

## REGULAR SESSION – MONDAY, FEBRUARY 8, 2016

The Yates County Legislature convened in regular session Monday, February 8, 2016 at 1:00 p.m. in the Legislative Chambers. Chairman Dennis presided with Legislator Morris absent.

Amy Miller, Commissioner of Social Services presented Mariah Bond with the 4<sup>th</sup> quarter Distinguished Youth Award.

Ann Marie Flannigan and Michael Ballard, members of the Yates Substance Abuse Coalition gave a presentation to the Legislature. A copy of the presentation is attached at the end of these minutes.

Deb Minor reported that Senator O’Mara will be holding a forum on Heroin on February 23<sup>rd</sup> at 6:30 p.m. in the Penn Yan Middle School.

Arianna Chadwick addressed the Legislature explaining that she is one of the individuals that had overdosed and that Narcan was used to save her life. Ms. Chadwick went on to explain the difficulty individuals face with the use of Heroin and that having a treatment facility closer to Yates County along with education might help. The Legislature applauded Ms. Chadwick in the courage that she showed in telling her story and wished her well in her recovery efforts.

Minutes of the December 30<sup>th</sup> and January 4<sup>th</sup> meetings were approved as presented.

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

Airport Fund	\$ 20,449.89
Finance	\$ 22,034.48
Flint Creek	\$ 0.00
Government Operations	\$133,479.45
Human Services	\$175,090.52
Prior to Audit	\$ 42,849.55
Public Safety	\$ 73,359.81
Public Works	\$83,154.85

### Committee Reports

Mr. Bronson reported he attended the ProAction meeting. The primary focus of the meeting was dealing with Head Start Reapplication for year 4 of their grant.

Mr. Paddock introduced Tim Cutler who will be filling in as County Planner. The current Planner will be departing at the end of the month. Mr. Paddock thanked Mr. Cutler and thanked Mrs. Bonshak and wished her well. Also, Mr. Paddock will be presenting Resolution 83-16 instead of Mrs. Church.

Mr. Montgomery reported that most of the discussion at the Finance meeting last week was in executive session. Mr. Montgomery pointed out at last month’s Legislative meeting there was a question brought up by Mr. Morrison relative to paying a certain voucher. This did not get any support at that time. It points out the fact, as it turns out from the executive session, that Mr. Morrison was correct and we needed to do a better job in our audit activities. The Treasurer gave a lesson at the Finance meeting on how the audit might proceed better. We go through this and we just spent \$550,000 pretty quickly. The point is, there is a lot of activity that goes on

prior to that and we don't always get it right. Mr. Montgomery thanked Mr. Morrison for bringing the issue up last month.

Mr. Paddock pointed out that it was appropriate to make a payment as we were advised by multiple personnel.

Chairman Dennis stated that he does recognize that work was done and it did get corrected. We might not have gotten into that position had we been aware of it before we got to the final session.

Mr. Banach stated he attended the Airport Committee meeting and found it very interesting. Mr. Banach will report more as the year goes on.

Mr. Banach also reported he and Mrs. Percy attended the forum in Dundee in regards to drugs, which covered pretty much what was presented today.

Mr. Gleason reported he attended the NYSAC conference along with Mr. Bronson and Chairman Dennis. Mr. Gleason attend sessions on transportation, post-traumatic stress, municipal electric and gas alliance, and increasing the age legislation.

Mr. Button reported he attended the Flint Creek meeting. There will be a resolution today reappointing Larry Christensen to the Flint Creek Board. Also, Ed Hansen was re-elected as the Chair and he has been working with Rick Ayers regarding the weather issues last year and permit issues.

Mr. Smith reported the Seneca Watershed Inter-Municipal Organization (SWIO) met on January 26<sup>th</sup>. New officers were elected and Mr. Smith was elected Chairman for the coming year. The SWIO looks forward to increasing awareness and increasing the participation in order to protect the watershed in Seneca Lake.

Mr. Smith also reported he attended the Cornell Cooperative Extension Board as a new appointment to the board from the County. It was very informative and he is looking forward to work with the organization.

Chairman Dennis reminded everyone that on February 22<sup>nd</sup> at 1:00 p.m. there will be a meeting in the chambers with Senator O'Mara and Assemblyman Palmesano regarding what is going on in Albany with regards to the budget. Chairman Dennis reminded the Committee Chairs/Vice Chairs that we are hoping as things come up that relate to the areas that your committee deals with that you are prepared to address those.

#### Public Comment

Sandy Smith addressed the Legislature with regards to the heroin epidemic. Ms. Smith read a statement to the Legislature explaining the need to refill the drug investigator position that the county once had. She explained there needs to be someone solely dedicated to combating the problem by filtering through the tips and leads that the citizens call in frequently.

Donna McKay addressed the Legislature with concerns that there is nothing for the kids to do. Ms. McKay felt that if there was something for the kids to do, that is monitored or supervised, it might deter some of the abuse. Ms. McKay also reminded everyone that addicts are people. They need to have a safe place to come forward to say I have a problem and not worry about being reprimanded or put in jail.

#### **RESOLUTION NO. 47-16**

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

**RECOGNIZE YATES COUNTY DISTINGUISHED YOUTH AWARD RECIPIENT**

WHEREAS, the Yates County Youth Board selected Mariah Bond for recognition as a Yates County Distinguished Youth for the fourth quarter of 2015, acknowledging her outstanding service to her community,

NOW, THEREFORE, BE IT RESOLVED, that this Legislature take recognition of this honor bestowed upon Mariah Bond by the Yates County Youth Board on February 8, 2016 in Penn Yan, NY, and thank her for her dedicated service to the community of Penn Yan and to the citizens of Yates County, and

RESOLVED, that a copy of this resolution be provided Mariah Bond and the Youth Bureau Director.

VOTE: Unanimous

**RESOLUTION NO. 48-16**

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT  
(Fountains Spatial, Inc.)**

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Fountains Spatial, Inc. in the amount of \$7,500.00, for GIS services, and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 49-16**

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

**2016 BUDGET TRANSFERS**

BE IT RESOLVED, that the following transfers be made in the 2016 budget:

From:	To:	Amount:
A1990.54905 Contingent Fund	A1010.51045 LEG-Clerk	1,036.00
A1990.54905 Contingent Fund	A1010.58100 LEG-FICA	79.00
A1990.54905 Contingent Fund	A1165.51037 DA-Asst. DA	1,301.00
A1990.54905 Contingent Fund	A1165.51038 DA-Asst. DA	714.00
A1990.54905 Contingent Fund	A1165.51109 DA-Secretary	692.00
A1990.54905 Contingent Fund	A1165.58100 DA-FICA	640.00
A1990.54905 Contingent Fund	A1170.51565 PD-Asst. PD	821.00
A1990.54905 Contingent Fund	A1170.51566 PD-Asst. PD	673.00
A1990.54905 Contingent Fund	A1170.51640 PD-Public Defender	1,413.00
A1990.54905 Contingent Fund	A1170.51646 PD-Secretary	609.00
A1990.54905 Contingent Fund	A1170.58100 PD-FICA	269.00
A1990.54905 Contingent Fund	A1171.51642 CD-Conflict Defender	900.00

A1990.54905 Contingent Fund	A1171.51646 CD-Secretary	159.00
A1990.54905 Contingent Fund	A1171.58100 CD-FICA	81.00
A1990.54905 Contingent Fund	A1325.51030 TRS-Treasurer	1,392.00
A1990.54905 Contingent Fund	A1325.51121 TRS-Dep. Treasurer	936.00
A1990.54905 Contingent Fund	A1325.58305 TRS-Insurance NU	512.00
A1990.54905 Contingent Fund	A1325.58100 TRS-FICA	371.00
A1990.54905 Contingent Fund	A1340.51575 BO-Budget Officer	182.00
A1990.54905 Contingent Fund	A1340.58100 BO-FICA	14.00
A1990.54905 Contingent Fund	A1355.51060 RP-Real Property Director	1,316.00
A1990.54905 Contingent Fund	A1355.58100 RP-FICA	101.00
A1990.54905 Contingent Fund	A1410.51005 CLK-County Clerk	1,236.00
A1990.54905 Contingent Fund	A1410.51110 CLK-Deputy Clerk	761.00
A1990.54905 Contingent Fund	A1410.51135 CLK-Motor Vehicle Supervisor	749.00
A1990.54905 Contingent Fund	A1410.58100 CLK-FICA	455.00
A1990.54905 Contingent Fund	A1420.51560 ATTY-Asst. County Attorney	674.00
A1990.54905 Contingent Fund	A1420.51590 ATTY-County Attorney	1,443.00
A1990.54905 Contingent Fund	A1420.51644 ATTY-Secretary	551.00
A1990.54905 Contingent Fund	A1420.58100 ATTY-FICA	205.00
A1990.54905 Contingent Fund	A1430.51140 PERS-Personnel Assistant	720.00
A1990.54905 Contingent Fund	A1430.58305 PERS-Insurance NU	7,935.00
A1990.54905 Contingent Fund	A1450.51050 EL-Election Commissioner	758.00
A1990.54905 Contingent Fund	A1450.51051 EL-Election Commissioner	758.00
A1990.54905 Contingent Fund	A1450.58100 EL-FICA	116.00
A1990.54905 Contingent Fund	A1625.51040 B&G-Supervisor	1,114.00
A1990.54905 Contingent Fund	A1625.51660 B&G-Insurance Buyout	3,776.00
A1990.54905 Contingent Fund	A1625.58100 B&G-FICA	341.00
A1990.54905 Contingent Fund	A1680.51076 IT-Director	1,407.00
A1990.54905 Contingent Fund	A1680.58100 IT-FICA	108.00
A1990.54905 Contingent Fund	A3110.51025 SHER-Sheriff	1,817.00
A1990.54905 Contingent Fund	A3110.51105 SHER-Sheriff Asst.	807.00
A1990.54905 Contingent Fund	A3110.51155 SHER-Undersheriff	1,426.00
A1990.54905 Contingent Fund	A3110.58100 SHER-FICA	47.00
A1990.54905 Contingent Fund	A3140.51090 PROB-Probation Director	1,205.00
A1990.54905 Contingent Fund	A3140.58100 PROB-FICA	93.00
A1990.54905 Contingent Fund	A3645.51070 OEM-Director	1,252.00
A1990.54905 Contingent Fund	A3645.58100 OEM-FICA	96.00
A1990.54905 Contingent Fund	A4010.51065 PH-Director	1,356.00
A1990.54905 Contingent Fund	A4010.51149 PH-Sr. Admin. Asst.	341.00
A1990.54905 Contingent Fund	A4010.51151 PH-Supervising PHN	1,178.00
A1990.54905 Contingent Fund	A4010.51302 PH-Program Coordinator	535.00
A1990.54905 Contingent Fund	A4010.58100 PH-FICA	376.00
A1990.54905 Contingent Fund	A4320.51212 CS-Fiscal Administrator	315.00
A1990.54905 Contingent Fund	A4320.51302 CS-Program Coordinator	934.00
A1990.54905 Contingent Fund	A4320.51605 CS-Commissioner	1,400.00
A1990.54905 Contingent Fund	A4320.58100 CS-FICA	203.00
A1990.54905 Contingent Fund	A6010.51052 DSS-Commissioner	1,273.00
A1990.54905 Contingent Fund	A6010.51115 DSS-Deputy Commissioner	1,125.00
A1990.54905 Contingent Fund	A6010.51125 DSS-Director of Income Maint.	1,125.00
A1990.54905 Contingent Fund	A6010.51645 DSS-Attorney	1,214.00
A1990.54905 Contingent Fund	A6010.51646 DSS-Secretary	74.00
A1990.54905 Contingent Fund	A6010.58100 DSS-FICA	284.00
A1990.54905 Contingent Fund	A6510.51061 VET-Director	918.00

A1990.54905 Contingent Fund	A6510.58100 VET-FICA	140.00
A1990.54905 Contingent Fund	A7310.51657 YTH-Director	401.00
A1990.54905 Contingent Fund	A7310.58100 YTH-FICA	31.00
A1990.54905 Contingent Fund	A7510.51075 HIST-Historian	859.00
A1990.54905 Contingent Fund	A7510.58100 HIST-FICA	40.00
A1990.54905 Contingent Fund	A8020.51085 PLN-Planner	1,316.00
A1990.54905 Contingent Fund	A8020.58100 PLN-FICA	66.00
A1165.58305 DA-Insurance NU	A1990.54905 Contingent Fund	11,204.00
A1410.58305 CLK-Insurance NU	A1990.54905 Contingent Fund	4,999.00
A1625.58305 B&G-Insurance NU	A1990.54905 Contingent Fund	18,883.00
A3110.58305 SHER-Insurance NU	A1990.54905 Contingent Fund	728.00
A1410.51235 CLK-MV Cashier	A1410.51135 CLK-MV Supervisor	3,799.00
A1410.51235 CLK-MV Cashier	A1410.58100 CLK-FICA	290.00

and be it further

RESOLVED, that copies of this resolution be given to the Clerk of the Legislature, District Attorney, Public Defender, Conflict Defender, County Clerk, County Attorney, Director of Personnel, Election Commissioners, Probation Director, Director of Emergency Management, Community Services Director, Social Services Director, Veteran’s Director, Historian, Youth Director, Real Property Director, Buildings & Grounds Supervisor, Information Technology Director, Sheriff, Public Health Director, Director of Social Services, Planner, Highway Superintendent and County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 50-16**

Mr. Paddock offered resolutions 50 thru 52-16 and moved their adoption, seconded by Mr. Montgomery.

**APPROPRIATE CARRYOVER OF HOMELAND SECURITY GRANT  
(Emergency Management – SHSP ’14)**

WHEREAS the Office of Emergency Management has received a Homeland Security Grant through the New York State Office of Homeland Security, and a balance of \$566.01 remained at the end of 2015, and

WHEREAS, these funds are not part of the 2016 budget and can be carried over to the 2016 fiscal year,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by a total of \$566.01:

Appropriation	
A3645.52985 SHSP ’14	\$535.41
A3645.54985 SHSP ’14	30.60
Revenue	
A3645.44308 SHSP ’14	566.01

and be it further

RESOLVED, that copies of this resolution be given to the Emergency Management Director, Budget Officer and County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 51-16**

**APPROPRIATE CARRYOVER OF HOMELAND SECURITY GRANT  
(Emergency Management – SHSP ‘15)**

Whereas the Office of Emergency Management has received a Homeland Security Grant through the New York State Office of Homeland Security, and a balance of \$30,000.00 remained at the end of 2015, and

WHEREAS, these funds are not part of the 2016 budget and can be carried over to the 2016 fiscal year,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by a total of \$30,000.00:

Appropriation  
A3645.52964 SHSP '15

Revenue  
A3645.44304 SHSP '15

and be it further

RESOLVED, that copies of this resolution be given to the Emergency Management Director, Budget Officer and County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 52-16**

**APPROPRIATE CARRYOVER OF HOMELAND SECURITY GRANT  
(Emergency Management – Local Emergency Planning Council)**

Whereas the Office of Emergency Management has received a Local Emergency Planning Council Grant through the New York State Office of Homeland Security, and a balance of \$7,295.82 remained at the end of 2015, and

WHEREAS, these funds are not part of the 2016 budget and can be carried over to the 2016 fiscal year,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$7,295.82

Appropriation  
A3645.54959 Emergency Planning

Revenue  
A3645.44309 LEPC-HMEP

and be it further

RESOLVED, that copies of this resolution be given to the Emergency Management Director, Budget Officer and County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 53-16**

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

**APPROPRIATE CARRYOVER OF 2015 MEDICAL RESERVE  
CORP GRANT (Public Health)**

WHEREAS, the Yates County Public Health Department received a Medical Reserve Corp Grant for the year 2015 and a balance of \$5,950.08 remained at the end of 2015, and

WHEREAS, these funds are not part of the 2016 budget and can be carried over to the 2016 fiscal year,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$5,950.08:

Appropriation  
A4010.54956 Medical Reserve Corp

Revenue  
A4010.44488 Medical Reserve Corp

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 54-16**

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

**APPROPRIATE CARRYOVER OF 2015 EMERGENCY PLANNING EBOLA GRANT  
(Public Health)**

WHEREAS, the Yates County Public Health Department received an Emergency Planning Ebola for the year 2015 and a balance of \$36,700.00 remained at the end of 2015, and

WHEREAS, these funds are not part of the 2016 budget and can be carried over to the 2016 fiscal year,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$36,700.00:

Appropriation  
A4010.54942 PHEP-Ebola

Revenue  
A4010.43404 PHEP-Ebola

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 55-16**

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

**APPROPRIATE CARRYOVER OF 2015 HEALTH SYSTEMS LEARNING GRANT  
(Public Health)**

WHEREAS, the Yates County Public Health Department received a Health Systems Learning Grant for the year 2015 and a balance of \$6,606.00 remained at the end of 2015, and

WHEREAS, these funds are not part of the 2016 budget and can be carried over to the 2016 fiscal year,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$6,606.00:

Appropriation  
A4010.54939 Health Systems Learning

Revenue  
A4010.44401 Health Systems Learning

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 56-16**

Mr. Paddock offered resolutions 56 and 57-16 and moved their adoption, seconded by Mr. Smith.

**APPROPRIATE CARRYOVER OF 2015 NEW YORK STATE  
DEPARTMENT OF HEALTH RURAL HEALTH NETWORK GRANT**



**(Public Health)**

WHEREAS, the Yates County Public Health Department received a New York State Department of Health Rural Health Network Grant for the year 2015 and a balance of \$64,690.24 remained at the end of 2015, and

WHEREAS, these funds are not part of the 2016 budget and can be carried over to the 2016 fiscal year,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$64,690.24:

Appropriation  
A4010.54947 Rural Health Network

Revenue  
A4010.43403 SAY Facilitated Enrollment Grant)

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 57-16**

**APPROPRIATE CARRYOVER OF 2015 NEW YORK STATE  
DEPARTMENT OF HEALTH DISASTER PLANNING GRANT  
(Public Health)**

WHEREAS, the Yates County Public Health Department received a New York State Department of Health Disaster Planning Grant for the year 2015 and a balance of \$30,800.00 remained at the end of 2015, and

WHEREAS, these funds are not part of the 2016 budget and can be carried over to the 2016 fiscal year,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$30,800.00:

Appropriation  
A4010.54938 Disaster Planning

Revenue  
A4010.44489 Disaster Planning

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 58-16**

Mr. Paddock offered resolutions 58 and 59-16 and moved their adoption, seconded by Mr. Montgomery.

**APPROPRIATE ADDITIONAL STATE AID  
(Community Services)**

WHEREAS, the Community Services Department has received additional State Aid, and

WHEREAS, these funds are not part of the 2016 budget,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$505.00:

Appropriations:

A4320.54260 Home Intervention	\$2.00
A4320.54274 Social Club	76.00
A4320.54277 Vocational Services	427.00

Revenue:

A4320.43495 Reinvestment	\$505.00
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and be it further

RESOLVED, that copies of this resolution be given to the Community Services Director, the Budget Officer and the County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 59-16**

**APPROPRIATE ADDITIONAL STATE AID (RP)**

WHEREAS, additional State Aid is available to the Real Property Tax Services Department, and

WHEREAS, these funds are not part of the 2016 budget,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$283.02:

Appropriation:

A1355.52115 Computer Hardware
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Revenue:

A1355.43040 Real Property
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and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 60-16**

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

**REAPPOINTMENT TO FLINT CREEK ADMINISTRATIVE BOARD**

BE IT RESOLVED, that Larry Christensen, 305 Lovejoy Road, Penn Yan, New York 14527 is hereby reappointed as Yates County representative to the Flint Creek Small Watershed Protection District Administrative Board for a two year term expiring March 15, 2018, and be it further

RESOLVED, that a copy of this resolution be sent to the Ontario Board of Supervisors, Flint Creek Small Watershed Protection District and to the appointee.

VOTE: Unanimous

**RESOLUTION NO. 61-16**

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

**AUTHORIZING YATES COUNTY TO ENTER INTO A CONTRACT WITH  
KEUKA HOUSING COUNCIL FOR ADMINISTRATION OF A  
COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, Yates County, through the efforts of Keuka Housing Council, received a Community Development Block Grant (CDBG) Program for funding associated with septic and water well replacements or repairs and installation of water/sewer laterals to low income homeowners, and

WHEREAS, said the above rehabilitation activities are an eligible expenditures of CDBG funds, and

WHEREAS, under the CDBG Program, Yates County is permitted to contract with Keuka Housing Council, Inc. to provide said rehabilitation.

NOW THEREFORE, BE IT RESOLVED, that Yates County is hereby authorized to enter into a contract with Keuka Housing Council, a sub-recipient of the CDBG, and

BE IT FURTHER RESOLVED, the Chairman of the Yates County Legislature is hereby authorized to sign the contract upon approval by the County Attorney, and

BE IT FURTHER RESOLVED, that the contract term will be from December 10, 2015 through December 10, 2017, and

BE IT FURTHER RESOLVED, that the Chairman of the Yates County Legislature is hereby authorized to sign all appropriate and necessary documents related to the contract, subject to the approval of the Yates County Attorney, and

BE IT FURTHER RESOLVED, a copy of this resolution shall be forwarded to the Executive Director, Keuka Housing Council, Inc., 160 Main Street, Penn Yan, New York, the County Treasurer and the County Planner.

VOTE: Unanimous

**RESOLUTION NO. 62-16**

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

**RESOLUTION APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

WHEREAS, the County of Yates has appropriated in the 2016 County Budget the sum of \$6,647.00 as its share of the Year 2016 operating funds of the Genesee/Finger Lakes Regional Planning Council, and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County, and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David Zorn, Executive Director of the Council, as the officer to receive payments of such monies, and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000.00,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law, and be it further

RESOLVED, that copies of this resolution be sent to the Genesee/Finger Lakes Regional Planning Council, the County Treasurer, and the County Planner.

VOTE: Unanimous

**RESOLUTION NO. 63-16**

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

**AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING WITH CORNELL COOPERATIVE EXTENSION**

WHEREAS, Yates County has budgeted \$240,153 for the support and maintenance of the work of Cooperative Extension in Yates County in the conduct of the extended educational programs of the New York State College of Agriculture and Life Sciences, the college of Human Ecology and other units at Cornell University.

NOW THEREFORE BE IT RESOLVED, the Chairman is authorized to sign an MOU agreement with Cornell Cooperative Extension with the understanding that the insurance requirements are waived, and be it

RESOLVED, that copies of this resolution be given to Cornell Cooperative Extension.  
VOTE: Unanimous

**RESOLUTION NO. 64-16**

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

**AUTHORIZE COUNTY CLERK TO FILL VACANCY  
(Motor Vehicle Cashier)**

RESOLVED, that effective February 8th, 2016, the County Clerk is hereby authorized to fill the vacant position of Motor Vehicle Cashier, and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 65-16**

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

**AUTHORIZE ALL COUNTY OWNED VEHICLES BE MARKED**

RESOLVED, that Resolution No. 158-87 is hereby rescinded, and be it further

RESOLVED, that all presently owned vehicles and those thereafter purchased or leased by Yates County, except those designated by the Sheriff as unmarked vehicles shall within 10 days of delivery be marked with an appropriate decal minimum of 12" in size on each front door or have official Yates County Vehicle plates, and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to purchase and maintain a supply of said decals, and be it further

RESOLVED, that a copy of this resolution be forwarded to each department head and that it become a part of the policy manual

VOTE: Unanimous

**RESOLUTION NO. 66-16**

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

DISCUSSION:

Mrs. Percy stated there needs to be a correction in the second to the last paragraph, instead of North Country it should say Finger Lakes.

Mr. Montgomery stated this was discussed in Committee and there is a lot of conversation going on relative to what we should do about this law that the Governor is proposing. The general feeling that Mr. Montgomery came away with after that discussion was this was going to get a unanimous approval. Mr. Montgomery stated there is clearly two sides to this, he is going to vote no on this simply because he wants there to be more discussion.

Mr. Paddock pointed out that raising the minimum wage a quarter an hour has affected the delivery of meals to people that participate in the Meals on Wheels program.

**RESOLUTION OPPOSING THE NEW YORK STATE LABOR COMMISSIONER'S  
ORDER TO RAISE THE MINIMUM WAGE TO \$15 AN HOUR FOR EMPLOYEES OF  
FAST-FOOD CHAIN RESTAURANTS IN NEW YORK**

WHEREAS, New York State's minimum wage currently stands at \$9 an hour which was effective on December 31, 2015. At the request of Governor Andrew Cuomo, a Wage Board was empaneled to study the issue of an increase in the minimum wage. As a result of the Board's recommendations, and with the Governor's backing, the State Labor Commissioner issued an order raising the minimum wage to \$15 an hour for employees of fast-food chain restaurants in all of New York State; and

WHEREAS, Governor Cuomo then announced he would propose legislation raising New York's statewide minimum wage to \$15 an hour for all workers, to commence by 2018 in New York City and by 2021 for the rest of the State, as it is the Governor's view that a minimum wage increase is needed to "lift workers out of poverty, improve the standard of living for workers, encourage fair and more efficient business practices, and ensure that the most vulnerable members of the workforce can contribute to the economy"; and

WHEREAS, lawmakers across the nation continue to debate the merits of raising the minimum wage to \$15 per hour. And although we seek to have our citizens improve their standard of living and for those in poverty to be lifted out, there is credible research to suggest that the potential benefits of raising the minimum wage are greatly offset by the negative consequences of same, especially in the Finger Lakes; and

WHEREAS, a recent paper published by the Empire Center and the American Action Forum, entitled "*Higher Pay, Fewer Jobs*", authored by Douglas Holtz-Eakin and Ben Gitis, finds that a \$15 minimum wage ultimately would cost the state at least 200,000 jobs, with proportionately larger employment decreases in the upstate regions; and

WHEREAS, an "across the board" increase in the minimum wage proposed by the Governor fails to consider the differing economic realities between wages and the cost of living between New York City and upstate, rural, agriculturally driven Counties such as Yates. What may be a good, viable policy for the city and greater New York metropolitan workforce may well be detrimental to small, family businesses and small, rural, agriculturally driven counties such as Yates County; and

WHEREAS, the minimum wage increase to \$15 for fast-food workers in Yates County may result in the inequitable and negative effect of causing employers to hire part-time instead of full-time because of the additional payroll and other benefit costs to Employers with these increased costs; it may cause more reliance upon more automation to operate resulting in fewer new hires, increased work load for remaining staff, and a more selective hiring process. All of these effects may lead to price increases, loss of entry-level jobs for many unskilled workers thereby harming low-income workers for whom the increase is designed to benefit; and

WHEREAS, the wage increase to \$15 per hour in the fast-food industry will have the effect in our rural, agriculturally driven labor force of having skilled employees earning less than unskilled, entry level workers in the fast food industry. According to the Bureau of Labor statistics from 2014, the entry level and median hourly wage for most entry type occupations are \$8-11/hr and \$9-15/hr respectively. "All occupations" in Yates County entry and median hourly wage are \$12.65/hr and \$17.60/hr respectively. The same trend is true for our neighboring Counties. The inevitable result will be a heightened pressure on small businesses (and public employers in the County) to increase wages to their skilled employees in order to retain a qualified workforce. This may then lead to higher prices, closed businesses, job losses to the existing labor pool, and/or an increase in property taxes to meet the financial cost to municipalities because of an increase in wages in the public workforce; and

WHEREAS, the Yates County Legislature is cognizant of the nature of the workforce in the County, the desire to lower the unemployment rate and provide a community in which all residents can prosper and enjoy a decent standard of living. The Legislature believes, however that instead of this proposed increase in wages, the State should be working together with County and other local municipalities to lower unfunded mandates, support job creators, lessen the payroll burdens on employers and businesses in New York State, and create a regional economic environment where businesses can establish themselves and offer good paying, competitive wages to skilled and unskilled workers reflective of the local economy.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Yates County Legislature calls for the immediate withdrawal of the Order to increase the minimum wage to \$15 for fast-food chain businesses in New York State.

Section 2. The Yates County Legislature calls on the Governor, his Wage Board, the State Labor Commissioner and the State Legislature to reconsider this misguided recommendation.

Section 3. The Yates County Legislature calls upon the Governor, his Wage Board, the State Labor Commissioner and the State Legislature to have further analysis and input with and from local governments and private, small business proprietors, including those in rural counties, as to the actual effects and impacts that a large raise in the minimum wage may have on local businesses, the local economy and those in low-income families in the Finger Lakes.

Section 4. The Yates County Legislature hereby records its opposition to an increase in the minimum wage to \$15 as proposed, and directs that a copy of this resolution be forwarded to Governor Andrew Cuomo, State Senate and Assembly Majority Leaders, State Senator Thomas O'Mara, State Assemblyman Palmesano, and all Legislative bodies in the 61 other Counties in the State of New York.

VOTE: Roll Call – Paddock, Bronson, Morrison, Percy, Multer, Banach, Church, Gleason, Button, Smith, Dennis voting “Yes” Montgomery voting “No” Legislator Holgate was out of the room at this time. Motion carried.

### **RESOLUTION NO. 67-16**

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

#### **ESTABLISH PAYMENT AND TITLES FOR ELECTION WORKERS (Election Inspector, Election Custodian and Election Technician) Replaces Resolution no. 75-09 and all amendments thereof**

WHEREAS, the New York State Election Law reflects that the Board of Elections shall appoint, and at its pleasure remove, clerks, voting machine technicians, custodians and election inspectors, fix their number, prescribe their duties, fix the titles and rank and establish their salaries within the amounts appropriated therefore by the local legislative body (EL 3-300)

NOW, THEREFORE, BE IT RESOLVED, upon the recommendation of the Election Commissioners, that the Election Inspectors be compensated as part time non-union employees at a rate of \$10.00 per hour for Primary, General and Special Elections, Election Inspectors acting as chair shall receive \$12.50 per hour for Primary, General and Special Elections and Election Inspectors acting as Coordinators shall receive \$15.00 per hour, for Primary, General and Special Elections, be it

RESOLVED, that Election Inspectors who attend the required yearly training session conducted by the Election Commissioners shall be paid and will receive \$10.00 per hour for each training session they attend in the County. No travel allowance will be paid for this training, and be it

RESOLVED, upon the recommendation of the Election Commissioners any election worker who is assigned to travel a distance greater than 10 miles from their individual polling site, shall be paid at an additional rate of \$1.00 per hour for that assignment and be it

RESOLVED, those Election Inspectors who are assigned to assist in other duties necessary to carry out the elections will be compensated at the rate of \$10.00 per hour. Mileage will not be paid for those duties if performed within the county.

NOW, THEREFORE, BE IT RESOLVED, upon the recommendation of the Election Commissioners Election Custodians shall be compensated as part time non-union employees at a rate of \$15.00 per hour

NOW, THEREFORE, BE IT RESOLVED, upon the recommendation of the Election Commissioners Election Technicians shall be compensated as part time non-union employees at a rate of \$25.00 per hour and will be paid mileage when they travel outside of Yates County for training and attendance at meetings and other services related to the election, and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 68-16**

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

#### **AUTHORIZE CHAIRMAN TO SIGN AGREEMENTS WITH EDIE FORBES, COURT REPORTER**

WHEREAS the District Attorney is required to retain a court reporter for transcription of the minutes of Grand Jury proceedings and Felony Preliminary Hearings and to obtain transcripts of these and other court or recorded proceedings or events; and

WHEREAS, the District Attorney wishes to retain the services of Edie Forbes, Court Reporter, and to enter into a written agreement for those purposes; and

WHEREAS, the County requires that payment for the provision of these continuing services be under a written contractual agreement; and

WHEREAS, the provision of general liability insurance by the contractor is hereby waived; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is authorized to sign such contract; and it is further

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

VOTE: Unanimous



## **RESOLUTION NO. 69-16**

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

### **APPOINT MEMBER TO THE YATES COUNTY FIRE ADVISORY BOARD**

RESOLVED, that Dresden Assistant Chief Warren Zimmerman fulfills the remainder of John Stryker's appointment to the Yates County Fire Advisory Board for the term to expire 12/31/16.

RESOLVED, that copies of this resolution be provided to Brian Winslow, Emergency Management Coordinator.

VOTE: Unanimous

## **RESOLUTION NO. 70-16**

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

### **DISCUSSION:**

Mr. Paddock stated that the title needs to be changed, we are creating a Deputy Sheriff Position, we cannot create a Deputy Sheriff. Also, based on public comment and multiple opinions expressed by email and in public this is a popular thing to do but warned everyone, ultimately the funds for this will have to come from somewhere. This is an ongoing cost, Mr. Paddock is not saying that this should not be done but we are pressured by the Governor to hold the tax levy within a certain limit. Mr. Banach wants to do more roads or bridges, please keep this in mind when you vote for this.

Mr. Montgomery stated he supports what Mr. Paddock stated. After the discussion we had a few minutes ago this is certainly a hot issue. Mr. Montgomery is not certain that this is the way to spend the money, education, things for kids to do rather than getting into this kind of trouble should be looked at. There is a whole lot of places to spend money. It isn't a money deal, it's what do we do to fix this problem. Ms. Flannigan had stated it's a medical problem not a legal problem in her presentation and the Sheriff has said we are not going to arrest our way out of this problem. Mr. Montgomery is going to vote no on this knowing that it is the unpopular thing to do but feels there is more to be done for him to understand where the county could best spend whatever money can be found to allocate to work on the heroin problem.

Mrs. Percy stated she read an article that pertains to this discussion. A mother lost her daughter to an overdose of heroin. This mother was a retired Albany police detective and her daughter was a straight "A" student. They are in the process of having a new law established Lare Law. This will change the position as to the sentence of someone who is selling heroin. The mother said if you kill someone with heroin it's the same thing as shooting them. The senator that is sponsoring this bill stated, we can treat, we can add recovery services, but if you don't go after the flow of drugs and hold someone who is selling it accountable then all the money and all the help that we are putting there is all for not.

Mr. Holgate stated the big thing here is, this is what we have been told by the Sheriff we need. So this is why Mr. Holgate is in favor of this. Also, the Sheriff had mentioned that we may have some revenue coming in through the dispatch position which it did come through and that is \$32,000.

Mr. Morrison commented Mr. Holgate stated this is what the Sheriff has told us we need. Mr. Morrison stated that he feels the Sheriff has been remarkably absent in this particular on going conversation. Mr. Morrison stated a week ago Chairman Dennis mentioned and Mr. Morrison

followed up with an email that someone provide some data as to where the money was going to come from. Mr. Morrison stated his estimate was around \$300,000 for 3 years, others may go as low as \$250,000. It seems to Mr. Morrison that this position will cost at least \$250,000 over a 3 year period and we are up against a very tight tax cap. We have fiber coming online, who knows what else. Mr. Morrison does not feel it would be irresponsible to pass this without at least addressing the funding problem. We have already seen what looks to be a tough year on sales tax possibly. It looks like the entire country might be sliding into a recession. We don't seem to have a global plan on exactly what we are doing. We have prevention, law enforcement and treatment are the three prongs. We talk about law enforcement but we haven't really talked too much about the other two with any specificity. We haven't talked about the redeployment of existing resources as opposed to hiring a new person. The most glaring example of this is we continue to run a double shift on Wednesday's there is some very obvious resources there that could be redeployed to attack this problem without having to increase head count.

Mr. Banach stated the Sheriff did say at the Public Safety meeting that his staff is already doing what they can do and they are at their max. There is no way he can shift things around to elevate this problem and make it go away. No matter what we wish it is not going to go away. One of the problems is it is because it is cheap. Because it is cheap, it is readily available, people can buy it anywhere. If we put somebody dedicated to the fact of narrowing this down and chasing the drug problems, maybe the price will go up. Maybe there wouldn't be as much of it, maybe that's a step in the right direction. We have an issue in Yates County. Let's solve the issue in Yates County right now, let's not worry about what others might do.

Mr. Smith stated he handed out some data from the NYS Division of Criminal Justice Services (NYS DCJS) highlighting the index of crime reported in the county from 2010 to 2014. People might have to steal or commit burglary in order to fund their habit. According to the NYS DCJS the number of property crimes dropped from 456 in 2010 a pretty steady climb down to 303 in 2014. That is a 33% drop in crime. In addition our District Attorney shared data last week at the Public Safety Committee meeting showing that there had been 32 convictions within the county in the 2014 -2015 years plus the first month of this year. But the data in the previous year's looks to suggest that there are about 10 convictions per year on average with felony drug convictions ranging from 4 to 12 over the last 5 years. If the 32 number reconciles with this for the two year period that would suggest that there were something on the order of 25 convictions last year versus 5 to 10 in previous years. So in spite of the fact that Yates County Sheriff's department does not have a drug investigator, it does appear that we are quite successful in arresting and convicting offenders of the felony drug laws. We did discuss adding police resources last year and we did not do that during our budget discussion. At this point Mr. Smith explained, as someone who is elected to represent his constituents he cannot justify a significant increase in money spent to fund this additional deputy. Mr. Smith suggested that a comprehensive study be done. As the Sheriff stated, we cannot arrest ourselves out of this problem. We heard from the Yates Substance Abuse Coalition that we need a comprehensive solution. The drugs are not being sourced here in the county, it's a regional and national issue. We need to look to our state and other organizations to address the supply problem and we should focus on taking care of our folks here. If we had money to spend on this as the Chairman has suggested, what can we do? Do we need a drug treatment facility in this County? Do we need more education awareness? If we do fund additional money to the Sheriff for enforcement, we are going to have to take it away from someplace else. Mr. Smith is not comfortable doing that until there is a more comprehensive discussion.

Mrs. Percy stated that one of the items as to why we are seeing the arrests is because of the PY Police Department. You have to remember we have a lot more than just Penn Yan in this County and we have had a lot of drug activity in Dundee and that area. Mrs. Percy feels this

position is needed so that we can stop some of this coming into County or our youth's hands. Mrs. Percy is in favor of creating this position and moving forward.

Mr. Banach stated the figures that Mr. Smith was addressing stopped in 2014. In 2014 he does not know of any deaths in Yates County for heroin overdose. He is not aware of any overdoses in Yates County during that time. Within the last half of 2015 that is when we have seen all of these increases. We can stick our head in the sand and say oh well, we were doing good years ago. We have a chance to do something now and let's make it happen.

Mr. Holgate stated for the Sheriff to investigate these crimes basically you have to have 2 investigators. The Sheriff's hands have been tied to investigate a lot of this stuff. We really need to get to the root of the problem. The Sheriff has made it clear to us that he needs an investigator for drugs. It is not one of those situations where you just shift people around and get the same results.

Mr. Bronson stated the problem that he is having is how we are going to pay for this and what are we doing for treatment. We know the young folks are taking heroin, they are getting it very cheap. What are we doing to help them overcome the problem? Arresting them is one thing, yes. In three years' time how are we going to sustain this position? Where is the money coming from? Mr. Bronson wants to know that the position can be supported in years to come.

Mrs. Church stated she is willing to support the position but agrees with Mr. Bronson as far as being on the fence and she is very concerned in the long term where the funding is going to come from for this position, given the pressures that we have in our budget. We don't have clear answers as to the other prongs in this activity which is treatment and carry through. It is a very difficult decision to make and Mrs. Church proposes putting it off another month until we find out for sure where the funding is going to come from. We can't just do the investigation without treatment and follow through. We need to be clear on how we can best serve the community not just tossing an investigator at the problem.

Chairman Dennis stated this type of thing is what Annmarie said in addition to the education and rehabilitation, she did say whatever you can do to slow this flow down and get it off the streets. Also, if we do this, through the Public Safety Committee, there has to be some kind of system, to measure if we are accomplishing what we thought we were. There should be an evaluation done quarterly of what are we getting for our funding. How are we going to pay for this? Chairman Dennis asked this in the Committee meeting. Chairman Dennis had questioned if funding from STOP DWI could be used for this because a lot of those stops do end up as DWAI drugs, we did not get an answer to that question. We received a negative opinion but not a definitive answer. We should be looking at other statewide grants to fund this type position.

Mr. Morrison stated he agrees with Mrs. Church that more information is needed. Mr. Morrison questioned Deb Minor, Director of Public Health that if she had another month would it be enough time to get back to the Legislature with information defining the problem. Then fashion a response to the problem that would encompass all three legs of the solution. Mr. Morrison thanked Ms. Chadwick who spoke up regarding her struggles with addiction.

Mrs. Minor stated that she would be able to pull data together. But she will not be able to come up with solutions in a month. She will continue to work with Annmarie and Mike and the rest of the Coalition to look at what possibilities there are and programs that have been implemented elsewhere. Mrs. Minor explained that Annmarie will be leaving in the spring and she does not have a staff person that could devote 20, 30 or 40 hour's week to do the work that Annmarie has

been doing. Mike also puts in a fair amount of hours for our County, so his time is limited as well.

Mr. Button stated he would like to see this put off a month. This product is coming in on planes, trains, boats, and trucks. It's coming in through our boarders. This is a national level. We need to talk to Congressman Reed and the State representatives when they are here, whether it is coming through NY City, it is coming here from somewhere else and we have to stop it there and then it will make it supply and demand.

Mrs. Church moved to table this resolution until next month after we have had reports back from Deb Minor and any other services that might able to provide more data for us and our meeting with the state representatives. Mrs. Church would also like more information from the Sheriff as to how he would implement this position and how we would fund it, seconded by Mr. Morrison. VOTE: Roll call – Paddock, Montgomery, Bronson, Morrison, Multer, Church, Button, Smith voting “Yes” Percy, Holgate, Banach, Gleason, Dennis voting “No” motion is tabled.

**CREATE DEPUTY SHERIFF POSITION CRIMINAL INVESTIGATOR - (MOTION TABLED UNTIL MARCH MEETING)**

NOW, THEREFORE, BE IT RESOLVED, that a Deputy Sheriff - Criminal Investigator position to focus on controlled substances/narco investigations is hereby created in the A3110 budget and that the Sheriff is authorized to fill this position and will seek applicable revenue sources; if any, and

RESOLVED, that any subsequent deputy sheriff position that becomes vacant due to the before mentioned created promotion position, that the Sheriff is authorized to fill that position, and

RESOLVED, that copies of this resolution be given to the Sheriff, Personnel Officer and the Treasurer/Budget Officer.

**RESOLUTION NO. 71-16**

Mr. Banach offered resolutions 71, 72 and 74 thru 76-16 and moved their adoption, seconded by Mr. Button.

**AWARD BID FOR ABRASIVE SAND**

WHEREAS, bids were requested for Abrasive Sand and received on January 21, 2016 at 10:00 a.m. and three firms submitted a bid to the Yates County Highway Department, and

	Hanson	Hanson	Spallina	Dolomite
<b>FOB @ Vendor Yard</b>	8.50	7.00	6.25	5.00
Location of Sand	Oaks Corners	Phelps	Cohocton	Palmyra
<b>Delivered to:</b>				
Yates Co. Hwy - Benton	12.25	10.75	12.00	9.85
Barrington Hwy - Bath Rd	14.00	12.50	12.25	12.25
Italy Hwy - Italy Valley Rd	14.50	13.00	11.95	12.25
Middlesex Hwy - Mill St.	14.00	12.50	11.95	10.95
Potter Hwy - Phelps Rd	13.50	12.00	11.50	10.90

Starkey Hwy - Dundee Starkey Rd	14.75	13.25	13.00	12.50
Torrey Hwy - Route 14	13.00	11.50	13.00	10.75

WHEREAS, the F.O.B. @ vendor yard shall be awarded to all vendors, and

WHEREAS, delivered prices shall be awarded to Spallina for Barrington Highway and Italy Highway. To Dolomite for Yates County Highway, Barrington Highway, Middlesex Highway, Potter Highway, Starkey Highway, and Torrey Highway. All awards will be contingent upon approval of vendor's material by the Yates County Highway Superintendent or his designee, and be it further

RESOLVED, that copies of this resolution be forwarded to all bidders, the Yates County Treasurer, and the Yates County Highway Superintendent.

VOTE: Unanimous

### RESOLUTION NO. 72-16

#### AWARD BID FOR COLD MIX PATCH

WHEREAS, bids were requested for Cold Mix Patch and received on January 21, 2016 at 10:00 a.m. and five firms submitted bids to the Yates County Highway Department

BIDDER	COARSE MIX AT SUPPLIER'S YARD	INTERMEDIATE MIX AT SUPPLIER'S YARD	HFMS-2GWS with PUG MILL (gallon)	SK MODIFIED	OTHER BID ITEMS FOB AT VENDOR SITE	SITE OF OPERATIONS
Unique Paving	NB	NB	NB	NB	UPM Pavement Repair Material \$110.00/ton	Victor
Seneca Stone	NB	NB	NB	\$107.45/ton	NB	Fayette
Hanson Aggregates	\$85.00/ton	NB	NB	\$105.00/ton	NB	Geneva
Suit Kote	NB	\$86.06/ton	\$3.15/gal	\$109.37/ton	NB	Watkins Glen
Shelby Crushed Stone	NB	NB	NB	NB	EZ Street Cold Patch \$110.00/ton	

NOW, THEREFORE BE IT RESOLVED, to award the bid to Hanson Aggregates for Course Mix at Supplier's Yard and SK Modified. To Suit Kote for Intermediate Mix at Suppliers Yard and HFMS-2GWS with Pug Mill and be it further

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

VOTE: Unanimous

### RESOLUTION NO. 73-16

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

#### AWARD BID FOR GRAVEL

WHEREAS, bids were requested for Gravel and received on January 21, 2016 at 10:00 a.m. and four firms submitted bids to the Yates County Highway Department, and

<b>Bidder:</b>	<b>City Hill</b>	<b>Kula</b>	<b>RK Howell</b>	<b>Spallina</b>
Site of Operation:	Penn Yan	Naples	Dundee	Cohocton
<b>ITEM I (FOB)</b>				
Screened Gravel	7.00 / t	7.70 / t	7.50 / t	7.00 / t
Crushed Gravel	8.00 / t	11.50 / t	NB	7.60 / t
<b>ITEM II (FOB)</b>				
Bank Run Gravel	5.50 / t	5.50 / t	5.00 / t	6.25 / t
<b>DELIVERED PRICE</b>				
Benton Yard				
Item I	12.50 / t	NB	NB	13.45 / t
Item II	10.50 / t	NB	NB	12.45 / t
Guyanoga Barns				
Item I	13.50 / t	NB	NB	13.95 / t
Item II	12.00 / t	NB	NB	12.95 / t

WHEREAS, all gravel must be sampled and meet or exceed the required bid specifications parameter when tested by an independent laboratory, and

WHEREAS, the award for F.O.B. gravel shall be determined by combining the price per ton at the vendor yard and the Yates County cost for hauling the materials to the job site. The Delivered Price shall be awarded to City Hill contingent upon satisfactory sampling and testing to ensure compliance with bid specifications, and

NOW, THEREFORE BE IT RESOLVED, that due to various project locations throughout the County, the bid award shall be made to all bidders for Screened or Crushed Gravel and Bank Run Gravel contingent upon satisfactory sampling and testing to ensure compliance with bid specification, and be it further

RESOLVED, to forward a copy of this resolution to each bidder, the Yates County Treasurer and the Yates County Highway Superintendent.

VOTE: Unanimous with Mr. Button abstaining.

### RESOLUTION NO. 74-16

### AWARD BID FOR CRUSHED STONE

WHEREAS, bids were requested for Crushed Stone and received on January 21, 2016 at 10:00 a.m. and five firms submitted bids to the Yates County Highway Department, and

		1ST			1A			1B			#1		
		FOB	Benton	Guy	FOB	Benton	Guy	FOB	Benton	Guy	FOB	Benton	Guy
Seneca Stone	LS	13.50	19.00	20.00	14.00	19.50	20.50	13.50	19.00	20.00	13.50	19.00	20.00
AL Blades	SS	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB
Dolomite	LS	13.00	17.25	17.50	13.00	17.25	17.50	12.50	16.65	16.80	12.50	16.65	16.80
Hanson	LS	13.50	17.50	18.75	13.75	17.75	19.00	12.75	16.75	18.00	13.00	17.00	18.25
Dalyrple	GS	14.25	NB	NB	15.25	NB	NB	NB	NB	NB	13.75	NB	NB
		#2			#3			3/8" Modified			1 & 1A Blend		

		FOB	Benton	Guy	FOB	Benton	Guy	FOB	Benton	Guy	FOB	Benton	Guy
Seneca Stone	LS	13.50	19.00	20.00	13.50	19.00	20.00	15.00	20.50	21.50	13.50	19.00	20.00
AL Blades	SS	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB
Dolomite	LS	12.50	16.65	16.80	12.50	16.65	16.80	13.50	17.15	17.30	12.75	16.90	17.05
Hanson	LS	13.00	17.00	18.25	13.00	17.00	18.25	15.00	19.00	20.25	13.50	17.50	18.75
Dalryple	GS	13.75	NB	NB	13.75	NB	NB	NB	NB	NB	15.25	NB	NB
		<b>1 &amp; 2 Blend</b>			<b>#2, #1, #1A Blend</b>			<b>Gabion Stone</b>			<b>Rip Rap Heavy</b>		
		FOB	Benton	Guy	FOB	Benton	Guy	FOB	Benton	Guy	FOB	Benton	Guy
Seneca Stone	LS	13.50	19.00	20.00	13.50	19.00	20.00	12.50	18.00	19.00	17.50	24.25	25.25
AL Blades	SS	NB	NB	NB	NB	NB	NB	14.75	27.25	25.75	17.50	30.50	29.00
Dolomite	LS	12.50	16.65	17.05	12.75	16.90	17.05	13.00	16.65	16.80	18.50	NB	NB
Hanson	LS	13.50	17.50	18.75	13.50	17.50	18.75	13.00	17.00	18.25	18.50	24.50	26.50
Dalryple	GS	14.25	NB	NB	15.25	NB	NB	NB	NB	NB	NB	NB	NB
		<b>Rip Rap Medium</b>			<b>Crusher Run</b>			<b>Fine Crusher Run</b>					
		FOB	Benton	Guy	FOB	Benton	Guy	FOB	Benton	Guy			
Seneca Stone	LS	17.50	24.25	25.25	9.00	14.50	15.50	9.75	15.25	16.25			
AL Blades	SS	17.50	30.50	29.00	NB	NB	NB	NB	NB	NB			
Dolomite	LS	16.50	NB	NB	8.25	12.15	12.30	9.00	13.15	13.30			
Hanson	LS	17.50	23.50	25.50	8.45	12.45	13.70	9.50	13.50	14.75			
Dalryple	GS	NB	NB	NB	NB	NB	NB	NB	NB	NB			

WHEREAS, due to various worksites throughout the County, the bid award for F.O.B. crushed stone shall be awarded to all bidders and the purchase of F.O.B. crushed stone from any vendor shall be determined by combining the price per ton at the vendor yard and the Yates County cost for hauling the materials to the job site, and

WHEREAS, the bid award for crushed stone to be delivered to the various sites listed on the charts above shall be awarded by individual product type to the lowest bidder for each delivery site,

NOW, THEREFORE BE IT RESOLVED, that copies of this resolution be forwarded to each bidder, the Yates County Treasurer, and the Yates County Highway Superintendent.

VOTE: Unanimous

**RESOLUTION NO. 75-16**

**AWARD BID FOR VEGETATION CONTROL**

WHEREAS, bids were requested for Vegetation Control were received on January 21, 2016 at 10:00 a.m. and two firms submitted bids to the Yates County Highway Department, and

**Roadside to be treated: Approximately 360**

Application Price per Mile	Material Mixture Price per Gallon	Estimated Gallon Usage	Total
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<u>Allen Chase Enterprises</u>	\$19.45	\$0.78	1,000	\$7,782.00
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<u>DeAngelo Brothers</u>	\$25.53	\$0.98	1,000	\$10,170.80
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NOW, THEREFORE BE IT RESOLVED to award the bid to Allen Chase Enterprises for a price of \$19.45 per mile of roadside application and \$0.78 per gallon of material mixture, for a total Application and Material amount not to exceed \$7,782.00.

RESOLVED, to forward copies of this resolution to each bidder, the Yates County Treasurer, and the Yates County Highway Superintendent.

VOTE: Unanimous

**RESOLUTION NO. 76-16**

**AWARD BID FOR TIRES AND TUBES**

WHEREAS, bids were requested for Tires and Tubes and received on January 21, 2016 at 10:00 a.m. and one firm submitted a bid to the Yates County Highway Department,

**VENDOR:** Tallmadge Tire

ITEM	DESCRIPTION	LIST	TRADE -IN	NET
I	Industrial Tire 6.50R10	\$224.00	-	\$224.00
II	Industrial Tire 7.00R12	\$272.00	-	\$272.00
III	Passenger Tire 205/70R14	\$97.44	-	\$97.44
IV	Industrial Tire 8.25R15	\$465.00	-	\$465.00
V	Passenger Tire 215/70R15	\$105.00	-	\$105.00
VI	Truck Tire LT215/85R16	\$230.00	-	\$230.00
VII	Passenger Tire 215/60R16	\$114.00	-	\$114.00
VIII	Passenger Tire 225/65R16	\$140.00	-	\$140.00
IX	Truck Tire LT235/85R16	\$232.00	-	\$232.00
X	Truck Tire LT235/85R16	\$184.00	-	\$184.00
XI	Truck Tire LT245/75R16	\$178.00	-	\$178.00
XII	Truck Tire LT265/75R16	\$188.00	-	\$188.00
XIII	Truck Tire LT245/75R17	\$180.00	-	\$180.00
XIV	Truck Tire LT265/70R17	\$197.00	-	\$197.00
XV	Truck Tire 225/70R19.5	\$376.00	\$10.00	\$366.00



XVI	Truck Tire	225/70R19.5	\$368.00	\$10.00	\$358.00
XVII	Truck Tire	255/70R22.5	\$468.00	\$25.00	\$443.00
XVIII	Truck Tire	385/65R22.5	\$760.00	\$75.00	\$685.00
XIX	Truck Tire	425/65R22.5	\$816.00	\$50.00	\$766.00
XX	Truck Tire	11R24.5	\$572.00	\$100.00	\$472.00
XXI	Truck Tire	11R24.5	\$500.00	\$100.00	\$400.00
XXII	Truck Tire	11R24.5	\$642.00	\$100.00	\$542.00
XXIII	Tractor Tire	10:00/16	\$164.00	-	\$164.00
XXIV	Truck Tire	9.50R16.5	\$129.00	-	\$129.00
XXV	Off Road Tire	265/70R16.5	\$358.00	-	\$358.00
XXVI	Trailer Tire	235/75R17.5	\$394.00	-	\$394.00
XXVII	Off Road Tire	355/70D17.5	\$314.00	-	\$314.00
XXVIII	Industrial Tire	10.00R20	\$726.00	-	\$726.00
XXIX	Tractor Tire	11.2R24	\$675.00	-	\$675.00
XXX	Tractor Tire	12.4R24	\$725.00	-	\$725.00
XXXI	Roller Tire	14.9R24	\$650.00	-	\$650.00
XXXII	Grader Tire	17.5R25	\$1,372.00	\$75.00	\$1,297.00
XXXIII	Loader Tire	20.5R25	\$1,805.00	\$125.00	\$1,680.00
XXXIV	Loader Tire	23.5R25	\$2,633.00	\$175.00	\$2,458.00
XXXV	Tractor Tire	440/80R28	\$1,104.00	-	\$1,104.00
XXXVI	Tractor Tire	16.9R30	\$1,196.00	-	\$1,196.00
XXXVII	Tractor Tire	420/90R30	\$1,306.00	-	\$1,306.00
XXXVII I	Tractor Tire	18.4R30	\$1,420.00	-	\$1,420.00
XXXIX	Tractor Tire	18.4R34	\$1,386.00	-	\$1,386.00
XL	Radial Truck Tube	8.25R15	\$15.75	-	\$15.75
XLI	Radial Truck Tube	10:00-20	\$22.40	-	\$22.40
XLII	Wheel Recondition	Light thru Heavy	\$29.00	-	\$29.00

NOW, THEREFORE BE IT RESOLVED, to award the bid for items listed on the charts above by individual tire type to Tallmadge Tire, and be it further

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

**RESOLUTION NO. 77-16**

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

**AWARD BID FOR WEST AVENUE BRIDGE (BIN 2255980) SUPERSTRUCTURE REPLACEMENT PROJECT AND AUTHORIZE LEGISLATURE CHAIRMAN TO SIGN AGREEMENT**

WHEREAS, the West Avenue Bridge in the Town of Italy was Red Flagged due to serious concrete beam defects and decreased load carrying capacity caused by the loss of large sections of concrete on the underside of several load carrying beams and,

WHEREAS, the engineering firm of Hunt Engineers and Architects performed a Level I load rating analysis of the structure, recommended a monitoring program until replacement work could be completed and provided design and bid specification documents for a superstructure replacement project to address the deficient concrete beams and,

WHEREAS, bids were requested for the superstructure replacement project on West Avenue Bridge on January 14, 2016 and four firms submitted bids to the Yates County Highway Department;

C.P. Ward, Inc.	\$253,729.45
Wind-Sun Construction Inc.	\$217,302.00
Economy Paving Co., Inc.	\$216,356.56
Silverline Construction, Inc.	\$188,703.00

WHEREAS, the adopted 2016 Yates County Budget has a sufficiently funded amount in line item D5120.54994 to pay for this project and,

WHEREAS, Hunt Engineers have reviewed the submitted bid packages and found no abnormalities in Silverline Construction's bid proposal and has recommended awarding the project to Silverline Construction, Inc.

NOW, THEREFORE BE IT RESOLVED, to award the bid to Silverline Construction, Inc. and authorize the Chairman of the Yates County Legislature to sign an agreement with Silverline Construction, Inc. contingent upon approval of the agreement by the Yates County Attorney and be it further,

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

**RESOLUTION NO. 78-16**

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

**AUTHORIZE BUILDING MAINTENANCE SUPERVISOR TO FILL VACANCY**

**(Building Maintenance Worker)**

RESOLVED, that effective February 8th, 2016 the Building Maintenance Supervisor is hereby authorized to fill the Building Maintenance Worker position, and be it further

RESOLVED, that copies of this resolution be given to the Building Maintenance Supervisor, the Treasurer and the Personnel Officer.

VOTE: Unanimous

**RESOLUTION NO. 79-16**

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

**AUTHORIZE BUILDINGS MAINTENANCE SUPERVISOR TO FILL VACANCY  
(Building Maintenance Helper)**

RESOLVED, that effective February 8th, 2016 the Building Maintenance Supervisor is hereby authorized to fill the Building Maintenance Helper position, and be it further

RESOLVED, that copies of this resolution be given to the Building Maintenance Supervisor, the Treasurer and the Personnel Officer.

VOTE: Unanimous

**RESOLUTION NO. 80-16**

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

**AMEND RESOLUTION #402-15  
AUTHORIZING CONTRACT RENEWALS FOR COMMUNITY SERVICES**

WHEREAS resolution # 402-15 authorized renewals of contracts with the Yates County Community Services and,

WHEREAS, said resolution needs to be amended to reflect a correction in the funding for the following contract which is 100% state funded:

Soldiers and Sailors Hospital to provide outpatient mental health services including:  
SPOE (single point of entry adults) \$7,903.00, Crisis outreach \$22,885.00, Clinic \$165,233.00, Home Health Care Management \$19,844.00, Health Home Service Dollars \$6,732.00 and Psychiatric Consultation \$44, 256.00, for a total of \$266,853.00.

And be it

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

VOTE: Unanimous

**RESOLUTION NO. 81-16**

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

**APPOINT MEMBER TO THE YATES COUNTY ALCOHOL/SUBSTANCE ABUSE  
SUBCOMMITTEE**

BE IT RESOLVED, that the Yates County Legislature appoint John H. Cooley M.D. residing at 4798 Dundee-Himrod Rd. Dundee, New York 14837 to the Yates County Alcohol/Substance Abuse subcommittee, to a term ending, 12/31/2018.

RESOLVED, that a copy of this resolution be provided to John H. Cooley M.D. and to the Yates County Department of Community Services.

VOTE: Unanimous

**RESOLUTION NO. 82-16**

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

**SIGN AGREEMENT WITH LAUREN TAYLOR, SPEECH LANGUAGE  
PATHOLOGIST**

RESOLVED, that the Chairman is hereby authorized to sign an agreement with Lauren Taylor, Speech Language Pathologist, to provide services to children with developmental delays and disabilities in the Preschool Program at the following all-inclusive rates: \$59.00 in 2016, \$60.00 in 2017, \$61.00 in 2018, \$62.00 in 2019, and \$63.00 in 2020 for the period 3/1/2016 – 12/31/2020, and be it further

RESOLVED, that additional liability insurance requirement is waived, and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 83-16**

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

**AUTHORIZE CREATION AND FILLING OF POSITION  
(PAYROLL SPECIALIST)**

WHEREAS, the Treasurer has requested to create and fill a Payroll Specialist position that will replace the current Senior Account Clerk Typist (Payroll), and

WHEREAS, effective February 8th, 2016 a full time position of Payroll Specialist is hereby created in the Treasurer's Office, and

NOW, THEREFORE, BE IT RESOLVED that the Payroll Specialist position be filled by Heather Mc Loud at \$21.05/hour, and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 84-16**

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby appoint the following representative to the Finger Lakes Workforce Investment Board to fill a three-year term from July 01, 2015 through June 30, 2018.

John McGregor  
McGregor Vineyard  
5503 Dutch Street  
Dundee, NY 14837

Joe Hamm  
NYS DOL  
276 Waring Road  
Rochester, NY 14609

And, for the period of July 1, 2015 through June 30<sup>th</sup> 2016:

Kim Morgan  
Keuka College 141 Central Avenue  
Keuka Park, NY 14478

And for the period of July 1, 2015 through June 30<sup>th</sup>, 2017:

Mike Rusinko  
880 Crow's Nest Road  
Penn Yan, NY 14527

and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 85-16**

Mrs. Church offered resolutions 85 and 86-16 and moved their adoption, seconded by Mr. Gleason.

#### **APPROPRIATE FUNDING FOR WORKFORCE DEVELOPMENT BUDGET**

WHEREAS, Workforce Development will receive funding from Yates County Community Services for the 2016 Budget year for the KKP-Adult & KKP-Youth Programs:

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

Appropriation: KKP-Adult Vocational Services  
CD6292.1L KKP-Adult Staff Wage \$ 283.00

CD6292.8L	KKP-Adult Staff Fringe	\$ 173.00
CD6292.41L	KKP-Adult Operating	\$ 209.00
CD6292.11L	KKP-Adult Participant Wage	\$2,100.00
CD6292.81L	KKP-Adult Participant Fringe	<u>\$ 249.00</u>
		3,014.00

Revenue

CD6292.42803	Kaleidoscope – Adult	\$3,014.00
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Appropriation: KKP-Children and Youth Vocational Services

CD6292.1E	KKP-Youth Staff Wage	\$ 700.00
CD6292.8E	KKP-Youth Staff Fringe	\$ 359.00
CD6292.41E	KKP-Youth Operating	\$2,459.00
CD6292.11E	KKP-Youth Participant Wage	\$3,100.00
CD6292.81E	KKP-Youth Participant Fringe	<u>\$ 600.00</u>
		\$7,218.00

Revenue

CD6292.42804	Kaleidoscope – Youth	\$7,218.00
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and be it further

RESOLVED, that a copy of this resolution be provided to Community Services, Workforce Development Director, and the Yates County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 86-16**

**APPROPRIATE FUNDING FOR WORKFORCE DEVELOPMENT BUDGET**

WHEREAS, Workforce Development has funding available from Yates County Department of Social Services for the 2016 Budget year:

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

Appropriation:

CD6292.1G	DSS Works Staff Wage	\$4,500.00
CD6292.8G	DSS Works Staff Fringe	\$3,280.00
CD6292.4G	DSS Works Operating	<u>\$ 500.00</u>
		\$8,280.00

Revenue

CD6292.42802		\$8,280.00
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and be it further

RESOLVED, that a copy of this resolution be provided to the Commissioner of Yates County Dept. of Social Services, Workforce Development Director, and the Yates County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 87-16**

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

**RENEW CONTRACT WITH CRESTWOOD CHILDREN'S CENTER FOR COUNSELING SERVICES**

RESOLVED, that after the review of the County Attorney, the Chairman of the Legislature and the Social Services Commissioner be authorized to sign a contract with Crestwood Children's Center (Hillside Family of Agencies) to provide counseling and psychological services for the period of January 1, 2016- December 31, 2016.

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

VOTE: Unanimous

**RESOLUTION NO. 88-16**

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

**AUTHORIZE CONTRACT WITH FAMILY SERVICES OF CHEMUNG COUNTY**

RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of this Legislature and the Commissioner of Social Services be authorized to sign a contract for the provision of services for psychological and sex offender evaluations for the period January 1, 2016 through December 31, 2016.

RESOLVED, that a copy of this resolution be forwarded to the Department of Social Services.

VOTE: Unanimous

**RESOLUTION NO. 89-16**

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

**ADOPT THE YATES COUNTY COMMUNICATIONS AND NETWORK POLICIES**

WHEREAS, the Yates County Management Team has developed Yates County Communications and Network Policies, and

WHEREAS, the Yates County Legislature has reviewed these policies,

NOW, THEREFORE BE IT RESOLVED, that the following Yates County Communications and Network Policies are adopted, and be it further

RESOLVED, that copies of this resolution be given to all Department Heads.

**COMMUNICATIONS AND NETWORK MANAGEMENT POLICIES**

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**Purpose:** The purpose of this policy is to define standards, procedures, and restrictions for connecting to Yates County's internal network(s) from external hosts via remote access technology, and/or for utilizing the Internet for business purposes via third-party wireless Internet service providers (a.k.a. "hotspots"). Yates County's resources (i.e. county data, computer systems, networks, databases, etc.) must be protected from unauthorized use and/or malicious attack that could result in loss or misuse of information, damage to critical applications, loss of revenue, and damage to our public image. Therefore, all remote access and mobile privileges for County employees to enterprise resources must employ only County-approved methods. Due to

various and numerous security threats from “hotspots” in stores, coffee-shops, hotels, airport, etc, hotspots are to be considered NOT trusted and be avoided for conducting County business.

**Scope:** This policy applies to all Yates County employees, including full-time staff, part-time staff, contractors, freelancers, and other agents who utilize County- or personally-owned computers to access remotely the organization’s data and networks. Employment at Yates County does not automatically guarantee the granting of remote access privileges.

Any and all work performed for Yates County on said computers by any and all employees, through a remote access connection of any kind, is covered by this policy. Work can include (but is not limited to) e-mail correspondence, Web browsing, utilizing intranet resources, and any other County application used over the Internet. Remote access is defined as any connection to the County’s network and/or other applications from off-site locations, such as the employee’s home, satellite office, wireless devices, etc.

All remote access will be centrally managed by Yates County’s Information Technology department and will utilize encryption and strong authentication measures. Remote access connections covered by this policy include (but are not limited to) Internet dial-up modems, frame relay, ISDN, DSL, VPN, SSH, cable modems, proprietary remote access/control software, etc.

All employees requiring the use of remote access for business purposes must go through an application process that clearly outlines why the access is required and what level of service the employee needs should his/her application be accepted. Application forms must be approved and signed by the employee’s department head before submission to the IT department. Nothing in this policy is intended to violate or interfere with employees’ rights under the Americans with Disabilities Act, or other local, state or federal disability anti-discrimination laws.

Employees may use privately owned connections for business purposes. If this is the case, the ITS department must approve the connection as being secure and protected. However, the County’s IT department cannot and will not technically support a third-party ISP connection.

**General Policy:** It is the responsibility of any employee of Yates County with remote access privileges to ensure that their remote access connection remains as secure as his or her network access within the office. It is imperative that any remote access connection used to conduct Yates County business be utilized appropriately, responsibly, and ethically. Therefore, the following rules must be observed:

- General access to the Internet by employees through the Yates County network is permitted for business purposes only. Using this connection for any other purpose is prohibited.
- Employees will use secure remote access procedures. This will be enforced through public/private key encrypted strong passwords in accordance with the County’s password policy. Employees agree never to disclose their passwords to anyone, particularly to family members if business work is conducted from home.
- All remote computer equipment and devices used for business interests, whether personal- or County-owned, must display reasonable physical security measures. Computers will have installed whatever antivirus software deemed necessary by Yates County’s IT department.
- Remote users using public hotspots for wireless Internet access must use a County issued device utilizing a County-approved personal firewall, VPN, and any other security measure deemed necessary by the IT department.



- Hotspot and remote users must disconnect wireless cards when not in use in order to mitigate attacks by hackers, wardrivers, and eavesdroppers.
- Users must apply new passwords every business/personal trip where County data is being utilized over a hotspot wireless service, or when a County device is used for personal Web browsing.
- Any remote connection (i.e. hotspot, ISDN, frame relay, etc.) that is configured to access Yates County resources must adhere to the authentication requirements of the County's IT department. In addition, all hardware security configurations on County-owned equipment must be approved by Yates County's IT department.
- Employees, contractors, and temporary staff will make no modifications of any kind to the remote access connection without the express approval of the County's IT department. This includes, but is not limited to, split tunneling, dual homing, non-standard hardware or security configurations, etc.
- Employees, contractors, and temporary staff with remote access privileges must ensure that their computers are not connected to any other network while connected to Yates County's network via remote access, with the obvious exception of Internet connectivity.
- In order to avoid confusing official County business with personal communications, employees, contractors, and temporary staff with remote access privileges must never use non-County e-mail accounts (e.g. Hotmail, Yahoo, etc.) to conduct Yates County business.
- No employee is to use Internet access through County networks via remote connection for the purpose of illegal transactions, harassment, competitor interests, or obscene behavior, in accordance with other existing employee policies.
- All remote access connections must include a "time-out" system. In accordance with County security policies, remote access sessions will time out after 15 minutes of inactivity, and will terminate after six hours of continuous connection. Both time-outs will require the user to reconnect and re-authenticate in order to re-enter the County network. Should a remote user's account be inactive for a period of 90 days, access account privileges will be suspended until the IT department is notified.
- If a personally- or County-owned computer or related equipment used for remote access is damaged, lost, or stolen, the authorized user will be responsible for notifying their manager and Yates County's IT department immediately.
- The remote access user also agrees to report immediately to their manager and the County's IT department any incident or suspected incidents of unauthorized access and/or disclosure of County resources, databases, networks, etc.

The remote access user also agrees to and accepts that his or her access and/or connection to Yates County's networks may be monitored to record dates, times, duration of access, etc., in order to identify unusual usage patterns or other suspicious activity. As with in-house computers, this is done in order to identify accounts/computers that may have been compromised by external parties.

VOTE: Unanimous

### **RESOLUTION NO. 90-16**

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

**DISCUSSION:**

Chairman Dennis thanked the Management Group for their hard work on this policy.

## **ADOPT THE YATES COUNTY REMOTE WORK POLICY FOR NON-UNION EMPLOYEES**

WHEREAS, the Yates County Management Team has developed a Yates County Remote Work Policy for Non-Union Employees, and

WHEREAS, the Yates County Legislature has reviewed this policy,

NOW, THEREFORE BE IT RESOLVED, that the following Yates County Remote Work Policy for Non-Union Employees is adopted, and be it further

RESOLVED, that copies of this resolution be given to all Department Heads.

### **Yates County Remote Work Policy for Non-Union Employees**

#### **Remote work definition**

A remote work arrangement is an option that allows employees to perform their duties at home or another off-site location, as agreed to by management. Yates County permits the use of remote work where, in the judgment of the Supervising Authority, it is a viable work option.

**Supervising Authority definition**

Supervising authority is defined as the appointing authority that hired or appointed the employee and supervises the individual either directly or indirectly.

#### **Goals and Benefits of a remote work arrangement**

The primary goals of the Yates County Remote Work Policy are to allow employees to: telework when opportunities exist for improved employee performance and productivity, reduce commuting mileage, reduce turnover and absenteeism, improve the County's ability to attract and retain qualified personnel, and to enhance the spirit, morale and welfare of employees. The County's employees are essential to providing the best and most cost effective services to the residents of Yates County. Use of creative application of new technology, new organizational configurations and innovative human resource management can contribute to these goals.

#### **Eligibility**

Remote work is not a universal employee benefit or entitlement, but a management option and alternative method of meeting the work needs of the County. Not every employee or position is appropriate for remote work. Depending on the position, some functions must be performed in the office while some lend themselves to remote work. Examples of work which may be conducive to a remote work arrangement include:

- Use of online learning resources such as Lynda.com
- Projects such as writing manuals, preparing annual reports and developing presentations
- Grant writing
- Topic research, benchmarking and compiling of data

Working remotely by non-union employees is subject to meeting eligibility and selection criteria to determine if the employees and their positions are suitable for remote work. Selection of employees shall not be arbitrary or based on seniority, but shall be based on specific, work-related criteria established by the County. Participation is voluntary on the part of the employee.

Participation is at the sole discretion of the County and subject to prior written approval of the Supervising Authority. At least annually, the Supervising Authority will evaluate remote work agreements.

It should be specifically noted that nothing in this policy is intended to violate or interfere with employees' rights under the Americans with Disabilities Act, or other local, state or federal disability anti-discrimination laws. Employees not requesting a reasonable accommodation for a disability must meet the following criteria in order to be eligible for remote work:

- The employee's most recent performance appraisal must be satisfactory or better and must have demonstrated work habits and performance well-suited to successful remote work.
- The employee must be willing to sign and abide by a written remote work agreement.
- The employee must be able to provide or use an alternate work location with adequate space and access to a telephone.
- A portion of the employee's work must be of such a nature as to be able to be performed effectively away from the office, and be cost-effective for the County to authorize the employee to work remotely.

### **Remote workspace**

Employees working remotely are responsible for ensuring that the identified remote work site is safe, effective, and adequately designed to prevent work-related injuries. The employee is responsible for accommodating and outfitting the work space with whatever ergonomically correct equipment and furniture including ergonomic adjustments or special equipment he/she may need, including but not limited to desk, chair, lighting, file cabinets, etc. The County does not pay for or provide such adjustments, accommodations or equipment for the remote work site. The County will not be responsible for operating costs including internet access, land line or cell phone, home maintenance, utilities or insurance associated with the use of a residence for remote work.

The employee is required to meet the following conditions:

- Ensure that the home office space is a safe place to work.
- Ensure that the work area is free of obstructions to eliminate trip and fall hazards.
- Ensure that the work area has proper lighting, ventilation and furniture.
- Set up the home work site in an ergonomically correct fashion (see attachment C).
- Keep personal disruptions such as non-business telephone calls and visitors to a minimum.
- Ensure the protection of proprietary County information accessible from their home. Steps may include, but are not limited to, the use of locked facilities, disk boxes and desks.
- Make advance arrangements for dependent care to ensure a productive work environment.
- Notify the Supervising Authority for use of vacation, sick or personal leave to attend to family or home matters during home office hours and obtain pre-approval as appropriate.
- Any County-owned equipment and materials will be kept in the designated workspace and not be made accessible to others.

### **Equipment and Technology**

Equipment assets include items such as a desktop computer, lap top computer, tablet, monitor, software, and printer which remain the property of the County. A current list of assigned assets for remote work will be maintained by the Supervising Authority with a copy provided to the IT Director (see attachment B).

County-owned equipment used in remote work is subject to all applicable policies and restrictions related to use at the office. The employee is responsible for safeguarding any and all equipment and software that is used. Only approved software will be used for remote work. It is a violation of policy to modify or disable any security related aspect of the provided equipment without advance written approval of the IT Director. The employee will limit the use of County-owned equipment to County business. Only County-owned equipment i.e. laptops or tablets; will be used to access the County's secure Virtual Provider Network (VPN). The employee will follow County policy regarding the security of usernames and passwords for VPN access.

### **Work Schedule/Time Reporting**

Regular scheduled work hours will be agreed upon in advance between the employee and Supervising Authority. In most cases scheduled work hours are not expected to change as a result of the remote work agreement. The Supervising Authority may require the employee work certain "core hours" and/or be accessible by telephone during core hours.

The employee understands that his/her Supervising Authority may monitor his/her work activities, including, but not limited to, checking randomly his/her presence, or the hours that he/she is working by telephone, personal visit, or electronic monitoring.

The employee will maintain accurate time records in accordance with County policy and may be required to submit status reports describing tasks performed and/or work completed.

### **Termination of Agreement**

Except for those employees granted the ability to work remotely due to a reasonable accommodation for a disability, either party may terminate the employee's participation in remote work, with or without cause, upon reasonable notice to the other party as follows:

- For any reason, upon providing 2 weeks' written notice to the affected employee or Supervising Authority.
- A performance appraisal that rates the employee's performance below fully satisfactory.
- For cause, upon 24 hour verbal or written notice to the affected employee to be followed up with a written explanation within 2 weeks.
- If participation in remote work no longer benefits the Department and/or County.

### **Related Regulations and Policies**

- Fair Labor Standards Act
- OSHA
- Workers' Compensation
- Standards of Conduct for Yates County Employees
- Flexible Work Schedule Policy for Non-Union Employees
- Administrator Notification
- Alcohol and Drug Abuse
- Vacation Leave
- Performance Appraisal System Policy
- Use Information Technology and Social Media Policies

VOTE: Unanimous

Meeting adjourned at 3:05 p.m.

# Presentation Legislator's

February, 2016  
Annmarie Flanagan FNP, MS  
Mike Ballard MS



## Mission

- ▶ To engage, advocate, inform, and bring awareness of alcohol and other substance abuse issues through: education, prevention, enforcement, and treatment to build a healthy, safe, and substance abuse free community

## Yates Substance Abuse Coalition

- ▶ In 2004 a community assessment showed a significant concern in the county of underage drinking.
- ▶ Due to this the Yates County Underage Coalition was formed
- ▶ This coalition disbanded after a few years once the problem was stable
- ▶ The coalition got back together after community members expressed significant concerns about the use of heroin in the county and the deaths that have occurred
- ▶ The Yates County Substance Abuse Coalition formed in September of 2014.

## Yates County Substance Abuse Coalitions Role in the County

- ▶ There are two lead agencies on this coalition: Yates County Public Health and The Council on Alcoholism.

- ▶ Public Health personnel
- ▶ Council on Alcoholism
- ▶ District Attorney's
- ▶ FLACRA
- ▶ Business Owners
- ▶ Members of the Community
- ▶ Community Services
- ▶ Sheriff's Department
- ▶ Schools
- ▶ Church leaders
- ▶ Youth Services

## What the coalition has been doing so far

- ▶ Public forums have been conducted in Penn Yan and Dundee
- ▶ Facebook Page Development
- ▶ Website Development
- ▶ December of 2015 two assemblies were conducted by YSAC at the Dundee Central School with students to discuss the topic of heroin and they watched the same video you all have seen tonight
- ▶ Educational Outreach
- ▶ Hospital
- ▶ Churches
- ▶ Community groups
- ▶ Small groups
- ▶ Radio Spots: WFLR and WYLF
- ▶ Cruzin Night
- ▶ Marc Mero: motivational speaker

## ELK's Club Dinners to support the work of YSAC

- ▶ To finance some of the initiatives of the coalition, the ELK's club holds dinners the 3<sup>rd</sup> Wednesday every month from 5-7 pm
- ▶ Much thanks to the ELK's club



## NARCAN Training

- ▶ Narcan training has been an ongoing effort of Yates County Public Health
- ▶ Community: 171 trained overdose responders
- ▶ Law Enforcement( YCSO, PYPD, & KC Campus Safety) = 84 trained overdose responders.
- ▶ This includes Road Patrol/Investigators/Jail Personnel/Court Security/Dispatch



## Future Trainings

- ▶ Tuesday, March 8<sup>th</sup> at 6:30 here in the County Building Auditorium



## What can members of the community do

- ▶ YSAC Meetings are the 3<sup>rd</sup> Wednesday of every month from 4-5pm either in the basement of the county building or the Yates County Public Health's Conference room on the 2<sup>nd</sup> floor
- ▶ You can lend your support and your voice at the meetings
- ▶ You can join the email list serve that goes out at least once a month so you know what is going on
- ▶ You can email or call YSAC or Yates County Public Health or The Council on Alcoholism to share your thoughts and ideas on how we can best make change in the county
- ▶ You can also use the crime tip hot line # to let the sheriff's office know of potential criminal activity: 315-536-5558

## What Can You Do

- ▶ No one person will solve the problem of substance abuse in this county
- ▶ Substance Abuse affects each and everyone of us in this community
- ▶ We all need to talk about it
- ▶ We need to have those difficult discussions with our children about making good choices and that drugs and alcohol can be deadly
- ▶ We need to talk to each
- ▶ Understand that addiction is a medical problem
- ▶ If you think you may have an addiction or your child has an addiction talk to your health care provider

## Together We Can Campaign

- ▶ Over the next few months the Together We Can Campaign will be rolled out in Yates County
- ▶ What does this mean:
- ▶ It means a show of support for each other and every member in this community
- ▶ That we will talk about the problem and get help for ourselves and others

## Next Steps

- ▶ Community Outreach Meetings with progress reports
- ▶ Expanding the Tip Line in Conjunction with the Sherriff's Department
- ▶ Drug Recognition Expert (DRE) and Increased Officers to attend the issues of Illegal Substances in the county
- ▶ Grant Opportunities
- ▶ Survey (Youth Development Survey) includes many aspects: use and abuse
- ▶ Help increase screening through health care providers
- ▶ Work with state legislators on changing policy
- ▶ Continue to identify new community programs and outreach through coalition meetings and community survey's