

## REGULAR SESSION – MARCH 13, 2017

The Yates County Legislature convened in regular session March 13, 2017 at 1:00 pm with Chairman Dennis presiding.

Minutes of the February meeting were approved as present.

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

Airport Fund	\$ 18,980.53
Finance	\$ 96,885.25
Flint Creek	\$ -0-
Government Operations	\$ 52,801.17
Human Services	\$ 244,786.24
Prior to Audit	\$ 59,575.20
Public Safety	\$ 137,605.19
Public Works	\$ 150,839.84

### COMMITTEE REPORTS

Mr. Holgate reported the time of the Public Safety Committee meeting has been changed. It will continue to be on the first Tuesday of the month but will be at 1:00pm.

Mr. Fitch thanked the Legislature for their discussion on Resolution 74-17 in support of the Friends of the Outlet.

Mr. Paddock reported the Finance Committee meeting will also be moving it's time to 3:30pm on the first Tuesday of the month.

Mr. Morris reported the Government Operations meeting will remain on the first Monday of the month at 1:00pm.

Mr. Morris went on to report that he was not in attendance for the vote on the CSEA contract or the Non-Union Compensation but would have voted yes in both instances making this the first time that he has voted in favor of a CSEA contract. Mr. Morris saw it as a success that the Legislature was able to put together a negotiating team and able to get the high deductible insurance in affect for CSEA members. Some of the increases still seem high to him but he feels over all it was a success. As for the Non-Union increase, unfortunately the situation is that union pay is growing so much faster than non-union for public employees and private sector employees there is really an unfairness there. Mr. Morris feels that the County should share the multiyear comparisons of what we are paying the union and non-union employees. Mr. Morris feels that the general public does not have a good understanding of what that is.

Mrs. Church reported in regards to the work of the Human Services Committee, there was an ad in the Lake to Lake Bulletin that was highly inaccurate regarding the work that this Legislature and the Committee has done. The Human Services Committee has communicated its concerns regarding the Affordable Care Act to both Tom O'Mara and Phil Palmesano at our February 27<sup>th</sup> meeting. We have received additional information this week that being information coming from NYSAC and a new plan being introduced to the Legislature. Today, there will be a resolution introduced at the end of this meeting which is based on the NYSAC resolution.

Mrs. Church also reported that the Human Services Committee meeting will now be held on the first Monday of the month at 3:30pm.

Mr. Banach reported the Public Works Committee will be meeting on the first Monday of the month at 11:00am. Also, Mr. Banach attended the Finger Lakes Wild Life Board and in June the DEC will be releasing a letter on the state of Keuka Lake.

County Administrator Lawton, reported he met with Congressman Reed at a recent conference he attended in Washington and conveyed the information that we have approximately 2,500 individuals in Yates County who have secured health insurance as a result of the Affordable Care Act (ACA). Also, a plan to go to a block grant for funding of Medicaid would increase our county costs by approximately \$300,000 and the percentage of uninsured residents in the county declined by almost 50% during the time of the ACA. Mr. Lawton stated he was clear that Yates County was not taking a position on a particular bill or legislation, but these were issues that were important to the Yates County Legislature and the people of Yates County and he urged the Congressman to take this under consideration when voting.

Chairman Dennis stated to clarify that this Legislature has refused to do anything and has not communicated with Mr. Reed are somewhat inaccurate. Chairman Dennis stated he has a statement that came from NYSAC that he would like to read part of.

Chairman Dennis stated Governor Cuomo continues to highlight that the largest tax burden New Yorkers face is the property tax. County leaders agree 100 percent property taxes are too high in New York, especially compared to other states. One of the reasons that we have high property taxes is that counties in New York are required to pay for State services and programs that other counties across the nation do not.

To further illustrate this point, across the nation, there are 3,069 counties. Together, the counties across the nation contribute about \$9.7 billion each year in locally raised taxes to support the direct program costs of providing Medicaid services to recipients in their state, (not including the costs of operating more than 1,000 county owned hospitals, clinics and nursing homes). Alarming, the local taxpayers in New York's 57 counties and New York City are required under state law to pay \$7.5 billion annually to support New York's largest in the nation Medicaid program. That means New York's county taxpayers spend more than triple what all the other county taxpayers in the nation pay combined. It's time for the State to stop playing the blame game and start lowering the costs it imposes on counties so that we can begin to lower property taxes.

#### PUBLIC COMMENT

Several people addressed the Legislature with the concerns if the ACA is repealed and urged the Legislature to pass the resolution before them. One individual also explained how the ACA has help her family and the results if the ACA were to be eliminated.

The Clerk of the Legislature was also handed a petition signed by approximately 70 individuals urging the Yates County Legislature to send a letter or resolution to Congressman Reed.

#### **RESOLUTION NO. 69-17**

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

#### **REQUEST HOME RULE LEGISLATION TO RENEW THE INCREASE MORTGAGE TAX**

WHEREAS, Yates County has identified a 0.25% increase in the County portion of the mortgage tax rate as a method for obtaining approximately \$200,000 per year in additional county revenue without imposing an additional burden on property owners through the property tax, and

WHEREAS, Yates County has identified a need to find new funding sources to help offset mandated costs such as Medicaid, and

WHEREAS, Local Law 3-14 which renewed Laws 2-11, 2-08, and 1-05 establishing an additional mortgage tax for mortgages on real property situated in Yates County expires on December 1, 2017,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby request home rule legislation to renew local law 3-14 which renews the additional mortgage tax for mortgages on real property situated in Yates County, and be it further

RESOLVED, that copies of this resolution be given to Assemblyman Phil Palmesano, Senator Tom O'Mara, the Yates County Administrator and the Yates County Treasurer.

VOTE: Unanimous

#### **RESOLUTION NO. 70-17**

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

DISCUSSION:

Mr. Paddock pointed out that this resolution and the previous one are not new taxes, they renew what is already in place.

#### **RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF YATES, INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.**

Be it enacted by the Legislature of the County of Yates, as follows:

SECTION 1. Section 4-A of Resolution No. 112-67, enacted by the Yates County Legislature on November 20, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning September 1, 2003, and ending November 30, 2019. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes.

All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the

same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (B) of subdivision (1) of section 11 of Resolution No. 112-67, enacted by the Yates County Legislature on November 20, 1967, imposing sales and use taxes, as amended, is amended to read as follows:

(B)With respect to the additional tax of one percent imposed for the period beginning September 1, 2003, and ending November 30, 2019, in respect to the use of property used by the purchaser in this county prior to September 1, 2003.

SECTION 3. This enactment shall take effect December 1, 2017.

VOTE: Unanimous

**RESOLUTION NO. 71-17**

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT  
(Office Equipment Source, Inc.)**

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the Purchase Agreement with Office Equipment Source, Inc. in the amount of \$15,200.00, for a new OCE Plotwave 345, and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 72-17**

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

**RESOLUTION URGING THE GOVERNOR AND STATE LAWMAKERS  
TO PROVIDE FUNDING FOR LOCAL UPDATE OF CENSUS ADDRESSES (LUCA)**

WHEREAS, The U.S. Census Bureau's Local Update of Census Addresses Program (LUCA) is the only opportunity offered to tribal, state, and local governments to review and comment on the U.S. Census Bureau's residential address list that will be used to solicit 2020 Census input within their respective jurisdictions; and

WHEREAS, The U.S. Census Bureau relies on a complete and accurate address list to ensure complete distribution of 2020 Census survey material to obtain a full count of the resident population of each jurisdiction; and

WHEREAS, The Decennial Census counts are used by the Federal government to distribute more than \$400 billion in annual aid for infrastructure, programs, and services; and

WHEREAS, The Decennial Census information is used to determine eligibility for targeted funding programs and grants by the state and federal governments; and

WHEREAS, The data derived from the decennial census helps local communities plan for future needs in infrastructure and programs; and

WHEREAS, The Decennial Census population counts affect state and federal congressional representation and redistricting, and impacts County weighted voting systems; and

WHEREAS, By participating in the LUCA Program local jurisdictions can provide valuable input and help ensure that the 2020 Census reaches the maximum number of residents and provides a full and accurate accounting of the resident population in each jurisdiction, thus ensuring that the Census is accurate state wide; and

WHEREAS, The New York State Association of Counties supports the allocation of funds from the state of New York to regions and counties that wish to participate in the LUCA Program; and

WHEREAS, The members of the Genesee\Finger Lakes Regional Planning Council have banded together and collectively identified \$150,000 to be allocated to the estimated \$200,000 cost of using real property tax, master street address guides, and other address related local governmental data to update the U. S. Census Bureau residential address lists in a consistent and comprehensive manner for our entire region; and

WHEREAS, The Planning and Environmental Quality Committee recommends adoption of this resolution; now, therefore, be it

RESOLVED, The Yates County Legislature calls on Governor Cuomo, the New York State Senate and New York State Assembly and their leadership to provide funding statewide to support local regional, county, and municipal participation in the LUCA Program as being in the best interest of the State of New York; and further

RESOLVED, That the Yates County Legislature calls upon the Governor and State Legislature to provide \$50,000 in funding to the Genesee/Finger Lakes Regional Planning Council to complete the funding necessary to complete a comprehensive LUCA review on behalf of the Counties of Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, and Yates, and the City of Rochester; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Thomas O'Mara and Assemblyman Philip Palmesano, the chief elected official of each member of the Genesee/Finger Lakes Regional Planning Council, the Executive Director of the Genesee/Finger Lakes Regional Planning Council, and the New York State Association of Counties.

VOTE: Unanimous

#### **RESOLUTION NO. 73-17**

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

#### **APPOINT MEMBERS TO THE YATES COUNTY PLANNING BOARD (Wilson Simmons, Town of Potter)**

WHEREAS, Wilson Simmons (1112 Mothersell Road, Middlesex), has been recommended by his respective municipality to be their representation on the Yates County Planning Board,

NOW, THEREFORE, BE IT RESOLVED, that *Wilson Simmons* is hereby appointed as a member of the Yates County Planning Board, representing the *Town of Potter*, to a term to

expire on March 13, 2021, and, be it further

RESOLVED, that copies of this resolution be given to Wilson Simmons, the County Planner, the Town of Potter, and a copy filed with the County Clerk.

VOTE: Unanimous

**RESOLUTION NO. 74-17**

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

DISCUSSION:

Mr. Paddock stated he does not want this resolution to send a message to entities that may be seeking funding from the Tourism Advisor Committee (TAC) to come to the Legislature first before they go to the TAC. The preferred procedure would be to go to the TAC when they have their meetings and make a presentation and receive a recommended allocation from the TAC.

**RESOLUTION IN SUPPORT OF FRIENDS OF THE OUTLET**

WHEREAS, since the flood of 1972 that severely damaged the Keuka Lake Outlet from Keuka Lake to Seneca Lake, the Yates County Legislature has passed a number of resolutions to acquire properties and easements along the outlet for the purposes of preserving and maintaining the Keuka Lake Outlet and its historical properties, and

WHEREAS, in 1995, after years of acquiring property along the outlet, the legislature agreed to sell all of its properties along the Keuka Lake Outlet, including the Outlet Trail, for one dollar (\$1.00) to the Friends of the Outlet, and

WHEREAS, there is no intent on the part of the legislature to reacquire the property previously sold to the Friends of the Outlet, and

WHEREAS, Friends of the Outlet spoke at the March 6, 2017 Public Works Committee regarding various issues with the Outlet Trail that need to be repaired and potential future upgrades, and

WHEREAS, funding is needed to preserve the history and continue to make the Outlet Trail a tourist attraction in Yates County, and

WHEREAS, potential sources of funding for the Outlet Trail were presented at the aforementioned Public Works Committee meeting and at the March 7, 2017 Finance Committee meeting,

NOW, THEREFORE BE IT RESOLVED, that the Yates County Legislature supports the Friends of the Outlet in their efforts to continue, maintain and improve the Outlet Trail and its positive impact on tourism, and be it further

RESOLVED, that the Yates County Legislature endorses the Outlet Trail, and be it further

RESOLVED, that copies of this resolution be given to the Friends of the Outlet.

VOTE: Unanimous

**RESOLUTION NO. 75-17**

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

**RESOLUTION URGING NEW YORK STATE TO FUND PROBATION DEPARTMENTS AND OTHER IMPACTED COUNTY DEPARTMENTS AND AGENCIES THE FULL COSTS ASSOCIATED WITH RAISING THE AGE OF CRIMINAL RESPONSIBILITY TO 18 YEARS OF AGE.**

WHEREAS, Governor Cuomo signed Executive Order 131 on April 9, 2014 to establish the Commission on Youth, Public Safety and Justice instructing the Commission to develop a concrete plan to raise the age of criminal responsibility in New York State and make specific recommendations on how the juvenile and criminal justice systems can better serve youth, improve outcomes and protect communities; and

WHEREAS, The Commission completed its report on December 31, 2014 recommending raising the age of criminal responsibility from age 16 to age 18 over a two year period to be completed in a phased in approach; and

WHEREAS, Division of Criminal Justice Statistics reveal the number of arrests among 16 and 17 year olds statewide in calendar year 2015 was 27,281 and that under the proposed change these youth will now be shifted from the criminal courts to local Probation Departments for Intake and Diversion services; and

WHEREAS, The Governor's proposal recommends that the violation level offenses of Harassment, 2nd Degree and Disorderly Conduct shall also be diverted to Probation Departments for Intake and Adjustment services, thus adding substantially to the workload of Probation staff; and

WHEREAS, The Governor's proposal recommends Probation Departments provide a continuum of diversion services that range from minimal intervention for low risk youth and evidence based service for high risk youth; and

WHEREAS, Probation Departments will not be able to absorb the influx of youth requiring Intake and Diversion services at current staffing levels and will require additional staff to perform these duties; and

WHEREAS, These added burdens to county Probation Departments come as the state share of probation costs has fallen from 46.5% in 1990 to 9% in 2016; and

WHEREAS, Other County Departments and agencies may be similarly affected by the increase in the age of criminal responsibility in areas that range from juvenile detention to community support services, and do not have alternative sources of income to support the cost of additional responsibilities and services, and

WHEREAS, Counties cannot absorb the financial cost associated with raising the age without 100% funding of the additional staff and services required by the Governor's proposal; and

WHEREAS, The funding proposal stipulates that only counties who do not exceed the 2% tax cap and can demonstrate to the Division of Budget that funding related services is a fiscal hardship may apply for a waiver of the local share requirement of an expense otherwise incurred;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the Yates County Legislature insists the State Legislature enact legislation that fully, permanently and unambiguously obligates the State to pay for 100% of all new costs incurred by Probation Departments and other county departments and agencies affected by raising the age of criminal responsibility; and
2. That language be included to set aside designated funds from which Counties can draw, eliminating the need for Counties to exceed their 2% tax cap; and

3. That copies of this resolution be forwarded to Governor Andrew M. Cuomo, Senator Thomas O'Mara, Assemblyman Phillip Palmesano, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Thomas Reed and the New York State Association of Counties.

VOTE: Unanimous

**RESOLUTION NO. 76-17**

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

**APPOINT MEMBERS TO THE YATES COUNTY FIRE ADVISORY BOARD**

RESOLVED, that the following people be appointed to the Yates County Fire Advisory Board for the term 1/1/2017 – 12/31/17

Bellona	Fire Chief	Mike Alexander
Benton	Fire Chief	Matt Perry
Branchport/KP	Fire Chief	Steve Schmidt
Dresden	Fire Chief	Warren Zimmerman
Dundee	Fire Chief	Doug Miller
Himrod	Fire Chief	James Sorce
Middlesex	Fire Chief	Jason Bassett
Penn Yan	Fire Chief	Michael Clancy
Potter	Fire Chief	Rich Dimon
Rushville	Fire Chief	Art Riland Jr.
Yates County	Fire Coordinator	Brian Winslow
Yates County	Deputy Fire Coord.	Tom Murphy
Yates County	EMS Coordinator	Chris Warriner
Yates County	Legislature	Bill Holgate
Yates County	President	Charlie Leach

And be it further

RESOLVED, that a copy of this resolution be given to the Director of the Office of Emergency Management.

VOTE: Unanimous

**RESOLUTION NO. 77-17**

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

**ACCEPT PDMC FY 2015 SUB-GRANT 001 YATES COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE FEMA AWARD**

WHEREAS, the Yates County Office of Emergency Management has been awarded the Federal Emergency Management Agency's FY 2015 Pre-Disaster Mitigation Competitive (PDMC) Grant Program. This award for sub-application PDMC-PL-02-NY-2015-001 provides funding for the County's Multi-Jurisdictional Hazard Mitigation Plan Update. FEMA has authorized \$73,285 in total costs for this sub-grant, with a Federal Share of \$54,963.75 and a local matching share of \$18,321.25;

NOW, THEREFORE, BE IT RESOLVED, the Chairman is authorized to accept the Federal Emergency Management Agency's FY 2015 Pre-Disaster Mitigation Competitive (PDMC) Grant and be it further

RESOLVED, that a copy of this resolution be given to the Emergency Preparedness Coordinator, Budget Officer and County Treasurer.

VOTE: Unanimous

### **RESOLUTION NO. 78-17**

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

Mr. Morrison expressed his concerns on filling this position and opposed the resolution.

Mr. Morris feels the jail needs more analysis and therefore is also opposed to the resolution.

Mr. Holgate reminded everyone that we are mandated on the number of correction officers we have and it is currently being filled by overtime.

Mr. Button questioned if this resolution would come up at a later date.

Chairman Dennis stated that it would if there was an opening.

Mr. Holgate explained some of the issues the Sheriff is facing with filling positions and explained that this resolution would give the Sheriff permission to fill the position if there were to be a lateral transfer from another county until a new test can be given.

### **AUTHORIZE SHERIFF TO FILL POSITION (Correction Officer)**

WHEREAS, a Correction Officer position has become vacant due to a retirement,

NOW, THEREFORE, BE IT RESOLVED, that effective March 13th, 2017 the Sheriff is authorized to fill the Correction Officer position, and be it further

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

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

### **RESOLUTION NO. 79-17**

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

### **RECOGNIZE 2017 NATIONAL CRIME VICTIM’S WEEK**

WHEREAS, the National Crime Victims’ Rights Week is designated as April 2-8, and this year’s theme is “**Strength, Resilience, Justice**” and as the District Attorney, the Victim’s Advocate, the Sheriff and the Sheriff’s Office Victim Advocate, the Victims Impact Panel Coordinator, and the Probation Director in their commitments to raise victim awareness now request a proclamation for recognition of this annual victims’ rights week, and

WHEREAS, Americans are the victims of more than 20 million crimes each year, affecting communities and individuals both young and old and by providing victims with knowledge of their rights and available services further strengthens their ability to recover by restoring a sense of self-empowerment;

WHEREAS, a trauma-informed response to victims promotes healing and fosters strength in survivors because unaddressed trauma from victimization weakens the resilience of victims and their communities, impeding their ability to withstand future trauma;

WHEREAS, victims who feel understood and supported are more likely to disclose their victimization, seek services, and participate in the justice process;

WHEREAS, a multidisciplinary response, involving collaboration among victim service professionals, criminal justice officials, legal professionals, medical and mental health providers, and community leaders is essential to reach and serve all victims—especially those who are marginalized, have disabilities, or live in remote locations;

WHEREAS, strengthening that response—bringing diverse skills, perspectives, and understandings together in the service of victims—also serves to build the resilience of those responders, by strengthening the confidence in their roles, abilities, and sense of contribution;

WHEREAS, in Yates County criminal justice services both public and private are dedicated to strengthen victims and survivors available to help rebuild lives, and thus victims' rights are a critical component that the Probation Officers, District Attorney's staff and Victim's Advocate, Sheriff's services including STOP program VIP, and VINE in-custody hotline and the service of protective orders all play a role in victims' support and working for justice for all victims and survivors,

NOW, THEREFORE, BE IT RESOLVED, that this Legislature recognizes **National Crime Victims' Rights Week** April 2 - 8 and supports the rights of crime victims and survivors to be treated with dignity and fairness thereby respecting victims' rights this week and throughout the year, and

RESOLVED that this Legislature thanks all the local efforts of so many advocates, volunteers, individuals, public employees and entities in our community for this endeavor, and express our appreciation for those victims and crime survivors who have turned personal tragedy into a motivating force toward victim services, and further

RESOLVED, that a copy of this resolution be provided Marisa Rube, Director, Safe Harbors of the Finger Lakes; Caitlin Metz, Director of Victim/witness services at the D.A. office; Jannine Phillips, Victim's Advocate for the Sheriff's Office; STOP program VIP Coordinator Jenna Owen, Probation Director Sharon Dawes; District Attorney Valerie Gardner; and to Sheriff Ron Spike.

VOTE: Unanimous

#### **RESOLUTION NO. 80-17**

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

#### **AUTHORIZE SALE OF A SURPLUS ACROW SERIES 300 BRIDGE TO STEUBEN COUNTY PUBLIC WORKS DEPARTMENT**

WHEREAS, the Yates County Highway Department has a surplus bridge commonly known as an Acrow Series 300 that is no longer used by the Yates County Highway Department and should be sold, as is by the County, and

WHEREAS, the Steuben County Public Works Department has expressed interest in purchasing the bridge for the amount of seventeen thousand five hundred dollars (\$17,500),

NOW, THEREFORE BE IT RESOLVED, to authorize the sale of the Acrow Series 300 60 Foot Bridge to the Steuben County Public Works Department for seventeen thousand five

hundred dollars (\$17,500) and authorize the Legislature Chairman to execute any and all documents necessary to effectuate such transfer, and be it further,

RESOLVED, that in the event of any conflict or inconsistency between the terms of this Resolution and the terms of the County's Purchasing Policy in resolution no. 251-11, the terms of this Resolution shall control, and be it further

RESOLVED, that a copy of this resolution be provided to the Yates County Highway Department and to the Yates County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 81-17**

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

**AUTHORIZE LEGISLATURE CHAIRMAN TO SIGN AGREEMENT FOR  
ENGINEERING SERVICES FOR THE DESIGN OF A SUPERSTRUCTURE  
REPLACEMENT FOR VALLEY VIEW ROAD BRIDGE  
BIN NO. 3219290**

WHEREAS, Resolution 383-16 awarded engineering study services for Valley View Road Bridge to Hunt Engineers, and

WHEREAS, Hunt Engineers has submitted a proposal to provide engineering services for the design of the superstructure replacement for the Valley View Bridge in the amount of \$10,000, and

WHEREAS, the Public Works Committee has approved Hunt Engineers design proposal,

NOW THEREFORE BE IT RESOLVED, to authorize the Chairman of the Legislature to sign the proposal, and be it further

RESOLVED, that copies of this resolution be forwarded to the Yates County Administrator, Yates County Treasurer, Yates County Highway Superintendent, and Hunt Engineers.

VOTE: Unanimous

**RESOLUTION NO. 82-17**

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

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD  
MENTAL HEALTH SUBCOMMITTEE**

BE IT RESOLVED, that the Yates County Legislature appoint John C. Jenkins, residing at 102 Benham St. #1, Penn Yan, New York 14527, to the Yates County Community Services Board's Mental Health Subcommittee, to a first term ending 12/31/2020.

RESOLVED, that a copy of this resolution be provided to John C. Jenkins and to the Yates County Department of Community Services.

VOTE: Unanimous

**RESOLUTION NO. 83-17**

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

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD**

BE IT RESOLVED, that the Yates County Legislature appoint Sara Christensen, residing at 22 Hillcrest Dr., Penn Yan, New York 14527, to the Yates County Community Services Board, to a first term ending 12/31/2020.

RESOLVED, that a copy of this resolution be provided to Sara Christensen and to the Yates County Department of Community Services.

VOTE: Unanimous

**RESOLUTION NO. 84-17**

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

**RESOLUTION SUPPORTING RESEARCH AND FUNDING TO  
ADDRESS HARMFUL ALGAL BLOOMS IN THE  
FINGER LAKES AND SOUTHERN TIER REGION**

WHEREAS, the Finger Lakes area is a valuable natural resource and economic asset to Upstate New York communities, greatly contributing to both the economy and the quality of life for residents in our region; and

WHEREAS, Although Blue-Green algae appears naturally in most bodies of fresh water in low numbers as part of the aquatic environment, toxic Harmful Algal Blooms (“HABS”) are increasingly abundant in lakes in our region over the last several years; and

WHEREAS, These HABS have been confirmed or suspected in seventy (70) of New York State’s lakes and fifty-two (52) ponds, negatively impacting the water quality of our lakes; and

WHEREAS, These HABS may produce harmful toxins that pose dangerous health risks to people and animals, and if left unchecked can threaten the drinking water supplies, lead to decreases in property values, and reduce the recreational value of our lakes, all resulting in an adverse impact on the economy of or Finger Lakes and Southern Tier regions; and

WHEREAS, Additional research and funding is essential to determining how to prevent formation of HABS in our lakes and how to dissipate these harmful blooms; and,

WHEREAS, the members of the S2AY Rural Health Network Board of Directors, in concert with the Local Health departments making up the S2AY Rural health Network (Chemung, Livingston, Ontario, Schuyler, Seneca, Steuben, Wayne and Yates), are prepared to assist in efforts to secure funding and to support effective strategies to control HABS when identified; now, therefore be it,

RESOLVED, that the Yates County Legislature supports the recommendation that our representatives in the State and Federal Government work to allocate resources and funding to the Environmental Protection Agency, the New York State Department of Environmental Conservation, the New York State Health Department as well as qualified local agencies to research the cause, determine best management practices for controlling the HABS, and provide funding opportunities to implement these best management practices in our region; and be it further,

RESOLVED, that copies of this resolution be forwarded to the NYS Commissioner of Health, the NYS Commissioner of the Department of Environmental Conservation, the Inter County Association of Western New York, the NYS Association of Counties, Senators Charles E. Schumer and Kristen Gillibrand, Congressman Thomas W. Reed II, Governor Andrew Cuomo, Senators Tom O'Mara and Assemblyman Phil Palmesano.

VOTE: Unanimous

**RESOLUTION NO. 85-17**

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

**SIGN AMENDMENT TO AGREEMENT WITH PRO ACTION OF STEUBEN AND YATES**

RESOLVED, that the Chairman is hereby authorized to sign an amendment to the agreement with ProAction of Steuben and Yates to increase the rate reimbursed for 1:1 aide services to be consistent with that of the current minimum wage, 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. 86-17**

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

**NATIONAL PUBLIC HEALTH WEEK PROCLAMATION**

To designate the week of April 3<sup>rd</sup> – 9<sup>th</sup>, 2017, as National Public Health Week in Yates County

WHEREAS, Public Health and communities across America come together to celebrate National Public Health Week; and become the “Healthiest Nation 2030”, and

WHEREAS, Public Health with community and agency partners in the Public Health System continue to strive for equality in health care for all residents, and

WHEREAS, Everyone can have a choice of healthy foods by supporting schools through development of strong nutritional standards and wellness policies, and

WHEREAS, We can build a nation of safe and healthy communities through creative community design that can impact the health and happiness of Yates residents, and

WHEREAS, We support the Vaccines for Children Program (VFC) that offers vaccines at no cost for children who are eligible, and

WHEREAS, We encourage participation in the Surgeon General’s call to action called “Step It Up” that promotes walking and walkable and usable streets and trails for all residents, and

WHEREAS, While the U.S. cigarette smoking rates are on the decline, we support the reduction of the health and economic burden that tobacco use causes along with the impact of second-hand smoke on high-risk populations by continued support for the New York State Tobacco Control Programs, and

WHEREAS, Yates County continues to work toward providing high quality health care for everyone by expanding access to quality care;

NOW, THEREFORE, BE IT RESOLVED that Dr. Timothy Dennis of the Yates County Legislature, in recognition of this event do hereby Proclaim the week of April 3-9, 2017 as National Public Health Week in Yates County.

VOTE: Unanimous

**RESOLUTION NO. 87-17**

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

**ESTABLISH RATE OF PAY  
(Dan Papperman)**

WHEREAS, the employment procedures contained in the Yates County Administrative Guide and the CSEA contract state that a person may be hired above the beginning pay rate with Legislative approval, and

WHEREAS, it has been established that Dan Papperman, Social Services Caseworker has prior work experience,

NOW, THEREFORE, BE IT RESOLVED, upon the recommendation of the Social Services Commissioner, that Dan Papperman be hired at the Step 1 rate, Group XII of the CSEA contract (\$25.57) effective March 17, 2017, and be it further

RESOLVED, that a copy of this resolution be given to the Social Services Commissioner, Personnel Officer, Treasurer, CSEA Local President, and Dan Papperman.

VOTE: Unanimous

**RESOLUTION NO. 88-17**

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

**CALLING ON GOVERNOR CUOMO AND STATE LAWMAKERS TO INVEST AND IMPLEMENT FUNDING FOR A STATEWIDE WORKFORCE STRATEGY THAT ASSISTS LOCALLY-DRIVEN WORKFORCE DEVELOPMENT PROGRAMS**

WHEREAS, New York's workforce system engages nearly a dozen agencies that receive funding from the federal and state level; and

WHEREAS, It operates in ten economic development regions, 33 designated workforce investment areas, and 62 counties; and

WHEREAS, New York State has added over 500,000 private sector jobs since 2011; and

WHEREAS, While the growth in private sector jobs is positive many jobs remain unfilled because support and funding for workforce development programs has not followed suit; and

WHEREAS, With the development of these private sector jobs, the jobseekers who do not have strong education, training or professional networks are not able take advantage of these new opportunities; and

WHEREAS, The New York Association of Training and Employment Professionals performed a study that analyzed spending on a broad range of workforce services including adult education, job training, and employment programs and discovered that spending has fallen by five percent since 2011; and

WHEREAS, Developing a statewide workforce strategy that effectively serves employers and jobseekers must be able to:

- Connect workforce investments to the initiatives and priorities of statewide, regional, and local economic development needs,
- Focus policy and emphasis on a full pipeline of workers through community colleges, adult basic education and worker training,
- Aggressively pursue a wide array of funding sources including targeted state resources and funding that could be provided through the Regional Economic Development Councils (REDCs);

NOW, THEREFORE, BE IT RESOLVED, The Yates County Legislature calls on Governor Cuomo and state lawmakers to make a strong commitment to helping New York's workers and business add the skills they need with a fully defined strategy and robust financial support; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senator Thomas O'Mara, Assemblyman Phillip Palmesano, and the New York State Association of Counties.

VOTE: Unanimous

#### **RESOLUTION NO. 89-17**

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

#### **AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING FOR ALLOCATION OF FUNDING**

WHEREAS, funding has been appropriated in the 2017 Yates County Budget for the following municipalities

Village of Penn Yan (Lifeguard Services)	\$10,260.00
Town of Middlesex (Lifeguard Services)	\$1,026.00
Town of Torrey (Lifeguard Services)	\$1,026.00

NOW, THEREFORE IT BE RESOLVED, the chairman of the Yates County Legislature is hereby authorized to sign said memorandums of understanding for the allocation for these funds, and it be further

RESOLVED, that a copy of this resolution be provided to the County Treasurer and the Youth Bureau Director.

VOTE: Unanimous

#### **RESOLUTION NO. 90-17**

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

#### **ABOLISH SENIOR SOCIAL WELFARE EXAMINER POSITION AND CREATE PRINCIPAL SOCIAL WELFARE EXAMINER POSITION**

**(DEPARTMENT OF SOCIAL SERVICES)**

WHEREAS, review of a Position Classification Questionnaire by supervisory personnel in the Department of Social Services and the Personnel Officer has determined that a Senior Social Welfare Examiner position in the Department of Social Services should be reclassified as a Principal Social Welfare Examiner position.

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Commissioner of Social Services and Personnel Director, that effective March 13, 2017, the relevant position of Senior Social Welfare Examiner in the Department of Social Services be abolished and the position of Principal Social Welfare Examiner be created and be it further,

RESOLVED, that a copy of this resolution be given to the Treasurer/Budget Officer, the Commissioner of Social Services, the Personnel Officer and the President of CSEA.

VOTE: Unanimous

**RESOLUTION NO. 91-17**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mr. Gleason.  
DISCUSSION:

Mr. Morrison stated this resolution is asking NYS to increase the funding to Cornell Cooperative at the expense of someone else. Mr. Morrison is opposed to the resolution.

Chairman Dennis stated in answer to a question that Mr. Morrison had during the committee meeting, a presentation was made to the Standing Committee on Agriculture regarding this funding. The Committee expressed support for this however, it was too late to get it into the resolution process. There was no action taken on the part of NYSAC due to the untimeliness of the resolution.

Arlene Wilson, Director of Cornell Cooperative Extension, explained that she was not at the Government Operations meeting because she was in Albany talking to representatives regarding this. Arlene went on to state that the state representatives although supportive of the increase in funding also had the same concerns that Mr. Morrison had in that where is the funding going to come from. Arlene explained that if they do not receive an increase in funding this year they will continue to ask for it in the future.

Mr. Button questioned that at budget time, the Legislature restored funding to support a position, what would the additional employees responsibilities be if the funding came through.

Arlene explained that there is one staff person doing work in the watersheds. There may be an opportunity to add an additional person. There is also another person who is working with after school programs and there is an opportunity to expand that as well.

Mr. Smith stated it is his understanding that the state law for funding of Cooperative Extensions has a provision that any increase in state funding would require a corresponding increase from the County. This change would eliminate that provision thereby allowing the state to increase funding and the County would not be obligated to increase their funding.

Also, as the Chairman of the Seneca Lake Inter-Municipal Watershed Organization he would very much encourage an increase in staffing in that area.

**RESOLUTION URGING NEW YORK STATE INCREASE 224 FUNDING FOR  
COOPERATIVE EXTENSION**

WHEREAS, Yates County New York is a community that promotes and values its agrarian and rural environment and supports and champions the work of like-minded organizations, such as Cornell Cooperative Extension of Yates County; and

WHEREAS, New York State has not increased the funding allocation formula for County Cooperative Extension Association in over twenty [20] years; and

WHEREAS, The New York State Association of Counties [NYSAC] has expressed support for the increase of New York's State Law 224 funding for Cooperative Extension's work in each county of New York. The proposed increase would reallocate funding from New York State without requiring the Yates County Legislature to increase their allocation to Cooperative Extension; and

WHEREAS, The current level of support from the Yates County Legislature would leverage the funding of potentially one or two new positions within Yates Cooperative Extension, at no cost to the Yates County Legislature;

NOW, THEREFORE BE IT RESOLVED, The Yates County Legislature formally moves to support the increase of New York State's 224 funding to Cornell Cooperative Extension of Yates County, and be it

RESOLVED, that a copy of this resolution be given to Cornell Cooperative Extension, Senator O'Mara, Assemblyman Palmesano, Assembly Minority Leader Brian Kolb, Assemblyman Majority Leader Joseph Morelle, Senate Majority Leader John Flanagan, NYSAC and Inter-County.

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

#### **RESOLUTION NO. 92-17**

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

#### **DESIGNATE NEWSPAPERS**

RESOLVED, pursuant to Section 214, subdivision 2, of the County Law, the two newspapers listed below are hereby designated as the official newspapers of the County of Yates for the publication of all local news, notices and other matters required by law to be published.

The Chronicle Express  
The Observer

RESOLVED, that a copy of this resolution be provided to the Department of State.  
VOTE: Unanimous

#### **RESOLUTION NO. 93-17**

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

#### **FILE COUNTY OFFICERS ANNUAL REPORTS WITH CLERK OF LEGISLATURE**

RESOLVED, that all County Officers reports be filed with the Clerk of the Legislature by April 1, 2016 and that said copies will be in the form of electronic and hard copy and be it further

RESOLVED, that copies of this resolution be forwarded to all County Departments.  
VOTE: Unanimous

### **RESOLUTION NO. 94-17**

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

#### **DISCUSSION:**

Mr. Button stated that he has a problem with the District Attorney's salary in that the Counties are being told what they have to pay their DA's with no additional funding from the State.

### **AMEND RESOLUTION 67-17 ADOPT 2017 NON-UNION SALARY SCHEDULE**

WHEREAS, the salaries for the County Clerk, Personnel Assistant and Director of Veterans Services Agency need to be amended to accurately reflect what their current salary should be; and

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature hereby amends the non-union salary schedule effective March 13<sup>th</sup>, 2017, and be it further

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

<b><u>Elected Officials</u></b>	<b><u>Annual</u></b>
County Clerk	\$64,614
County Treasurer	\$72,753
District Attorney	\$183,350
Legislators (14 at \$8,183 each)	\$114,562
Legislature Chairman	\$8,183
Sheriff	\$94,967

  

<b><u>Full-Time/Part-Time</u></b>	<b><u>Annual</u></b>
Assistant District Attorney (DM)	\$37,324
Assistant District Attorney (LT)	\$68,021
Assistant Public Defender (KL)	\$60,000
Assistant Public Defender (KM)	\$60,000
Budget Officer	\$9,518
Building Maintenance Supervisor	\$58,249
Chief Corrections Officer	\$63,000
Clerk, County Legislature	\$54,163
Commissioner of Social Services	\$66,570
Confidential Assistant to Sheriff	\$42,162
Conflict Defender	\$47,048
County Administrator	\$100,000
County Attorney	\$92,871
Deputy County Clerk	\$37,925
Deputy County Treasurer	\$46,125
Deputy Highway Superintendent	\$63,090
Director of Children and Family	\$58,804

Director of Community Services	\$73,185
Director of Emergency Management	\$65,461
Director of Income Maintenance &	\$58,804
Director of Patient Services/Public	\$70,908
Director of Real Property Tax Services	\$68,769
Director of Veteran Services Agency	\$47,988
Election Commissioner (D)	\$39,646
Election Commissioner (R)	\$39,646
Highway Superintendent	\$81,349
Information Technology Director	\$73,561
Personnel Assistant	\$37,638
Personnel Officer	\$66,625
Planner	\$57,092
Probation Director	\$63,003
Public Defender	\$72,076
Secretary to District Attorney	\$36,190
Social Services Attorney	\$63,449
Supervising Public Health Nurse	\$61,592
Undersheriff	\$74,551

VOTE: Unanimous

**RESOLUTION NO. 95-17**

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

**AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN CONTRACT APPENDIX X  
FOR VOTER EDUCATION/POLL WORKER TRAINING PROGRAM GRANT  
RENEWAL**

WHEREAS, the New York State Board of Elections has allocated certain State funds provided to New York State to educate voters and poll workers when new voting machines were purchased

WHEREAS, the Yates County Board of Elections desires to use the \$4,778.91 balance of the \$13,744.00 appropriation for the purposes set forth

NOW, THEREFORE BE IT RESOLVED, that the Chairman of this Legislature be authorized to sign the contract appendix extending the time to use the appropriations to March 31, 2018 and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 96-17**

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

**DISCUSSION:**

Mr. Morris explained that currently the County Clerk has to send the state 87.3% of the DMV fees that are collected and the County gets to keep 12.7% of those fees. This bill, if passed, would change the amount the County Clerk had to pay to the State to 75% of the fees collected and the County would get to keep 25%.

Mr. Morrison questioned if the county was losing money in DMV.

County Clerk Lois Hall stated that the DMV is doing ok. The only thing that the County has to pay for in DMV is wages and benefits and facility, equipment and forms are provided by the State. However, there has not been an increase in the percentage amount that the Clerk can keep in the county since 1999. Lois explained that more people are doing their transactions over the internet that they did not have access too. After \$180,000 in internet transactions for Yates County DMV customers, the County gets to 3.35% of that. So the County is losing between \$35,000 and \$37,000 a year to internet transactions. This has been asked by the County Clerks Association before and it's been denied.

Mr. Morrison stated that this is similar to the Cooperative Extension resolution in that the money has to come from somewhere and thereby he will not be supporting this resolution.

**RESOLUTION CALLING ON THE GOVERNOR AND THE STATE LEGISLATURE  
TO PASS SENATE Bill 1908 and Assembly Bill 3397**

WHEREAS, 51 of 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles Office and

WHEREAS, local DMV offices process many no fee transactions on behalf of the state and provide numerous customer services, and

WHEREAS, under current law, the Yates County Clerk pays 87.3% of all fees collected from the work performed by the County DMV to the New York State Motor Vehicles Department, and

WHEREAS, the remaining 12.7% county share has not been increased since 1999, yet the amount of work required by the County DMV office has increased in that same time period, and

WHEREAS, increasing the County DMV revenue sharing rate with the State will not result in any increased cost or fees to local residents or taxpayers and will provide counties with the needed revenue to continue to provide necessary local government services, and

WHEREAS, there is a clear inequity present when a county DMV provides all the services, including overhead and staffing to fulfill these DMV needs for state residents, yet the State is paid 87.3% of the revenue generated from said services, and

WHEREAS, Senate Bill S1908 and Assembly Bill A3397 provide a more equitable distribution of fees that would require 75% of all fees for in-office transactions to be forwarded to the State with the county retaining 25% of these fees, with the exception that the amount of county retention of the fee for Enhanced Driver's Licenses would increase from 30% to 60% and the counties would retain 8% of the total fee for internet transactions processed for their perspective county residents, and

WHEREAS, counties recognize the important function of the State DMV in providing both support to counties and resident services; accordingly any loss the State DMV operational budget that occurs from increasing county revenue should be made whole through the State General Fund,

NOW THEREFORE BE IT RESOLVED, that the Yates County Legislature calls upon Governor Andrew M Cuomo and members of the State Legislature to pass and approve Senate Bill 1908 and Assembly Bill 3397, and be it further

RESOLVED that the Clerk of the Yates County Legislature forward copies of this

resolution to Governor Andrew M Cuomo, the New York State Executive Deputy Commissioner of Motor Vehicles, and Yates County representatives of the New York State Legislature.

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

#### **RESOLUTION NO. 97-17**

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

#### **AUTHORIZE CHAIRMAN OF THE LEGISLATURE TO SIGN A LETTER OF SUPPORT FOR THE KEUKA WATERSHED IMPROVEMENT COOPERATIVE**

WHEREAS, the Keuka Watershed Improvement Cooperative (KWIC) is seeking a grant for the management of starry stonewort in Keuka Lake, and

WHEREAS, the Yates County Legislature supports KWIC in their efforts,

NOW THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorize to sign a letter in support of KWIC’s grant application, and be it

RESOLVED, that copies of this resolution be provided to KWIC.

VOTE: Unanimous

#### **RESOLUTION NO. 98-17**

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

Mr. Paddock stated in essence this asks that Yates County residents have access to health care, that it be affordable and that should there be changes in federal reimbursement we do not want the Counties to have to bare that additional cost because NYS has decided to add on to programs.

Mr. Smith stated there are a lot of moving parts to this. With regards to the total cost of Medicaid in NYS being \$60 billion dollars for 19,000,750 people in the state. For every man, woman, and child in the state the government spends a little over \$3,000 per person, which is the highest in the country by comparison to California with almost twice the population their cost is \$85 billion, their cost is about \$2,100 person and the State of Texas it’s \$1,300 per person. Mr. Smith shares the sentiment of “do not harm” it is difficult when the costs are so varied across states. We are talking about a Federal program that may or may not get changed this year. Mr. Smith agrees in not having any added burden go to the County. He is not comfortable and has not fully digested this to vote on it today.

Chairman Dennis thanked Mr. Smith for having those numbers to back up the previous comments. They illustrate the situation in NYS. The liberal provisions in the existing Medicaid is untenable for the citizens of NYS.

Mr. Morris stated we have that problem with NYS in level cost in many functions. We compare very poorly to other states on many functions. He has mixed feelings on this. He doesn’t want to see any harm to NYS people. But in order of NYS to stop driving people out of NYS, NYS has to be more competitive with other states. That’s a separate issue than ACA. He is in favor of many of the provisions of this but, when you put it in context with the current costs in NYS he has concerns.

Mr. Paddock stated that a lot of the wording is similar to or the same as the NYSAC resolution that came out in January. Very much of this is represented in NYSAC's position on the ACA and whatever may come from legislation.

**URGING PRESERVATION OF THE MEDICAID EXPANSION AND BASIC HEALTH PLAN PROGRAM OPTIONS ALLOWED UNDER THE AFFORDABLE CARE ACT AND OPPOSE EFFORTS BY NEW YORK STATE TO PASS ON TO YATES COUNTY ANY COST INCREASES THAT MAY OCCUR FROM LOSS OF FEDERAL REIMBURSEMENT**

WHEREAS, Yates County stands firmly committed to affordable and inclusive access to excellent health care for all of the County's residents, and

WHEREAS, the Affordable Care Act (ACA) provides federal subsidies to help low income working families and individuals afford health insurance coverage, and

WHEREAS, the ACA allows states the option of expanding eligibility for Medicaid along with higher federal Medicaid reimbursements to provide health insurance for the very low income population, and

WHEREAS, New York State (NYS) has adopted these major health insurance coverage options including the eligibility expansion of Medicaid coverage and the Basic Health Plan coverage option (called The Essential Plan in New York), and

WHEREAS, the ACA and NYS have both provided expanded access to and improved health care for many of Yates County's residents, and

WHEREAS, many features of the ACA (such as prohibiting lifetime benefit caps, provision of care regardless of pre-existing conditions, and provision of benefits to children up to age 26 on their parents' policies) benefit all Americans, including those whose insurance is not purchased on the exchanges, and

WHEREAS, since the enactment of the ACA, published estimates indicate that the number of uninsured individuals in Yates County has declined by nearly 50 percent, and

WHEREAS, New York State estimates that repeal of the ACA would put the health insurance and health care of more than 2,500 of Yates County's residents at risk, and

WHEREAS, the enhanced federal Medicaid matching rates provided under the ACA have provided billions of dollars in direct fiscal relief to New York State and its counties since enactment, helping to reduce pressure on local property taxes benefitting homeowners and businesses, and

WHEREAS, capping Federal Medicaid reimbursements to states through a block grant, or per capita cap, will only increase the reimbursement losses noted above, including health care providers in Yates County, and

WHEREAS, NYS estimates that repeal of the ACA would cut federal reimbursement for Yates County's Medicaid expenditures by over \$282,000, and

WHEREAS, the loss of this federal funding will cause local taxes to increase dramatically and alter or eliminate health insurance coverage currently enjoyed by many Yates County residents, and

WHEREAS, NYS traditionally requires counties to share in the cost of Medicaid,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature calls on its federal representatives, Congressman Tom Reed and Senators Charles Schumer and Kirsten Gillibrand to follow a “do no harm” strategy as they work to improve health care by preserving the Medicaid expansion and enhanced federal Medicaid reimbursement as provided under the ACA for NYS and its counties; and

BE IT FURTHER RESOLVED, that the Yates County Legislature calls on its NYS representatives, Senator Thomas O’Mara, Assemblyman Philip Palmesano and Governor Andrew Cuomo to assure that any additional costs to NYS that may occur due to changes in federal reimbursement be borne entirely by NYS and not passed on to Yates and other Counties, and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Congressman Reed, United States Senators Schumer and Gillibrand, NYS Senator O’Mara, Assemblyman Palmesano, Governor Cuomo and the majority and minority leaders of the US Senate and House of Representatives and the NYS Senate and Assembly and all others deemed necessary and proper.

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

Mr. Paddock moved to enter executive session to discuss the employment history of a particular person with the Legislature, County Administrator and Personnel Officer present, seconded by Mr. Holgate.

VOTE: Unanimous

Meeting adjourned at 2:45p.m.