified in Monthly State Cash Reports that New York State currently has over $16 billion in cash reserves;

NOW, THEREFORE, BE IT RESOLVED, Yates County believes the State should renew its commitment to the well-being of children by restoring current funding levels to 65 percent state share, to be matched with a 35 percent local share, under the existing open-ended child welfare financing mechanism; and be it further

RESOLVED, Yates County shall forward copies of this resolution to Governor Kathy Hochul, the New York State Legislature, the New York State Association of Counties (NYSAC) and all others deemed necessary and proper.

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

RESOLUTION NO. 421-21

RESOLUTION URGING THE STATE TO PRIORITIZE THE DISTRIBUTION OF FEDERAL EMERGENCY RENTAL ASSISTANCE AND CLARIFY ITS HOMELESSNESS PREVENTION GOALS BY MAKING PERMANENT HOUSING THE CENTRAL FOCUS

WHEREAS, homelessness and housing affordability continue to be major concerns across the state; and

WHEREAS, the COVID-19 pandemic has made the situation worse by placing an estimated 830,000 New York households in jeopardy of losing their homes because of lost income caused by the pandemic, with past due rent estimated in excess of $3.2 billion according to analysis by the University of Southern California; and

WHEREAS, in December 2020, Congress provided New York State with $2.4 billion in emergency rental assistance funding, which has been augmented with another $300 million in federal/state funding; and

WHEREAS, this funding was provided by Congress to prevent people from losing their homes and increasing homelessness; and

WHEREAS, the program did not open for applications until June 1, 2021 and faced numerous implementation challenges with less than $2 million being expended in New York by August 1, 2021; and

WHEREAS, every county that received similar federal funding to prevent evictions was strongly encouraged by the state to give their funding to the state so funds could be pooled and the process for distributing funds could be streamlined (with nearly every county turning their funds over); and

WHEREAS, the homeless population is facing new problems as the needs of families have become more complicated; and

WHEREAS, regardless of family size and demographics, many of those facing homelessness or seeking emergency shelter can have challenging medical needs, mental health and substance abuse issues, some are registered sex offenders, and still others are state prison parolees or on probation; with some facing several of these challenges at the same time; and

WHEREAS, the state is implementing new hotel regulations that could reduce the number of units available to homeless families and leaving county officials with very limited options that may be less effective and more expensive in managing local homeless populations; and

WHEREAS, the state requires counties to fund 71 percent of costs for Safety Net individuals and 100 percent of the costs of administering these programs; and

WHEREAS, local social service districts focus scarce resources on achieving permanent housing, preventing homelessness and providing temporary placement; and
WHEREAS, counties maintain that preventing homelessness in the first place is the best way to keep families safe and secure; and

WHEREAS, counties maintain that while it is important to provide help in a crisis, it is better policy to maintain stability and prevent emergencies by providing sufficient resources up front.

NOW, THEREFORE, BE IT RESOLVED, that Yates County calls on the Governor and State Legislature to prioritize the distribution of the federal emergency rental assistance to prevent unnecessary homelessness; and be it further

RESOLVED, the state should make permanency the central focus of statewide homelessness policy; and be it further

RESOLVED, the State should coordinate a timely transition to supportive housing for the highest need individuals with mental health and substance abuse issues in collaboration with OTDA, other state agencies, and local social services districts; especially those that have been repeatedly homeless and in need of supportive placements overseen by OMH, OASAS, OPWDD and DOCCS; and be it further

RESOLVED, the state should target funding to counties that allows them to work with community partners to develop service models that achieve permanency through innovative and flexible approaches that meet local needs; and be it further

RESOLVED, the State should work with counties in developing a public education campaign to ensure the public better understands the plight of families and individuals struggling with homelessness and how everyone can benefit by helping them achieve stable housing in our communities; and be it further

RESOLVED, that Yates County shall forward copies of this resolution to Governor Kathy Hochul, the New York State Legislature, the New York State Office for Temporary Disability Assistance, the New York State Association of Counties (NYSAC) and all others deemed necessary and proper.

VOTE: Unanimous

RESOLUTION NO. 422-21

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

AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH C & S ENGINEERS, INC. FOR ENGINEERING SERVICES ON THE YATES COUNTY HIGHWAY/OEM/PH BUILDING PROJECT

WHEREAS, Yates County intends to undertake a building project to upgrade its Highway/OEM/PH facility; and

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

WHEREAS, C & S Engineers, Inc. has submitted a proposal to provide architectural, engineering and construction supervision services consistent with a Request for Proposals distributed by the County; and
WHEREAS, said proposal has been reviewed by the Ad Hoc Highway/OEM/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 Chairman of the Legislature is authorized to enter into a contract with C & S Engineers, Inc.; and be it further

RESOLVED, that said contract fees will be invoiced on a “Time and Materials” basis at rates as stated in said proposal but are not to exceed a total of $900,000; and be it further

RESOLVED, that copies of this resolution be provided to C & S Engineers, Inc., the Highway Superintendent, Office of Emergency Management Director, Public Health, Sheriff, and County Administrator/Budget Officer.

VOTE: Unanimous

RESOLUTION NO. 423-21

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

APPROVE MORTGAGE TAX APPORTIONMENT

WHEREAS, this Legislature is in receipt of the Mortgage Tax Report showing the amounts to be credited to each tax district of the County, of the money collected during the period April 1, 2021 to September 30, 2021;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 53 of the Tax Law, this Legislature issue a Tax Warrant for the payment to the respective tax districts of the amounts so credited and authorize and direct the County Treasurer to make payments of said amounts so credited and to the respective districts in accordance with the report:

<table>
<thead>
<tr>
<th>Town</th>
<th>Net After</th>
<th>To Towns</th>
<th>Village</th>
<th>To Village</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrington</td>
<td>$43,014.78</td>
<td>$43,014.78</td>
<td></td>
<td></td>
<td>$43,014.78</td>
</tr>
<tr>
<td>Benton</td>
<td>$28,668.68</td>
<td>$27,846.90</td>
<td>Penn Yan</td>
<td>$821.78</td>
<td>$28,668.68</td>
</tr>
<tr>
<td>Italy</td>
<td>$21,312.86</td>
<td>$21,312.86</td>
<td></td>
<td></td>
<td>$21,312.86</td>
</tr>
<tr>
<td>Jerusalem</td>
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<td>$106,529.85</td>
<td>Penn Yan</td>
<td>$348.74</td>
<td>$106,878.59</td>
</tr>
<tr>
<td>Middlesex</td>
<td>$42,453.14</td>
<td>$42,453.14</td>
<td></td>
<td></td>
<td>$42,453.14</td>
</tr>
<tr>
<td>Milo</td>
<td>$80,103.81</td>
<td>$64,976.17</td>
<td>Penn Yan</td>
<td>$15,127.64</td>
<td>$80,103.81</td>
</tr>
<tr>
<td>Potter</td>
<td>$9,740.21</td>
<td>$9,310.80</td>
<td>Rushville</td>
<td>$429.41</td>
<td>$9,740.21</td>
</tr>
<tr>
<td>Starkey</td>
<td>$31,185.17</td>
<td>$28,022.30</td>
<td>Dundee</td>
<td>$3,162.87</td>
<td>$31,185.17</td>
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<tr>
<td>Torrey</td>
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<td>$41,669.44</td>
<td>Dresden</td>
<td>$1,231.92</td>
<td>$42,901.36</td>
</tr>
</tbody>
</table>

$406,258.60 $385,136.24 $21,122.36 $406,258.60
RESOLUTION NO. 424-21

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT**  
**(GST BOCES)**

WHEREAS, the Yates County Real Property Tax Services department processes school tax bills; and

WHEREAS, the Yates County Real Property Tax Services Director uses a school tax billing program to perform this processing;

NOW, THEREFORE, BE IT RESOLVED, that, upon the approval of the Yates County Attorney, the Chairman of the Legislature is hereby authorized to sign the annual Yates County School Tax Bill Administration Services Municipal Agreement with GST BOCES in the amount of $500, for a plan effective January 1, 2022 through December 31, 2022, for reviewing, updating and enhancing the School Tax Billing Program that Yates County utilizes, and be it further

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

VOTE: Unanimous

RESOLUTION NO. 425-21

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT**  
**(VHB)**

WHEREAS, the Yates County Real Property Tax Services Department’s Tax Map Technician uses data layers; and

WHEREAS, Yates County’s assessment and data layers need to be attached to the GIS parcel data;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman of the Legislature is hereby authorized to sign the Yates County Data Table/GIS Attachment Agreement 2022 with VHB Engineering, Surveying and Landscape Architecture, PC for the attaching of data layers in the amount not to exceed $900.00, for a plan effective through December 31, 2022 and in the event that the entire budget is not used, Yates County can decide to use the remaining hours as general GIS Tech Support for tax mapping purposes; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 426-21

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mr. Cutler.
DISCUSSION:
Mr. Button questioned if these 4 strands will be out of our original 12 or are these an addition?

Chairman Paddock clarified that no, these are out of STN.

Mr. Button stated that we still maintain our 12. The total is a huge amount for years 3-20.

Mr. Holgate shared that this will actually reduce the amount that we have to pay on a yearly basis.

Ms. Flynn stated that these accounts are split 50/50 with Empire.

Mr. Button stated he doesn’t have enough information so he will not vote against it, he will abstain.

AUTHORIZE CHAIRMAN TO SIGN STATEMENTS OF WORK WITH SOUTHERN TIER NETWORK, INC. FOR LEASE OF DARK FIBER FOR THE BROADBAND PROJECT

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

WHEREAS, the optimized design for the project’s backbone network requires use of 4 strands for 35 miles of dark fiber owned and operated by Southern Tier Network (hereinafter referred to as “STN”); and

WHEREAS, the County entered into a Dark Fiber IRU Agreement with STN dated May 14, 2015 and subsequently amended with Amendment No. 1 dated June 17, 2016 and Amendment No. 2 dated August 10, 2020 hereinafter collectively referred to as the “IRU Agreement”; and

WHEREAS, the leasing of dark fiber strands and related ancillary services through Statements of Work (the “SOW”) incorporates the terms and provisions as set forth in the IRU Agreement; and

WHEREAS, STN has submitted a SOW for an initial 240-month term with a Non-Recurring IRU Fee of $104,190, and Maintenance Fees of: Year 1 $6019, Year 2 $12,038 and Years 3-20 $18,240, and a SOW with a Non-Recurring Installation Fee of $5,395; and

WHEREAS, the USDA considers all IRU fees as operational expenses and thus not grant eligible expenses; these expenses will be shared between Yates County and Empire Access under the terms of the Yates County and Empire Access Services Agreement dated April 21, 2021;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the County Attorney, the Chairman of the Legislature is authorized to execute on behalf of the County the SOWs with STN; and be it further

RESOLVED, that copies of this resolution be given to STN, the County Planner, the Grant Specialist, the Treasurer and the County Administrator.
VOTE: Unanimous, with Button abstaining.

RESOLUTION NO. 427-21
Mr. Holgate offered the following resolution and moved its adoption, seconded by Mr. Cutler.

**AUTHORIZE CHAIRMAN TO SIGN OVERLASH AND COLLOCATION AGREEMENT WITH EMPIRE ACCESS FOR THE BROADBAND 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, the Services Agreement between the County and Empire Access (hereinafter referred to as “Empire”) dated April 21, 2021 calls out that portions of Empire’s own network may be used as part of the project to reduce cost of construction and achieve faster completion; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that upon approval of legal counsel, the Chairman of the Legislature is authorized to execute on behalf of the County the Overlash and Collocation agreement with Empire and subsequent amendments to Appendix A; and be it further

RESOLVED, that copies of this resolution be given to Empire, the County Administrator, the County Planner and the Grant Specialist.

VOTE: Unanimous

**RESOLUTION NO. 428-21**

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

**2021 BUDGET TRANSFERS**

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

<table>
<thead>
<tr>
<th>From:</th>
<th>To:</th>
<th>Amount:</th>
</tr>
</thead>
<tbody>
<tr>
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<td>A3110.54457 Supplies; Computer</td>
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</tr>
<tr>
<td>A3110.52514 Training Rm Equip.</td>
<td>A3110.54757 Boat Safety Equipment</td>
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<tr>
<td>A3020.54952 SICG FY 17 Cont.</td>
<td>A3020.52948 FY17 SICG</td>
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<tr>
<td>A1430.54011 Consultants</td>
<td>A1430.51961 35-40 Hours</td>
<td>$22.32</td>
</tr>
</tbody>
</table>

And be it further

RESOLVED, that copies of this resolution be provided to the Clerk of the Legislature, the County Administrator, the Sheriff, the Personnel Department and the County Treasurer/Budget Officer.

VOTE: Unanimous
RESOLUTION NO. 429-21

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

APPROPRIATE CARRYOVER OF FY20 SLETPP GRANT
(SHERIFF)

WHEREAS, The Sheriff’s office received a SLETPP Grant managed by the NYS Division of Homeland Security and Emergency Services (DHSES) and a balance of $8,536.00 remained at the end of 2021; and

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

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

Revenue:
A3110.44386 FY21 SLETPP $ 8,536.00

Appropriation
A3110.52960 FY21 SLETPP- EQUIP $ 5,120.00
A3110.54950 FY21 SLETPP- CONTR $ 3,416.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 430-21

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

DISCUSSION:
Mr. Button questioned if this will help upgrade the vehicles or the new ones that we continue to purchase.

Chairman Paddock stated that this will upgrade the vehicles, but he is unsure what they will be getting rid of. It is assumed that they would be getting rid of the older ones.

AUTHORIZE CHAIRMAN TO SEND A LETTER SUPPORTING YATES TRANSIT SERVICE’S APPLICATION FOR USDA GRANT

WHEREAS, a communication has been received from Edward Sayles of MOZAIC/Yates Transit Service (hereinafter “YTS”); and

WHEREAS, said communication requests a letter of support from Yates County for YTS’s application for a USDA Community Facility Program to help with the purchase of handicap accessible vehicles; and

WHEREAS, YTS has partnered with Yates County to provide transportation services to county residents since 2017; and
WHEREAS, a draft letter of support was presented to the Finance Committee of the legislature at its November 3, 2021 meeting and any recommended changes will be incorporated;

NOW, THEREFORE, BE IT RESOLVED, that the chairman of the Legislature is authorized to prepare and send a letter of support to appropriate personnel; and be it further

RESOLVED, that copies of this resolution be provided to Edward Sayles.
VOTE: Unanimous

RESOLUTION NO. 431-21

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

CALLING ON NYS TO END THE DIVERSION OF COUNTY SALES TAX TO PAY FOR THE STATE AIM PROGRAM

WHEREAS, three years ago, the State shifted $59 million annually of the cost of the State AIM program to counties, implemented through a state diversion of county sales tax; and

WHEREAS, the local sales tax is a primary revenue source available to counties to help offset property tax increases and to lower property taxes in many instances; and

WHEREAS, state elected leaders have made controlling and lowering property taxes a key priority in efforts to reduce the tax burden for homeowners and small businesses, and to lower New York’s ranking as one of the highest property tax burden states in the nation; and

WHEREAS, the diversion of local revenues for state purposes ultimately results in higher property taxes, further damaging New York’s economic competitiveness and weakening homeowners’ and small business’ balance sheets; and

WHEREAS, both chambers of the legislature proposed ending the diversion of county sales tax to pay for the State’s AIM program in their respective budget bills; and

WHEREAS, the legislature also passed a bill this session (A.6601-A/S.5418-C) that calls for the formation of a task force to examine the AIM program and make recommendations for reforms and improvements including a review of financing;

NOW, THEREFORE, BE IT RESOLVED, that Yates County calls on the Governor and State Legislature to end the practice of diverting local sales taxes to pay for the State designed and controlled AIM program; and be it further

RESOLVED, that Yates County urge the Governor to sign the AIM reform task force bill so appropriate reviews and recommendations can be considered; and be it further

RESOLVED, that copies of this resolution be provided to Governor Kathy Hochul, Lieutenant Governor Brian Benjamin, State Senator Thomas F. O’Mara, State Assemblyman Philip A. Palmesano, the New York State Legislature, U.S. Congressman Tom Reed, U.S. Senator Chuck Schumer, U.S. Senator Kirsten Gillibrand and the New York State Association of Counties (NYSAC).
VOTE: Unanimous

RESOLUTION NO. 432-21
Mr. Holgate offered the following resolution and moved its adoption, seconded by Ms. Chilson.

**CALLING ON NYS TO FULLY REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES THAT ARE SET AND CONTROLLED BY THE STATE**

WHEREAS, on December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

WHEREAS, on April 1, 2016 the State Legislature approved the Commission’s recommendation and placed Supreme Court Judges’ salaries at $193,000 in 2016 and approximately $207,000 in 2018 and placed County Court Judges at 95 percent of a Supreme Court Justice’s salary; and

WHEREAS, in 2019, New York Supreme Court Judge’s salaries were set at $210,900; and

WHEREAS, New York State Judiciary Law Section 183-a links judicial salaries to county District Attorney (DA) salaries, requiring them to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status; and

WHEREAS, historically when the state increased State Judge salaries in the 1980s and 1990s, the State fully funded all DA salary increases imposed on the counties, recognizing without this funding the increase would be an unfunded mandate; and

WHEREAS, the District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and further to support the counties’ position, requested in correspondences with state officials that the state fund this salary increase; and

WHEREAS, the State Legislature has stated they understand the importance of not shifting more state generated costs to the local tax base, mindful of the impact locally with the state-imposed property tax cap; and

WHEREAS, the State Legislature has recognized lowering property taxes is the main priority to ensure a healthy Upstate New York economy; and

WHEREAS, for smaller counties, the DA salary increase can represent nearly one third of their total allowable property tax growth for all government operations;

NOW, THEREFORE, BE IT RESOLVED, that Yates County calls on the State of New York to fully fund this mandated salary increase as part of the 2022-2023 state budget and thereafter, including a one-time amount for the retroactive salary increase that has not been funded to date; and be it further

RESOLVED, that copies of this resolution be provided to Governor Kathy Hochul, Lieutenant Governor Brian Benjamin, State Senator Thomas F. O’Mara, State Assemblyman Philip A. Palmesano, the New York State Legislature, U.S. Congressman Tom Reed, U.S. Senator Chuck Schumer, U.S. Senator Kirsten Gillibrand and the New York Association of Counties (NYSAC).

VOTE: Unanimous
RESOLUTION NO. 433-21

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

PROCLAIMING NOVEMBER 10TH AS US MARINE CORPS BIRTHDAY IN YATES COUNTY

WHEREAS, a resolution of the Continental Congress on November 10, 1775, created a Corps of Marines to be formed of men so acquainted with maritime affairs as to be able to serve on sea vessels for the Continental Navy; and

WHEREAS, Marines hold to an array of significant, highly respected traditions including the celebration of the birth of their Corps by gathering every year on November 10th with a formal, widely known ceremony that includes the singing of the Marine Corps Hymn (unless circumstance prohibit); and

WHEREAS, Marine missions have changed over the last 246 years, the Marine Corps’ unyielding commitment to protecting the lives of our citizens and the interests of our nation has remained constant with its purpose, by congressional mandate, to be this nation’s rapid response force. From humanitarian relief efforts to combat operations, the Marine Corps is always ready to answer our nation’s call; and

WHEREAS, a special breed of American multitudes have borne the name “Marine” protecting this great nation on land, on sea and in the air faithfully signifying all that is highest in military efficiency;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature extends its gratitude to all Marines, past and present, their families and loved ones, who continue to sacrifice for our liberty and freedoms, by proclaiming November 10, 2021 as “US Marine Corps Birthday” in Yates County; and be it further

RESOLVED, that copies of this resolution be given to the Veterans’ Services Director and all Yates County Veteran organizations.
VOTE: Unanimous

RESOLUTION NO. 434-21

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

PROCLAIMING NOVEMBER 11TH AS VETERANS DAY IN YATES COUNTY

WHEREAS, since the birth of our Nation, American Patriots have stepped forward to serve our country and defend our way of life; and

WHEREAS, with honor and distinction, generations of servicemen and women have taken up arms to win our independence, preserve our Union and secure our freedom; and

WHEREAS, our Veterans are brave and selfless individuals who, when duty called, willingly put themselves in harm’s way to defend the lives and liberties of others; and
WHEREAS, their abiding patriotism and enduring devotion to the ideals on which the United States was founded can never fail to inspire us; and

WHEREAS, on Veterans Day, our Nation comes together to honor our Veterans and commemorate the legacy of profound service and sacrifice they have upheld in pursuit of a more perfect Union; and

WHEREAS, serving as teachers, engineers, government employees, parents and in other important capacities, these patriots have made contributions to civilian life that serve as a testament to their dedication to the welfare of our country; and

WHEREAS, on November 11th we are reminded of our solemn obligation: to serve our Veterans as well as they have served us; and

WHEREAS, as it was proclaimed in the first Veterans Day Proclamation, issued by President Dwight D. Eisenhower, in order to insure proper and widespread observance of this anniversary, all Veterans, Veterans’ organizations, and the entire citizenry will wish to join hands in the common purpose;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature and all citizens join together to observe Veterans Day on November 11th and to honor the special men and women who have served our country; and be it further

RESOLVED, that copies of this resolution be provided to all Yates County Veteran organizations and the Director of Veterans’ Services.

VOTE: Unanimous

Mr. Willson moved to enter executive session to discuss:

1. collective negotiations pursuant to Article 14 of Civil Service Law (Article 14) with members of the legislature, newly elected legislators, County Administrator present and labor attorney in attendance by phone; and
2. matters that will imperil public safety if disclosed, with members of the legislature, newly elected legislators, County Administrator, Sheriff, District Attorney and Supervisor of Buildings and Grounds present; and
3. the employment history of a particular person or persons, with members of the legislature, newly elected legislators and County Administrator present.

It is not anticipated that there will be action taken after the conclusion of the executive session.

Seconded by Ms. Chilson.

VOTE: Unanimous

Meeting adjourned at 4:45 p.m.