

**SPECIAL SESSION – MONDAY, OCTOBER 24, 2016  
BUDGET WORKSHOP**

The Yates County Legislature convened in special session, Monday, October 24, 2016 for the purpose of conducting a budget workshop, Chairman Dennis presiding.

**RESOLUTION NO. 364-16**

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

**RESOLUTION IN RECOGNITION OF LEGISLATOR GARY MONTGOMERY**

WHEREAS, Gary Montgomery has represented Yates County Legislative District 1 since January 1, 2014 and

WHEREAS, Mr. Montgomery has resigned from that position due to personal health concerns and

WHEREAS, Mr. Montgomery has served his constituents with honor and distinction and

WHEREAS, his advocacy on behalf of his constituents was pursued with dedication and tenacity and that advocacy was unwaveringly fair and objective.

NOW THEREFORE BE IT RESOLVED, the Yates County Legislature recognizes the service of Gary Montgomery and expresses gratitude for his dedication to the office and be it further,

RESOLVED that a copy of this resolution is to go to Mr. Montgomery.

VOTE: Unanimous

Chairman Dennis made the following comments:

Today we start our budget workshops to consider the 2017 proposed budget. However, today is not the start of the process.

Budget Officer Nonie Flynn works on this document around the year. We started looking at capital expenses last spring and adopted a capital plan this summer. The budget officer has met with each Department Head prior to the submission of the department budgets. In September each legislative committee had a first look at department budgets and what might be the critical issues.

We have had this proposed budget for two weeks. Budget Officer Flynn has provided us with backup information and summary documents. I want to thank her on behalf of the entire legislature for her unwavering dedication and many long hours that produced these documents.

Today we are considering the proposed budget. At the conclusion of the workshops, we will have a tentative budget. There will be a public hearing after which we will have an adopted budget. Any change on any line in the proposed budget will need legislative action. As each department head presents their budget, they will be given time to address the legislature and offer

changes they recommend. I suggest the Chair of the respective committee offer those initial changes. Any further discussion or proposals can come from any member of the legislature.

I expect to take a short break about every one and half hours. Clerk of the Legislature, Connie Hayes, has prepared homemade cookies and coffee. All are invited to share in these. There will be a cup to put voluntary donations to offset her costs.

Budget Officer Nonie Flynn explained how she prepared the proposed 2017 budget.

Mr. Paddock moved to suspend the rules to make any modifications to the proposed budget subject only to the majority of legislators present at the time of the vote, seconded by Mrs. Percy.  
VOTE: Unanimous

Chairman Dennis clarified that during the budget workshop this is how we will operate. There will be a meeting of the legislature late this afternoon after Monday's agenda is completed and for that meeting the rules will be in place and any legislative action will require 8 votes. This has been clarified by the County Attorney now that we are a body of 13 and not 14.

**NOTE: Minutes of the workshop only reflect motions made and votes taken. The audio of these workshops can be found on the county website at [www.yatescounty.org](http://www.yatescounty.org). You will also note that in various spots "sessions" are referred to. The session numbers follow how the audio recordings are posted if one is following along.**

#### District Attorney

Mr. Holgate moved to lower line item A1165.58100 FICA by \$4,961, seconded by Mrs. Percy.  
VOTE: Unanimous

#### Personnel

Mr. Morris moved to increase line item A1430.54156 training by \$1,851, seconded by Mrs. Percy. VOTE: Unanimous

Mr. Morris moved to lower line item A1430.54011 consultants by \$4,000, seconded by Mrs. Percy. VOTE: Unanimous

#### Elections

Mr. Morris moved to increase line item A1450.51595 deputies by \$796, seconded by Mrs. Percy.  
VOTE: Unanimous

Chairman Dennis moved to increase line item A1450.51595 deputies to reflect an increase to \$15.00 per hour, seconded by Mr. Holgate. After a brief discussion it was determined that further information is need to obtain and compare hourly rates for other part-time positions. Mr. Paddock moved to table until further information is received from Personnel, seconded by Mr. Morris. VOTE: Unanimous

Mr. Morris moved to increase line item A1450.42210 fees by \$10,000, seconded by Mr. Paddock. VOTE: Unanimous

The Legislature observed a break. This ends session 1.

The Legislature reconvened in Budget Workshop. This begins session 2.

### Historian

Mr. Morris moved to increase line item A7510.51641 clerk by \$11,722, seconded by Mr. Gleason. VOTE: Unanimous

Mr. Morris moved to increase line item A7510.58100 FICA by \$897, seconded by Mr. Smith. VOTE: Unanimous

### Central Copier

Mr. Morris moved to reduce line item A1675.52120 copier equipment by \$3,800, seconded by Mr. Button. VOTE: Unanimous

### Information Technology

Mr. Morris moved to reduce line item A1680.54011 consultants by \$4,125, seconded by Mr. Smith. VOTE: Unanimous

The Legislature recessed for lunch at 11:45 a.m. This ends session 2.

The Legislature reconvened at 1:00 p.m. This begins session 3.

### Economic Development

Mr. Morris moved to reduce line item A6410.54203 Tourism Promotion by \$6,111 seconded by Mr. Smith. VOTE: Roll Call – Paddock, Bronson, Morrison, Percy, Multer, Holgate, Banach, Church, Gleason, Morris, Smith, Dennis voting “Yes” Button voting “No”. Motion carried

### Conservation Programs.

Mr. Smith moved to increase line item A8710.54204 Conservation Programs by \$15,000, seconded by Mr. Morris. VOTE: Roll Call – Paddock, Bronson, Percy, Multer, Banach, Gleason, Morris, Smith voting “Yes” Morrison, Holgate, Church, Button, Dennis voting “No”. Motion carried.

The Legislature observed a break. This ends session 3.

The Legislature reconvened in Budget Workshop. This begins session 4.

### Communications

Mr. Morrison moved to reduce line item A3020.54681 propane by \$1,000, seconded by Mr. Button. VOTE: Unanimous

### E911 Dispatch

Mr. Holgate moved to increase line item A3021.43324 PSAP Grant to \$76,517, seconded by Mr. Banach. VOTE: Unanimous

### Sheriff

Mr. Morrison moved to reduce line item A3110.54708 Critical Incident by \$2,200, and add a line item in the OEM budget and put some monetary figure in there, seconded by Mr. Smith. VOTE: Roll Call – Morrison, Button, Smith voting “Yes” Paddock, Bronson, Percy, Multer, Holgate, Banach, Church, Gleason, Morris, Dennis voting “No”. Motion Lost.

### Court Security

Mr. Holgate moved to reduce line item A3190.43330 Court Security Revenue by \$5,976, seconded by Mrs. Percy. VOTE: Unanimous

At 5:10 p.m. the Legislature recessed the Budget Workshop and convened in a Legislative meeting. This ends session 4 and begins session 5. The following action was taken.

**RESOLUTION NO. 361-16**

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

**AMEND RES. 20-16  
(AUTHORIZE SHERIFF TO RENEW INMATE MEDICAL SERVICES AGREEMENT  
WITH S&S MEMORIAL HOSPITAL)**

WHEREAS, Resolution 20-16 established cost terms of the S&S Hospital administered by Finger Lakes Health (FLH) to charge for the Yates County Jail inmate care per Medicaid rates and the Sheriff now requires enhanced clarification of said terms;

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff is authorized to amend terms with FLH that where it is said "Professional and Outpatient Services – Current Medicaid Fee Schedule," that it be modified to read "Professional, Observation and Outpatient Services – Current Medicaid Fee Schedule," and

RESOLVED, that a copy be provided the Sheriff.

VOTE: Unanimous

**RESOLUTION NO. 362-16**

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

**AUTHORIZE SHERIFF TO SIGN COURT SECURITY SERVICES CONTRACT  
WITH THE NYS UNIFIED COURT SYSTEM FOR 2016 – 2017**

NOW, THEREFORE, BE IT RESOLVED, that per previous Resolution 243-14 that established a five year contract, and upon approval of the County Attorney that the Sheriff is authorized to sign the security services agreement Contract #UCS05-C200486-5000283 for the third period of said agreement at the agreed compensation for the period 2016-2017 being \$377,867, and

RESOLVED, that a copy be provided the Sheriff.

VOTE: Unanimous

**RESOLUTON NO. 363-16**

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

**AMEND RES. 285-16  
(AUTHORIZE SHERIFF TO SIGN FIREARMS RANGE CONTRACTS)**

NOW THEREFORE BE IT RESOLVED, that as resolution 285-16 established firearms range costs that the Seneca Lake Duck Hunters Club cost is amended to read \$100 (one-hundred dollars) annually, and

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

VOTE: Unanimous

**RESOLUTION NO. 365-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Bronson.  
DISCUSSION:

Chairman Dennis reminded Legislators that they received a copy of the work plan submitted by STN. Chairman Dennis has asked the Sheriff to look into information pertaining the SICG Grant.

Sheriff Spike reported he did talk to the office and reported that there have been four of these grants that have come out in the past and we have been lucky to get 50% of them. The Sheriff has applied for the 2015 grant to run fiber to the towers but was turned down. The next SICG grant should be coming out this fall, the Sheriff is hoping that it will come out next month. The state has changed the competitiveness and is now doing a formula based grant and have \$65 million available. \$45 million of that will be divided by counties on some kind of a formula based system. The state office guaranteed that Yates County would be receiving something. Sheriff Spike was told that each county would receive at least \$500,000 and some more than that. The remaining \$20 million will be used for what the state is calling targeted monies and that has not yet been defined. Everything sits with the Division of Budget right now.

Chairman Dennis asked if there was any discussion as to what the \$500,000 could be used for.

Sheriff Spike clarified that it could be used for any land based mobile applications and will be pretty open as to what it can be used for.

Chairman Dennis stated that the question then becomes do we utilize the proposal from STN to build to the two towers with the cost and the ongoing expense or do we wait for the SICG grant. It sounds like the SICG grant could cover the monthly expense whether we build it now or wait until later.

Sheriff Spike has an existing grant that he would be able to cover the approximate \$9,000 cost to go to the Sherman Hill Tower, but he cannot cover the \$1,900 cost to go to the Angus Tower. The grant won't allow it.

Chairman Dennis clarified that if the Legislature went with the STN proposal the Sheriff already has grant money that would cover the local cost for the build and there will be ongoing grant money to cover the monthly maintenance fee through the PSAP grant.

Tim Cutler stated that it would probably be January before he receives any of the invoices for this work. There will be plenty of time to figure out the funding as to which grant is going to pay for what.

**AUTHORIZE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH SOUTHERN  
TIER NETWORK, INC. CONCERNING  
SHERMAN HILL TOWER AND ANGUS TOWER CONNECTIONS**

WHEREAS, Yates County (the "County") wishes to enter into an agreement with Southern Tier Network, Inc. ("STN"), wherein STN would construct laterals and grant an IRU in dark fibers, over the following spans: 1) Sherman Hill Tower to Yates County Fiber Backbone and 2) Angus Tower to Yates County Fiber Backbone (the "Agreement");

NOW, THEREFORE, BE IT RESOLVED, that the County is authorized to enter into the aforementioned Agreement with STN, and to this end, the Chairman of the Legislature, upon

approval by the County Attorney, is hereby authorized to sign such Agreement, and any ancillary documentation related to the proper execution thereof; and be it further

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

VOTE: Roll Call – Paddock, Bronson, Percy, Multer, Holgate, Banach, Church, Gleason, Morris, Dennis voting “Yes” Morrison, Button, Smith voting “No” motion carried.

Discussion took place on the process of filling the vacancy created by the resignation of Mr. Montgomery. Chairman Dennis explained he spoke with the County Attorney who stated that the Legislature can appoint someone to the seat directly if they so choose. Mr. Morrison explained that Mr. Montgomery had spoken with Margaret Dunn and she would be willing to fill out remainder of his term. Further discussion took place that the towns that the seat represents should be have an input.

Mr. Morrison moved to appoint Margaret Dunn to fill the remaining term of Mr. Montgomery, seconded by Mr. Bronson. VOTE: Bronson, Morrison, Holgate, Church, Button, Smith voting “Yes” Paddock, Percy, Multer, Banach, Gleason, Morris, Dennis voting “No” motion lost.

A number of legislators stated that their votes against appointing Ms. Dunn were not personally against her and/or her capabilities, but were in support of contacting the political parties in the district to gain their input.

Mr. Paddock moved that he would send requests to town committees in District 1, both Democratic and Republican, and ask them to respond with names of potential candidates to fill the vacancy created by Gary Montgomery’s resignation and to do so by November 20<sup>th</sup>, seconded by Mr. Multer.

### **RESOLUTION NO. 366-16**

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

#### **AUTHORIZE CREATION AND FILLING OF POSITION (VETERANS)**

WHEREAS, due to the responsibility of the Yates County Veteran Affairs Services Office to serve the Veterans within Yates County with timely and effective customer service, the Director of Veteran Services is requesting to create and fill a Veteran Services Officer position, and

NOW, THEREFORE, BE IT RESOLVED, that effective October 24th, 2016 the Director of Veteran Services has the authorization to create and fill a Veteran Services Officer position to replace the Administrative Assistant position and if recruitment efforts for the Veteran Services Position fail the Director has authorization to fill the vacancy with an Administrative Assistant, and be it further

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

VOTE: Roll Call – Paddock, Bronson, Holgate, Banach, Church, Gleason, Morris, Smith voting “Yes” Morrison, Percy, Multer, Button, Dennis voting “No” Motion carried.

Mr. Paddock moved to enter executive session to discuss the employment history of a particular person, seconded by Mr. Button.

VOTE: Unanimous

Legislative meeting adjourned at 6:15 p.m.

This ends session 5.

## **OCTOBER 25, 2016**

The Legislature resumed in Budget Workshop at 9:00 a.m. with the following action being taken.

### Public Defender

Mrs. Church moved to increase line item A1170.51646 secretary to \$40,000, and also increase line item A1170.58100 FICA by \$688, seconded by Mr. Paddock.

VOTE: Roll Call – Paddock, Bronson, Multer, Holgate, Banach, Church, Gleason, voting “Yes” Morrison, Percy, Morris, Button, Smith, Dennis voting “No”. Motion carried.

### Services for Recipients

Mr. Paddock moved to decrease line item A6070.54302 Counseling Contract by \$15,000, seconded by Mrs. Church. VOTE: Roll Call – Paddock, Holgate, Church, Gleason voting “Yes” Bronson, Morrison, Percy, Multer, Banach, Morris, Button, Smith, Dennis voting “No”. Motion lost.

Mr. Morrison moved to decrease line item A6070. 54302 Counseling Contract by \$10,000, seconded by Mr. Bronson. VOTE: Roll Call - Paddock, Bronson, Morrison, Percy, Multer, Holgate, Banach, Church, Gleason, Morris, Smith, Dennis voting “Yes” Button voting “No” Motion carried.

### Social Services

Mr. Smith moved to decrease line item A6010.54653 Gasoline by \$500, seconded by Mr. Morris. VOTE: Unanimous

Mr. Smith moved to decrease line item A6020.54661 vehicle maintenance by \$1,000, seconded by Mr. Morris. VOTE: Unanimous

Mr. Holgate moved to increase line item A3110.41528 Fraud investigator by \$1,260, seconded by Mrs. Church. VOTE: Unanimous

### Veterans

Mr. Paddock moved to increase line item A6510.54156 training by \$300, seconded by Mr. Button. VOTE: Unanimous

### Refuse

Mr. Banach moved to increase line item A8160.54521 trash removal by \$2,500, seconded by Mr. Button. VOTE: Unanimous

### Highway

Mr. Banach moved to remove line item DM5130.52331 SUV in the amount of \$29,000 and add \$29,000 to line item DM5130.52314 Truck - Pickup, seconded by Mr. Gleason. VOTE: Unanimous

The Legislature observed a break. This ends session 1 of this date.

The Legislature reconvened Budget Workshop. This begins session 2 of this date.

#### Interfund Transfer

Mr. Paddock moved to increase line item A9902.45033 Transfer to Insurance Reserve Revenue by \$50,000, seconded by Mr. Smith. VOTE: Unanimous

Mr. Paddock moved to decrease line item A9902.59150 Insurance Reserve by \$50,000, seconded by Mr. Smith. VOTE: Unanimous

#### Airport

Mr. Banach moved to increase line item CT5610.42412 Rent Hangar by \$1,200, seconded by Mrs. Percy. VOTE: Unanimous

Mr. Banach moved to increase line item CT5610.42417 Rent T Hangar by \$2,500, seconded by Mrs. Percy. VOTE: Unanimous

Mr. Bronson moved to remove from the table the pay rate increase for the Election Commissioner Deputies, seconded by Mrs. Percy. VOTE: Unanimous

#### Interfund Transfers

Mr. Paddock moved to increase line item A9902.45033 Tax Stabilization Reserve to \$500,000, and reduce line item A9902.59250 Interfund Transfer by \$500,000, seconded by Mr. Button.

Mr. Morris moved to amend the motion to transfer \$200,000, seconded by Mr. Morrison. VOTE on amendment: Roll Call – Morrison, Morris, Button, Smith voting “Yes” Paddock, Bronson, Percy, Multer, Holgate, Banach, Church, Gleason, Dennis voting “No”. Motion lost.

VOTE on original motion: Roll Call – Paddock, Bronson, Percy, Multer, Holgate, Banach, Church, Gleason, Dennis voting “Yes” Morrison, Morris, Button, Smith voting “No”. Motion carried.

#### Elections

Mr. Paddock moved to amend the motion to increase the hourly rate for the Deputy Election Commissioners to \$14.50 instead of the \$15.00 being proposed, seconded by Mrs. Church. VOTE: Roll Call on amendment – Paddock, Bronson, Multer, Holgate, Banach, Gleason, Morris, Dennis voting “Yes” Morrison, Percy, Church, Button, Smith voting “No”. Motion carried.

VOTE on motion amended: Roll Call – Paddock, Bronson, Morrison, Percy, Multer, Holgate, Banach, Church, Gleason, Morris, Dennis voting “Yes” Button, Smith voting “No”. Motion carried.

#### County Attorney

Mr. Morris moved to decrease line item A1420.54025 legal assistance by \$5,000, seconded by Mr. Multer. VOTE: Unanimous

Mr. Morrison moved to use \$200,000 of unassigned fund balance to reduce the tax levy, seconded by Mr. Smith. VOTE: Roll Call – Bronson, Morrison, Percy, Holgate, Morris, Button,



Smith, Dennis voting “Yes” Paddock, Multer, Banach, Church, Gleason voting “No”. Motion carried.

Mr. Paddock reported the tax levy for 2017 is \$16,041,871.00 and the tax rate will be approximately \$6.52. Budget Officer Flynn reported the tax rate will go down by 19 cents.

Chairman Dennis thanked Budget Officer Nonie Flynn and the Management Team for their assistance in making these workshops so much more efficient through the system that has evolved. Chairman Dennis also expressed his appreciation to the Legislature for their hard work.

#### **RESOLUTION NO. 367-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Smith.

#### **ADOPT TENTATIVE BUDGET**

WHEREAS, the Finance Committee recommends for adoption the Tentative Budget for the year 2017 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 be it further

RESOLVED, that a copy of this resolution be given to the Budget Officer  
VOTE: Unanimous

#### **RESOLUTION NO. 368-16**

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

#### **SET DATE FOR PUBLIC HEARING ON TENTATIVE BUDGET**

RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on the Tentative Budget to be held in Yates County Legislative Chambers, 417 Liberty Street, Penn Yan, New York on November 15, 2015 at 6:30 p.m. and be it

RESOLVED, that a copy of this resolution be given to all Department Heads.  
VOTE: Unanimous

Meeting adjourned at 12:40 p.m.