

REGULAR SESSION – MONDAY, APRIL 11, 2016

The Legislature convened in regular session Monday, April 11, 2016 at 1:00p.m. in the Legislative Chambers with Chairman Dennis presiding.

Minutes of the March meeting were approved as presented.

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

Airport Fund	\$ 10,528.76
Finance	\$190,439.84
Flint Creek	\$ 0.00
Government Operations	\$ 85,293.32
Human Services	\$236,021.97
Prior to Audit	\$ 48,842.54
Public Safety	\$ 54,558.92
Public Works	\$126,342.08

COMMITTEE REPORTS

Mr. Holgate reported on April 8th the office of Emergency Management held its annual Firemen's Banquet. There were 629 students that logged a total of 9,004 hours in training. Chairman Dennis stated this represents the hours of training it says nothing to the hours of service. If we had to pay an hour rate it would easily get into the millions.

Mr. Bronson reported he attended the ProAction Committee meeting of Steuben and Yates County on March 15th. Katie Smeenck updated the Committee on Office for the Aging and Meals on Wheels.

Mr. Paddock reported the audit committee met with the auditors who have performed an audit of year ending December 31, 2015 and reviewed 2014. The net fund balance is up approximately \$426,000 and one of the key finds is there were no material weaknesses and no significant deficiencies and expressed an unqualified opinion, which is the second year in a row. An unqualified opinion means that they are taking no exceptions which is a very positive report.

Secondarily, the members of the Legislature and the County Administrator Task Force received an email which detailed essential job functions as created Thursday by the County Administrator Task Force. There have been a number of communications since that time so Mr. Paddock suggested that a time be setup for a workshop relative to that and go from there.

Chairman Dennis thanked and congratulated Nonie Flynn our Treasurer and Budget Officer for how this audit has gone and for the unqualified report and we look forward to being in excellent financial standing as we are. So thank you Nonie and I would also like to thank the leadership of the Finance Committee for helping to see that remain in that status also.

Mr. Banach reported the County is still working on the land adjacent to the taxiways to get that smooth to meet requirements.

With regards to the banquet, Mr. Banach made note of the number of young people. It is amazing, half the crowd had to be close to 30 or under receiving awards and going through this training. It is a statement to our people in charge, our department heads, and the fire departments and so on. Mr. Banach feels it is wonderful that the young people are involved.

Mrs. Church reminded everyone of the display that Public Health has been promoting in the foyer. April is donate life month which supports the efforts to increase the enrollment in the NYS Organ and Tissue Registry.

Mr. Morris reported Inter-County met on March 18th in Steuben County. One of the things that came up that was interesting was an update from Mark Levine who is the NYSAC representative that attends these meeting. He reported on the budget progress and stated that unfortunately the upstate counties are rallying for scraps. All the major decisions are already being made by the Governor by the time anything comes out and the ability to actually influence anything is low. One of the biggest things that will affect Counties is the significant increase in the county judge's salary and at the same time not increase the reimbursement. Because the District Attorney's pay is linked to this it translates to another mandate.

Also, Steuben County is working on trying to do some southern tier leadership conference forums. As part of that they are going to have some Pelletier Institute that might be some good training for legislators without us having to go to Albany and having to spend the expense to do that.

Mr. Button reported the next Flint Creek meeting will be in July.

Chairman Dennis reported he has spent a fair amount of time on the phone and thanked Kerry Brennan and Nonie Flynn for helping him with the situation in regards to the mandated increase for the judge and the accompany mandated increase for the District Attorney. This decision was made by the Commission on Christmas Eve day that those raises would take place. The raise for the judge does not necessarily affect us but the district attorney one does. Chairman Dennis spoke with the Governor's representative on Friday and he knew nothing about it. There is a \$30,500 impact to Yates County. It did take affect April 1st of this year with the new state budget year. Chairman Dennis also spoke to NYSAC questioning what the push back was, asking if there were any counties that have passed resolutions calling this to attention and/or opposition and was told not yet. Perhaps if this does not get resolved by next month, in Government Operations we'll certainly want to be considering it. Chairman Dennis relayed to the Governor's office, what if we don't pay it, and was told that that puts the district attorney in a tough spot but there are a couple of counties talking about doing that. The other thing he pointed out, our population is small enough that we are not mandated to have a full time DA. So another way round this is to not have a full time DA. Chairman Dennis also spoke with Assemblyman Palmesano and Senator O'Mara's office and also spoke with NYSAC again. Mr. Cummings at NYSAC stated that this is the perfect poster child to take to the state government on unfunded mandates. This is one that everyone can understand.

Discussion took place with the DA that she has a situation with a position that needs to be filled and cannot wait another month. The Legislature will hold a special meeting April 19, 2016 at 4:00 p.m. to discuss a position review form for a position in the DA' office and then will hold a workshop following that meeting.

CHAIRMAN'S APPOINTMENTS

Chairman Dennis appointed Legislator Edward Bronson to the Ag and Farmland Protection Board for a term 4-11-16 to 12-31-17.

Chairman Dennis appointed Ryan Hallings, Rick Willson, Gary Lilyea, and Alan Tomion to the Ag and Farmland Protection Board for a term 1-1-16 to 1-1-20.

RESOLUTION NO. 140-16

Mr. Paddock offered resolutions 140 and 141-16 and moved their adoption, seconded by Mr. Montgomery.

**RESOLUTION OF DENIAL
CORRECTION OF ERROR-2016 COUNTY/TOWN TAX ROLL**

WHEREAS, an application for corrected tax roll for the 2016 County/Town tax roll has been received by the Real Property Tax Services Director in accordance with RPTL §554, and

WHEREAS, the property owners are Marsha and Charles Senges, residing at 1231 Wellington Dr., Victor NY. The property is located on West Bluff Dr. in the Town of Jerusalem. The tax map identification number on the 2015 final roll is 109.02-1-10. The parcel was split and a portion sold to Mr. & Mrs. Senges and will be assigned to parcel 109.02-1-10.11 until combined with their existing adjacent parcel

WHEREAS, the Real Property Tax Services Director has completed an investigation pursuant to RPTL §554, and has filed a copy of the findings of that investigation, and

WHEREAS, after review of the findings, the Finance Committee has accepted the recommendation of the Real Property Tax Services Director to deny the application for correction of error, now therefore be it

RESOLVED, that the report of findings has been reviewed by this Legislature, and that the application for Correction of Error is denied, and further be it

RESOLVED, that copies of this resolution be sent to the Jerusalem Town Clerk, Yates County Treasurer, Mr. and Mrs. Senges, and the Real Property Tax Services Director.
VOTE: Unanimous

RESOLUTION NO. 141-16

**RESOLUTION OF DENIAL
CORRECTION OF ERROR-2015 COUNTY/TOWN TAX ROLL**

WHEREAS, an application for corrected tax roll for the 2015 County/Town tax roll has been received by the Real Property Tax Services Director in accordance with RPTL §556, and

WHEREAS, the property owner is Heidi Bauer, residing at 303 West Lake Rd., Branchport NY. The property is classified as a single-family home and located at 303 West Lake Rd., in the Town of Jerusalem. The tax map identification number is 83.73-1-12.

WHEREAS, the Real Property Tax Services Director has completed an investigation pursuant to RPTL §556, and has filed a copy of the findings of that investigation, and

WHEREAS, after review of the findings, the Finance Committee has accepted the recommendation of the Real Property Tax Services Director to deny the application for correction of error, now therefore be it

RESOLVED, that the report of findings has been reviewed by this Legislature, and that the application for Correction of Error is denied, and further be it

RESOLVED, that copies of this resolution be sent to the Jerusalem Town Clerk, Yates County Treasurer, Ms. Heidi Bauer, and the Real Property Tax Services Director.
VOTE: Unanimous

RESOLUTION NO. 142-16

Mr. Paddock offered resolutions 142 and 143-16 and moved their adoption, seconded by Mr. Bronson.

**APPROPRIATE ADDITIONAL STATE AID
(Public Health)**

WHEREAS, in the Public Health Office 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 \$757.00:

Appropriation
A4042.54855 Public Health – Rabies Control

Revenue
A4042.43401 Public Health – State Aid

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 143-16

**APPROPRIATE ADDITIONAL STATE AID
(Public Health)**

WHEREAS, the Public Health 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 \$235,000:

Appropriation:
A4010.54947 Public Health – Grant: Rural Health Network

Revenue:
A4010.43403 Public Health – State Aid-Facilitated Enrollment

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 144-16

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

APPROPRIATE ENVIRONMENTAL CLEANUP RESERVE FUND

WHEREAS, resolution #155-15 authorized the allocation of the Environmental Cleanup Reserve Fund for LaBella Associates engineering services associated with the remedial work at the Penn Yan Marine Manufacturing Corp. site, and

WHEREAS, this allocation is not part of the 2016 budget,

NOW, THEREFORE, BE IT RESOLVED, that the Environmental Cleanup Reserve be appropriated as follows:

A511.E Appropriated Reserve-Environmental Cleanup \$30,000.00
A1364.54936 TAP Expense: Cleanup \$30,000.00

and be it further

RESOLVED, that copies of this resolution be given to the Planner, and County Treasurer.
VOTE: Unanimous

RESOLUTION NO. 145-16

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

AUTHORIZE CONVEYANCE OF REAL PROPERTY

WHEREAS, the Yates County Treasurer has conveyed the following 2014 delinquent tax parcels to the County of Yates:

Barrington:	Tax Map No. 125.03-1-5.22	Swingle, Jason
Italy:	Tax Map No. 80.03-1-8	Ecogen
Italy:	Tax Map No. 80.03-1-13	Ecogen
Italy:	Tax Map No. 80.04-1-5.1	Ecogen
Italy:	Tax Map No. 80.04-1-6	Ecogen
Italy:	Tax Map No. 92.01-1-5	Ecogen
Italy:	Tax Map No. 92.01-1-8	Ecogen
Italy:	Tax Map No. 92.01-1-9	Ecogen
Italy:	Tax Map No. 92.01-1-10.1	Ecogen
Italy:	Tax Map No. 92.01-1-11	Ecogen
Italy:	Tax Map No. 92.01-1-12	Ecogen
Italy:	Tax Map No. 92.01-1-17	Ecogen
Italy:	Tax Map No. 92.01-1-18	Ecogen
Italy:	Tax Map No. 92.02-1-3	Ecogen
Italy:	Tax Map No. 92.02-1-4	Ecogen
Italy:	Tax Map No. 92.02-1-5	Ecogen
Italy:	Tax Map No. 92.02-1-6	Ecogen
Italy:	Tax Map No. 92.04-1-1	Ecogen
Middlesex:	Tax Map No. 22.68-1-19	Havens, Marie
Middlesex:	Tax Map No. 32.04-1-6	Trautman, Gary, Betty
Starkey:	Tax Map No. 120.24-1-47	Clark, Melody

pursuant to the provisions of the Real Property Tax Law by Deed recorded in the Yates County Clerk's Office on June 5, 2015 in Liber 686 of Deeds at Page 205, and

WHEREAS, the respective former owners of each of the above recited tax parcels have paid the taxes due plus interest, penalties and all other related delinquency expenses heretofore, plus a \$1,500 processing fee within the time parameters set forth in Resolution No. 229-04 of the

Yates County Legislature and said former owners are requesting that the County of Yates sell said tax parcels back to them by way of private sale, and

WHEREAS, Resolution No. 229-04 of the Yates County Legislature has set forth its policies and procedures regarding the sale of properties it acquires by tax foreclosure back to its former owner;

NOW, THEREFORE, BE IT RESOLVED, that Yates County hereby authorizes the grant and delivery by way of Quit Claim Deed conveying title of each of the tax parcels described above to the respective former owner(s) for the respective purchase price as determined pursuant to said Resolution No. 229-04; with each respective title conveyance being contingent upon payment of said purchase price to the County and compliance with and being in accordance with all terms of sale and other provisions promulgated by the County Treasurer in its respective written document entitled "Private Sale to Former Owners" and the former owner(s) execution of said written document; and be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute each respective aforementioned Quit Claim Deed and all other documentation to fully convey title of the same as outlined above; after and upon the review by the County Attorney; and be it further

RESOLVED, that all bids received by Yates County for the above listed tax parcels be rejected, and be it further,

RESOLVED, that a copy of this resolution be furnished to the County Treasurer, and County Attorney.

VOTE: Unanimous

RESOLUTION NO. 146-16

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

RECOGNIZE 2016 NATIONAL CRIME VICTIMS RIGHTS WEEK

WHEREAS, the National Crime Victims' Rights Week is designated as April 10-16, and this year's theme is "**Serving Victims- Building Trust-Restoring Hope,**" and as the District Attorney, Sheriff, 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, crime can leave a lasting physical, emotional, and financial impact on people of all ages, and of all economic, racial, and social backgrounds as victims face a criminal justice system that at times can be stressful, and so the mission of victim advocates is to empower them throughout the healing process as they become survivors to insure that they receive the dignity and respect they deserve, and

WHEREAS, we know that in order to help victims become survivors, we must first listen and learn in an effort to better understand what they need and how they can better be served. Community leaders and organizations, can leverage existing community resources to understand the needs of underserved victims and the impact the victimization has, and

WHEREAS, in Yates County criminal justice services both public and private are 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 service of protective orders all play in victims' support,

NOW, THEREFORE, BE IT RESOLVED, that this Legislature recognizes **National Crime Victims' Rights Week** April 10-16 and supports the rights of crime victims and survivors to be treated with dignity and fairness by providing protection for children and sexual assault victims, ordering and enforcing victim restitution from offenders, the issuance of an order of protection, and notifying victims of their right to notification of in-jail custody and service of orders and other related services, 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. 147-16

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

RECOGNIZE NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK

WHEREAS, **National Public Safety Telecommunications Week** has been designated by APCO as April 10 - 16, 2016, celebrating all emergency telecommunications personnel hard work, sacrifices and devotion to their law enforcement and public safety efforts in their local communities, and

WHEREAS, dispatchers are the real 24X7 first responders, and this week is an occasion that allows for citizens to thank public safety men and women who receive emergency calls and dispatch emergency professionals and equipment during times of crisis showing gratitude to 9-1-1 call takers, dispatchers, technicians that maintain radio and emergency phone systems, communications trainers, communications administrative personnel, and other public safety telecommunications staff across the country who work tirelessly, often behind the scenes, to help citizens during emergencies, and

WHEREAS, Yates County operates contemporized 911 public safety answering point location within the public safety building with full CAD and other IT capabilities in preparation for Next Generation 911 services and intends as a goal to implement text to 911, and Text to responders, as well as crime tip texts to 911 in mid-2016, now

THEREFORE, BE IT RESOLVED, that this Legislature at the request of the Sheriff, takes recognition of the National Public Safety Telecommunications Week April 10 – 16 and this Legislature thanks all the Yates County 911 emergency services dispatch personnel and related staff for their continued efforts to preserve the public's safety and medical fitness, and

RESOLVED, that copies of this resolution be provided Sheriff Spike, the Director of OEM Winslow, Chief Dispatcher Smith, the 911 Advisory Board members, and the President of Local #9075 of Council 82.

VOTE: Unanimous

RESOLUTION NO. 148-16

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

RECOGNIZE YATES COUNTY

SHERIFF'S OFFICER OF THE YEAR

WHEREAS, on April 2, 2016 the Johnson Costello Post 355 of the American Legion, Penn Yan has recognized Deputy Sheriff Charles Emerson as the 2015 officer of the year noting that he joined the Sheriff's Office in 2007 after serving overseas as an US Army reservist and graduated from Finger Lakes police academy in 2008.

WHEREAS, he is the only trained police officer in Yates County known as a Drug Recognition Expert (DRE) for detection of driving while ability impaired by drugs, and as such his skills are used by local, county and state police for discovery and preventing this substance abuse problem, especially given the rise in marihuana and opioid abuse. His police work is always comprehensive and accurate, and due to his patrol observation skills for crime detection he was recently trained as a NYS Field Training Officer for mentoring new deputy sheriff recruits. His professionalism, work ethic, and unselfish commitment to public service is respected,

THEREFORE, BE IT RESOLVED that this Legislature joins the Sheriff in recognizing Deputy Sheriff Charles Emerson, as county officer of the year, and thanks him for his police services to Yates County, and further

RESOLVED, that a copy of the resolution be provided to Deputy Emerson, Council 82 #9875 LE local President, the Personnel Officer, and to Sheriff Spike.

VOTE: Unanimous

RESOLUTION NO. 149-16

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

AMEND RES. 15-16 (WAYNE CO JAIL)

NOW, THEREFORE BE IT RESOLVED that the RES. 15-16 using Wayne County jail as a substitute jail for Yates County only when required previously approved for one year is hereby amended to being approved for three years, and

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

VOTE: Unanimous

RESOLUTION NO. 150-16 (FAILED)

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

DISCUSSION:

Mr. Button questioned if there were any other resources available to have this discussion other than the state commission.

Chairman Dennis stated it has been discussed at length in the Public Safety Committee and they are the final determinant. Anything that would be discussed previously would all be subject to their determination.

Mr. Holgate stated that the idea here is there are certain members of the Public Safety Committee who wanted to have a discussion with the SCOC and there are a lot of people who feel that the SCOC at any time can do a study on our jail, which they have done in the past. We know that based on the fact that the last study was a while ago that any information that they could actually help us with might trigger another study. That is why this is actually somewhat of a controversial resolution. We are not sure exactly what this might trigger.

Mr. Button stated if they come in as a neutral party, the next day would they come back and do their duty if they found something they felt was out of line.

Chairman Dennis stated that they could.

Mr. Morris suggested that this meeting not take place until we have some meetings amongst ourselves first to agree on the questions and what areas we want to get into. We want to make sure we are prepared with the questions we have.

Chairman Dennis asked for clarification, the resolution does not say anything about the Legislature meeting with the SCOC it says the Sheriff is authorized to request a meeting but it doesn't say that the legislature would be involved.

Mr. Holgate stated that is one of the problems that he has with the whole thing. The fact that the sheriff is a co-employer and if he wants to have a meeting with the SCOC he certainly can do so at his own will he does not need a directive from this legislative body. Therefore, Mr. Holgate is not in favor of this resolution.

Mr. Banach stated he voted in favor of this at the Committee level, but he will vote against it. He feels we are going to go down a road that the legislature doesn't want to go down. It's all about money. If the state comes in on their own and does something that's a different story.

Mr. Multer stated he feels the same way as Mr. Banach. We aren't authorizing a study we are requesting one and does not feel it is a good idea.

Mr. Morrison stated there was a lengthy discussion about this at the committee level and the Sheriff stated he had a good working relationship with them. Mr. Morrison stated he asked the Sheriff specifically if he thought he could have the SCOC here to have an exchange of information. It would be more on the order of what can we do to help us out here and he assured us at that time that he was confident that he could do that. As to one other point, it was brought up the resolution doesn't specifically say who the meeting will be with. Again at the committee level this was talked about a little bit and Mr. Morrison had faith that once the resolution was passed then a good cross section of people would be chosen to attend this meeting. Mr. Morrison is in favor of this and the Sheriff has assured us that he doesn't think this will trigger this investigation that everybody seems so afraid of.

Mr. Banach stated that he does not remember the Sheriff every saying that. I heard he had the ability to get the SCOC here but that is all he heard.

Mr. Paddock stated he did not recall the Sheriff indicated that it would not trigger a review of the data that is well over 10 years old. Mr. Paddock believes the last study was conducted in 2003. Mr. Paddock stated that he feels the situation that Mr. Button has pointed out, they would come in and do an analysis and then we would have reason for a meeting. Mr. Paddock stated his experience over the years, is inviting any state entity to come in and help us out usually results in higher cost and not all that much assistance.

Mrs. Percy stated she agrees with Mr. Banach and as long as they have been in Schuyler and Ontario County you just need to wait and they will be in Yates County.

Chairman Dennis stated he received an email from the Sheriff stating that Ontario County has been ordered as well as Schuyler to add additional Correction Officers for their jails.

Mr. Morrison, we know from Mr. Morris's data that we have one of the most expensive jails in the state and we have on average 55 persons and we have 40 full time correction officers. In the

brief time that Mr. Morrison has been here, he feels it is threat by whoever that we can't let these people come down here, we can't even speak to them because it will only get worse.

Mr. Button questioned if the resolution could be tabled to the point that Mr. Morris decided to get some questions together and Mr. Morrison was looking for more clarification. Mr. Button was looking for more resources that would give us an unbiased discussion that would not lead to ramifications that we don't want.

Chairman Dennis stated that our greatest resource would be our Sheriff who has run this hotel.

Mr. Button agreed but said he was trying to come up another resource that would be unbiased but also give up the facts of what we need so that the state doesn't come in and give up a mandated situation.

Mr. Smith moved to table the motion, seconded by Mr. Button.

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

AUTHORIZE MEETING WITH STATE COMMISSION OF CORRECTIONS (SCOC)

WHEREAS, there have been ongoing discussions over the last few months regarding the staffing levels for the jail and the mandates from SCOC,

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff is authorized to request a meeting with SCOC for the discussion of jail staffing, and be it further ,

RESOLVED, that copies of this resolution be provided to the Sheriff.

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

RESOLUTION NO. 151-16

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

AUTHORIZE SALE OF SURPLUS HIGHWAY EQUIPMENT TO THE TOWN OF BARRINGTON

WHEREAS, the Yates County Highway Department has a surplus piece of equipment commonly known as a Jersey Spreader that is no longer used by the Yates County Highway Department and should be sold, as is by the County, and

WHEREAS, the Town of Barrington has expressed interest in purchasing the Jersey Spreader for the amount of three thousand five hundred dollars (\$3500),

NOW, THEREFORE BE IT RESOLVED, to authorize the sale of the surplus Jersey Spreader to the Town of Barrington for three thousand five hundred dollars (\$3500) 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. 152-16

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

AUTHORIZE LEGISLATURE CHAIRMAN TO SIGN 2016 MOWING CONTRACTS

WHEREAS, in the interest of public safety all Yates County roadsides need to be mowed during the months of May through September, and

WHEREAS, the adopted 2016 Yates County budget has sufficient funding appropriated to line D5110.54032 to contract with several Towns to do roadside mowing for Yates County at an established rate of \$155 per centerline mile, and

WHEREAS, the Town of Barrington, Town of Middlesex, and the Town of Potter have agreed to do contract mowing of Yates County roads within their Towns,

NOW, THEREFORE, BE IT RESOLVED, to authorize the Chairman of the Yates County Legislature to sign contracts with each of the above named Towns doing mowing for Yates County, and be it further

RESOLVED, that a copy of this resolution be sent to the Yates County Treasurer, the Yates County Highway Department and each Town doing mowing for Yates County

VOTE: Unanimous

RESOLUTION NO. 153-16

Mr. Banach offered resolutions 153 thru 156-16 and moved their adoption, seconded by Mr. Multer.

AWARD BID FOR LEACHATE HAULING FOR THE COUNTY LANDFILL

WHEREAS, there is a need for Leachate Hauling & Disposal service for the County Landfill on Long Point Road in the Town of Torrey, and

WHEREAS, bids were requested and received on March 24, 2016 at 11:00 a.m. and one firm submitted a bid,

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNITS	UNIT BID PRICE	TOTAL AMOUNT
1	MOBILIZATION	1	LUMP SUM	\$950.00	\$950.00
2	LOADING, REMOVAL, AND TRANSPORT OF LEACHATE AT PRIMARY WATER POLLUTION CONTROL FACILITY	200,000 gallons	PER THOUSAND GALLONS	\$42.58	\$8,090.20
3	UNLOADING, DISPOSAL, AND ANALYTICAL TESTING OF LEACHATE AT THE PRIMARY WATER POLLUTION CONTROL FACILITY	200,000 gallons	PER THOUSAND GALLONS	\$50.00	\$9,500.00
4	LOADING, REMOVAL, AND TRANSPORT OF LEACHATE AT SECONDARY WATER POLLUTION CONTROL FACILITY	20,000 gallons	PER THOUSAND GALLONS	\$62.58	\$625.80
5	UNLOADING, DISPOSAL, AND ANALYTICAL TESTING OF LEACHATE AT THE SECONDARY WATER POLLUTION CONTROL FACILITY	20,000 gallons	PER THOUSAND GALLONS	\$50.00	\$500.00
TOTAL BID FOR YATES COUNTY TORREY LANDFILL LEACHATE HAULING AND DISPOSAL CONTRACT					\$19,666.00

We Care Holdings – Gotta Do Contracting
 9289 Bonita Bridge Road
 Jordan, NY 13080

WHEREAS, the submitted bid documents have been reviewed by Barton & Loguidice and a recommendation to award has been received from Barton & Loguidice,

NOW, THEREFORE BE IT RESOLVED, to award the bid to WeCare Holdings – Gotta Do Contracting, L.L.C. contingent upon contract document approval by the Yates County Attorney,

RESOLVED, a copy of this resolution be sent to Barton & Loguidice, P.C., the Yates County Treasurer and the Yates County Highway Superintendent.

VOTE: Unanimous

RESOLUTION NO. 154-16

AWARD BID FOR COLD MILLING OF ASPHALT PAVEMENT

WHEREAS, bids were requested for Cold Milling of Asphalt Pavement and received on March 24, 2016 at 10:00 a.m. and two firms submitted bids to the Yates County Highway Department,

	Villager	Donagel
Project #1: CR #39, East Lake Road (2.91 miles)		
3" depth, Estimated quantity: +/-39,120 sy		
With County Trucking /sq yd:	1.14	1.45
Deduct for County provided M&P of Traffic	-0.09	-0.16
	1.05	1.29
Project #2: CR #32, Italy Hill Road (4.70 miles)		
2" depth, Estimated quantity: +/-63,240 sy		
With County Trucking /sq yd:	0.92	1.02
Deduct for County provided M&P of Traffic	-0.09	-0.08
	0.83	0.94
Project #3: CR #44, Dundee Glenora Road (2.99 miles)		
2" depth, Estimated quantity: +/-40,300 sy		
With County Trucking /sq yd:	0.94	1.32
Deduct for County provided M&P of Traffic	-0.09	-0.18
	0.85	1.14
Project #4: CR #30, Second Milo Road (0.63 miles)		
3" depth, Estimated quantity: +/-8,550 sy		
With County Trucking /sq yd:	2.50	2.31
Deduct for County provided M&P of Traffic	-0.17	-0.09
	2.33	2.31
Project #5: CR #01s, Lakemont Himrod Road (0.85 miles)		
3" depth, Estimated quantity: +/-11,500 sy		
With County Trucking /sq yd:	1.88	2.22
Deduct for County provided M&P of Traffic	-0.13	-0.22
	1.75	2.00

Withdrawn

NOW, THEREFORE BE IT RESOLVED, to award the bid to Projects #1 thru #5 to Villager Construction Inc., 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. 155-16

AWARD BID FOR LIQUID BITUMINOUS MATERIAL

WHEREAS, bids were requested for Liquid Bituminous Material and received on March 24, 2016 at 10:00 a.m. and three firms submitted a bid to the Yates County Highway Department,

		Midland	Suit Kote	Vestal
LIQUID EMULSIFIED ASPHALT MATERIALS "PER GALLON"				
702-3101	RS-2	2.612	2.280	2.100
	HFRS-2P	2.854	2.660	2.750
702-3301	HFMS-2	2.942	2.840	2.850
	HFMS-2ST	2.612	2.290	2.100
	AEPM	1.810	1.622	1.750
702-4101	CRS-2	2.592	2.300	2.100
	CRS-2P	2.834	2.680	2.500
MIX PAVER OPTION "APPLIED PER GALLON"				
702-4201	CMS-2	3.212	3.232	3.200
	HFMS-2GH	3.340	3.320	3.300
CHIPPER RENTAL & APPLIED OIL PRICE PER GALLON				
Chipper	w/CRS-2	2.812	2.520	2.200
	w/RS-2	2.832	2.500	2.200
	w/HFRS-2	2.832	2.560	2.200
	w/HFRS-2ST	2.832	2.530	2.200
	w/HFMS-2ST	2.832	2.510	2.200
PUG MILL and PAVER OPERATIONS "APPLIED PER GALLON"				
702-3301	HFMS-2	3.542	3.350	3.350
	HFMS-2C	NB	3.420	NB
702-4201	CMS-2	3.522	3.360	3.400
	HFMS-2GH	3.650	3.469	NB
702-4501	CSS-1H	3.315	3.061	3.100
RENTAL OF EQUIPMENT INCLUDING OPERATOR				
VIBRATORY ROLLER DOUBLE DRUM				
	/DAY	NB	1900.00	2250.00
10-12 TON RUBBER TIRE ROLLER				
	/DAY	1900.00	1800.00	1800.00
MIX PAVER				
	/DAY	2900.00	3400.00	NB
ASPHALT PAVER				
	/DAY	NB	2900.00	3500.00
MILLING MACHINE 75" DOWN CUT				
	/DAY	NB	5400.00	NB
WATER TRUCK WITH PUMP				
	/DAY	NB	NB	NB
PUG MILL OPERATION				
	/DAY	2500.00	2250.00	2250.00
CHIPPER				
	/DAY	2200.00	2200.00	2000.00
SPECIALIZED PERSONNEL				
ASPHALT RAKER				
	/DAY	NB	\$890.00	NB
BLACKTOP LABORER				
	/DAY	NB	\$890.00	NB

NOW, THEREFORE, BE IT RESOLVED, to award the bid to: Vestal for Liquid Emulsified Asphalt Materials RS-2, HFMS-2ST, CRS-2, CRS-2P, Mix Paver Options CMS-2 and HFMS-2GH, Chipper Rental CRS-2, RS-2, HFRS-2, HFRS-2ST, HFMS-2ST, Pug Mill and Paver Operations HFMS-2,. To Suit Kote for Liquid Emulsified Asphalt Materials HFRS-2P, HFMS-2, and AEPM. Pug Mill and Paver Operations HFMS-2, HFMS-2C, CMS-2, HFMS-2GH, and CSS-1H.

AND, for Rental of Equipment Including Operator to: Vestal for 10-12 Ton Rubber Tired Roller, Pug Mill Operation, and Chipper. To Suit Kote for Vibratory Roller Double Drum, 10-12 Ton Rubber Tired Roller, Asphalt Paver, Milling Machine 75" Down Cut, and Pug Mill Operation. . To Midland for Mix Paver. For Specialized Personnel to Suit Kote.

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

VOTE: Unanimous

RESOLUTION NO. 156-16

AWARD BID FOR HOT MIX ASPHALT CONCRETE

WHEREAS, bids were requested for Hot Mix Asphalt Concrete and received on March 26, 2016 at 10:00 a.m. and four firms submitted bids to the Yates County Highway Department,

NYS DOT ITEM	ITEM	TYPE	Est. QUANT. (Tons)	Dolomite	Blades	Seneca Stone	Hanson
403.18	TOP	7	<500	\$63.00	\$64.00	\$64.25	\$64.30
403.17	TOP	6F	500-1,000	\$60.50	\$62.50	\$63.50	\$61.65
403.17	BINDER	Fine	500-1,000	\$59.00	\$60.50	\$57.50	\$58.40
403.13	BINDER	3	500-1,000	\$54.25	\$59.00	\$56.25	\$56.40

SPECIFIED IN-PLACE PROJECTS

Project #1

CR #39 From CR #10 to Ontario County Line	NB			
2.91 Mi. 8,255 tons Type 3 Unit:		\$72.80	\$65.00	\$56.65
3,240 tons 6F top Unit:		\$79.20	\$71.00	\$62.86
Total:		\$857,572.00	\$766,615.00	\$671,312.15

Project #2

CR #32 From CR #33 to Steuben Co. Line	NB			
4.70 Mi. 6,900 tons Type 3 Unit:		\$61.60	\$66.50	\$57.77
5,120 tons 6F top Unit:		\$65.70	\$72.50	\$63.86
Total:		\$761,424.00	\$830,050.00	\$725,576.20

Project #3

CR #44 From State Route 14 to Dundee Village Line	NB			

2.99 Mi.	4,385 tons Type 3 Unit:		\$63.25	\$65.50	\$58.32
	3,255 tons 6F top Unit:		\$67.55	\$71.50	\$64.44
	Total:		\$497,226.50	\$519,950.00	\$465,485.40

Project #4

CR #30 From CR #17 to State Route 54		NB			
.63 Mi.	930 tons Type 3 Unit:		\$77.20	\$69.50	\$61.81
	690 tons 6F top Unit:		\$81.40	\$75.50	\$70.75
	Total:		\$127,962.00	\$116,730.00	\$106,300.80

Project #5

CR #01s From CR #5 to CR #36		NB			
.85 Mi.	2,420 tons Type 3 Unit:		\$69.80	\$67.50	\$57.26
	950 tons 6F top Unit:		\$74.10	\$73.50	\$65.32
	Total:		\$239,311.00	\$233,175.00	\$200,623.20

UNSPECIFIED IN-PLACE PROJECTS

403.198302	TOP	7F3	Base Bid:	NB	NB	\$88.00	\$89.24
403.178302	TOP	6F3	Base Bid:	NB	NB	\$87.00	\$86.22
*	BINDER	FINE	Base Bid:	NB	NB	\$82.00	\$82.20
403.138902	BINDER	Type 3	Base Bid:	NB	NB	\$82.00	\$80.51

NOW, THEREFORE BE IT RESOLVED, due to various worksites throughout the County, the bid award for F.O.B. materials shall be awarded to all bidders and the purchase of F.O.B. 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, Specified In-Place Project #1 thru # 5 shall be awarded to Hanson Aggregates New York LLC. Unspecified In Place Projects with 6F3 Top and Type 3 Binder to Hanson Aggregates New York LLC and Type 7F3 Top and Fine Binder to Seneca Stone, 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

RESOLUTION NO. 157-16

Mrs. Church offered the resolutions 157 and 158-16 and moved their adoption, seconded by Mr. Bronson.

ENTER INTO CONTRACT WITH COMPANION CARE OF ROCHESTER

RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Legislature and the Social Services Commissioner be authorized to sign a contract with Companion Care of Rochester to act as fiscal administrator for the Consumer Directed Personal Assistance Program (no cost) for the time frame of January 1, 2016 through December 31, 2016.

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

VOTE: Unanimous

RESOLUTION NO. 158-16

ENTER INTO CONTRACT WITH COLLEEN JOHNSTON

WHEREAS, the term of this contract is January 1, 2016 through December 31, 2016, and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Yates County Legislature and Commissioner of Social Services to sign renewal ONTRACTS/AGREEMENTS with Colleen Johnston for to provide counseling services at \$95 per hour and to waive liability insurance due to having professional liability insurance

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

VOTE: Unanimous

RESOLUTION NO. 159-16

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

DISCUSSION:

Mr. Paddock pointed out that a recent study by the Governor's office put the value of volunteer emergency medical services and fire departments at \$3.5 billion dollars a year.

PROCLAIM MAY 15-21, 2016 AS EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, firefighters, educators, administrators, emergency nurses, emergency physicians, and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;

THEREFORE, I, Timothy Dennis, Chairman of the Yates County Legislature in recognition of this event do hereby proclaim the week of May 15-21, 2016, as **EMERGENCY MEDICAL SERVICES WEEK**; and be it further

RESOLVED, that a copy of this resolution be provided to Director of Public Health, Director of Emergency Management, EMS Coordinator and the EMS Advisory Board President.
VOTE: Unanimous

RESOLUTION NO. 160-16

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

SIGN AGREEMENT WITH JOSEPH AXTELL FOR EMS TRAINING

RESOLVED, that the Chairman is hereby authorized to sign an agreement with Joseph Axtell for the period May 15, 2016 through December 31, 2018 at the following rates:

- Certified Instructor Coordinator \$25.30/HR
- Other Lectures (CPR,etc.) \$17.31/HR
- Certified Lab Instructor \$20.00/HR
- Practical Work Instructor \$10.00/HR
- Practical Skills Evaluator \$10.00/HR
- Victims/Patients \$7.15/HR

and be it further

RESOLVED, that a copy of this resolution be sent to the Public Health office, the Office of Emergency Management and the Personnel Department.

VOTE: Unanimous

RESOLUTION NO. 161-16

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

AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR THE LEAD POISONING PREVENTION PROGRAM

RESOLVED, that the Chairman is hereby authorized to sign an agreement with the New York State Department of Health for the provision of a Lead Poisoning Prevention Program in Yates County Public Health Nursing Service for the period October 1, 2015 through September 30, 2020, at an amount of \$117,760, and be it further

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

VOTE: Unanimous

RESOLUTION NO. 162-16

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

APPOINT COUNTY DESIGNEE TO COMMITTEE FOR PRESCHOOL SPECIAL EDUCATION

RESOLVED, that Mary Griffiths, Public Health Nurse be appointed as a County Designee to the Committee on Preschool Special Education (CPSE) for school districts serving Yates County children, and be it further

RESOLVED, that a copy of this resolution be sent to the Public Health office and Mary Griffiths.

VOTE: Unanimous

RESOLUTION NO. 163-16

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

APPOINT EARLY INTERVENTION OFFICIAL DESIGNEE

RESOLVED, that Angela Druker, Registered Nurse be appointed to serve as a designee to represent the Yates County Early Intervention Official at Individual Family Service Plan meetings, and be it further

RESOLVED, that a copy of this resolution be sent to the Public Health office and Angela Druker.

VOTE: Unanimous

RESOLUTION NO. 164-16

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

**PROCLAIM THE SECOND FULL WEEK IN MAY
AS WOMEN'S LUNG HEALTH WEEK**

WHEREAS, every eight minutes, one women in the U.S. loses her battle with lung cancer; and

WHEREAS, lung cancer is the #1 cancer killer of women and men in the U.S.; and

WHEREAS, the number of women dying from lung cancer has nearly doubled over the past 30 years; and

WHEREAS, advocacy and increased awareness will result in more and better treatments and early detection for people with lung cancer that will ultimately save lives; and

WHEREAS, Lung Force is a fast-growing initiative led by the American Lung Association, with the mission of making lung cancer history-uniting the nation in the fight against lung cancer.

BE IT RESOLVED, that Yates County hereby designates the second full week in May as Women's Lung Health Week throughout Yates County, and encourages all residents of Yates County to learn more about the detection and treatment of lung cancer, and be it further

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

VOTE: Unanimous

RESOLUTION NO. 165-16

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

**REAPPOINT COMMISSIONER OF SOCIAL SERVICES
(A. MILLER)**

RESOLVED, that Amy D. Miller is hereby appointed to the position of Commissioner of Social Services effective May 16, 2016 for a five year term to expire May 15, 2021, and be it further

RESOLVED, that copies of this resolution be provided to Ms. Miller, the Personnel Officer and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 166-16

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

**AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL VACANCY
(SENIOR ACCOUNT CLERK TYPIST)**

WHEREAS, effective April 11th, 2016, the Commissioner of Social Services is hereby authorized to fill the vacant position of Senior Account Clerk Typist, and

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Social Services is approved to fill the subsequent vacancy as a direct result of filling the Senior Account Clerk Typist position, and be it further

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

VOTE: Unanimous

RESOLUTION NO. 167-16

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

**AUTHORIZE COMMISSIONER OF DSS TO CREATE AND FILL TWO POSITIONS
(CASE SUPERVISOR)**

WHEREAS, the DSS Commissioner has requested to create and fill two Case Supervisor positions that will replace the current two Senior Caseworker positions in Social Services, and

WHEREAS, effective April 11th, 2016 two full time positions for Case Supervisor are hereby created in Social Service, and

WHEREAS, one Case Supervisor position be filled by Elaine Lewis at \$29.20/hour and the second newly created position be filled immediately, and

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Social Service is approved to fill the subsequent vacancy as a direct result of filling the second Case Supervisor position, and be it further

RESOLVED, that copies of this Resolution be given to the Commissioner of Social Service, Personnel Officer and Treasurer.

VOTE: Unanimous

RESOLUTION NO. 168-16

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

AUTHORIZE INSURANCE RENEWAL

WHEREAS, various insurance policies on behalf of the County expire on May 10, 2016, and

WHEREAS, the County would like to renew the policies for a period of one year from May 10, 2016 through May 10, 2017,

NOW, THEREFORE, BE IT RESOLVED, that, effective May 10, 2016, that Stork Insurance Agency is hereby authorized as the local insurance agent to renew said policies for a one-year period, and be it further

RESOLVED, that copies of this resolution be given to the Treasurer, and the Stork Insurance Agency.

VOTE: Unanimous

RESOLUTION NO. 169-16

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

FREEZE SICK LEAVE ACCRUAL (L. Hall)

WHEREAS, the County Clerk upon leaving her position as Motor Vehicle Supervisor had 524.5 hours of accrued sick leave and past practice has been to freeze said accruals upon taking elected office for the County, and

NOW, THEREFORE, BE IT RESOLVED, that 524.5 hours of sick time will be frozen and allocated to Lois Hall at her rate of pay upon retirement, and be it further

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

VOTE: Unanimous

RESOLUTION NO. 170-16

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

AUTHORIZE LEGISLATURE TO FILL VACANCY (PLANNER)

RESOLVED, that effective April 11th, 2016, the Legislature is hereby authorized to fill the vacant Planner position, and

NOW, THEREFORE, BE IT RESOLVED, that Tim Cutler will be appointed provisionally as the Planner on a Part Time basis for the performance of an average of 17.5 hours per week at a rate of pay of \$25.00 per hour, and be it further

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

VOTE: Unanimous

RESOLUTION NO. 171-16

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

AUTHORIZE CREATION AND FILLING OF POSITION (PART TIME HISTORIAN)

WHEREAS, due to an upcoming retirement in May 2016, the Clerk of the Legislature has requested to create and fill a Part Time Historian position that will replace the current Full Time Historian position at the time of the retirement, and

NOW, THEREFORE, BE IT RESOLVED, that effective May 3rd, 2016 a Part Time Historian position is hereby created, and be it further

RESOLVED, that Fran Dumas will be appointed at a rate of pay of \$24.07 per hour for the performance of an average of 17.5 hours per week, and be it further

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

VOTE: Unanimous

RESOLUTION NO. 172-16

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

**AUTHORIZE CREATION AND FILLING OF POSITION
(PART TIME CLERK)**

WHEREAS, the Clerk of the Legislature has requested to create and fill a Part Time Clerk position as a result of the restructuring of the Historian/Records Management Department, and

NOW, THEREFORE, BE IT RESOLVED, that effective April 11th, 2016 a Part Time Clerk position is hereby created in the Historian/Records Management Department, and be it further

RESOLVED, that the position will be at a rate of pay of \$13.67 per hour for the performance of an average of 17.5 hours per week, and be it further

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

VOTE: Unanimous

RESOLUTION NO. 173-16

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

**AUTHORIZE CREATION AND FILLING OF POSITION
(PART TIME RECORDS MANAGEMENT OFFICER)**

WHEREAS, as a result of the restructuring of the Historian/Records Management Department, the Clerk of the Legislature has requested to create and fill a Part Time Records Management Officer position that will replace the current Part Time Records Retention Clerk position, and

NOW, THEREFORE, BE IT RESOLVED, that effective April 11th, 2016 a Part Time Records Management Officer position is hereby created, and be it further

RESOLVED, that William Ratcliffe will be appointed at a rate of pay of \$17.25 per hour for the performance of an average of 17.5 hours per week, and be it further

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

VOTE: Unanimous

RESOLUTION NO. 174-16

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

**AMEND RESOLUTION NUMBER 45-16
ADOPT 2016 HOURLY SALARY SCHEDULE**

WHEREAS, changes have been made to the Clerk (Historian/Records Management Office), changing the hourly rate from \$12.86 to \$13.67 per hour, affecting the hourly rate for the

current Clerk PT (Historian), and the and the language 80% of CSEA Contract rate has been removed, and

WHEREAS, changes have been made to amend the County Historian title to reflect the status change from Full Time to Part Time, and

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby amends Resolution 45-16 and replaces it with the subsequent resolution, and

Schedule II – Hourly Positions

	<u>Start Rate</u>	<u>After 12 months</u>	<u>After 3 years</u>
Account Clerk Typist (<i>Sheriff's Office</i>)	\$13.95	\$14.20	\$14.69
Animal Control Officer (<i>Part Time</i>)	\$14.72		
Clerk (<i>Historian/Records Management Office</i>)	\$13.67		
Correction Officer	\$17.34	\$18.36	
Correction Officer/ Court Security	\$17.34	\$18.36	
Coroner	\$100.00	per case	
County Code Enforcement Officer	\$20.00		
County Historian (<i>Part Time</i>)	\$24.07		
Deputy County Clerk (<i>Part Time Temporary</i>)	\$30.00		
Deputy Sheriff (<i>Experience= TBD @ 80% Council 82 LE contract for appropriate step</i>)	\$16.32		
Deputy Election Commissioner	\$13.93		
Election Coordinator	\$15.00		
Election Inspector	\$10.00		
Election Inspector (<i>Traveling</i>)	\$11.00		
Election Inspector (<i>Chair</i>)	\$12.50		
Election Inspector (<i>Chair-Traveling</i>)	\$13.50		
Election Machine Technician	\$25.00		
Emergency Services Dispatcher	\$14.46	\$14.89	
Examination Monitor	\$10.00		
Fiscal Administrative Assistant (<i>Community Services</i>)	\$78.37		
Jail Cook	\$10.93	\$11.61	\$12.09
Laborer (<i>seasonal- Highway Department</i>) (<i>80% CSEA Contract rate</i>)	\$11.94		
	<u>First Season</u>	<u>After 1 season</u>	<u>After 3 seasons</u>
Marine Patrol Officer (<i>Seasonal</i>)	\$14.78	\$15.36	\$16.00
Motor Equipment Operator (<i>YC Stop- SMART</i>)	\$13.75		
Motor Vehicle Supervisor	\$22.99		
Planner (<i>Part Time Temporary</i>)	\$25.00		
Public Health Program Coordinator	\$29.97		
Secretary to County Attorney	\$30.74		
Senior Administrative Assistant (<i>PH</i>)	\$23.03		
SPOA Coordinator	\$52.15		
Youth Bureau Director	\$22.45		

RESOLVED, that a copy of this resolution be given to the County Administrator, Personnel Officer, County Attorney, County Clerk, Historian, Director of Community Services, Treasurer, Sheriff, Election Commissioner(s), Highway Superintendent, Director of Emergency Management, and County Historian.

VOTE: Unanimous

RESOLUTION NO. 175-16

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

AUTHORIZE CHAIRMAN TO SIGN AGREEMENT

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a Section 32 Settlement concerning a Workers Compensation matter and be it further

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

VOTE: Unanimous

RESOLUTION NO. 176-16

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

AUTHORIZATION REGARDING COUNTY ATTORNEY DUTIES AND SALARY

WHEREAS, the Office of the County Attorney is the presentment agency charged and authorized to originate and present juvenile delinquency proceedings in Yates County Family Court, pursuant to Article 3 of the New York State Family Court Act; and

WHEREAS, the position of Assistant County Attorney, whose duties entail all prosecutions of such juvenile delinquency proceedings, is unfilled, and as such, said duties are being additionally handled by the County Attorney;

NOW, THEREFORE, BE IT RESOLVED, that the County Attorney continue to perform said additional duties, and that in accordance therewith, effective April 25, 2016 the annual salary of the County Attorney shall be increased by \$17,000 per year; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 177-16

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

**AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING
(CSEA)**

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a Memorandum of Understanding with the CSEA regarding the addition of the following job titles; Payroll Specialist, Deputy Director of Emergency Management, Computer Technical Specialist and Public Health Coordinator, as well as the transition of the EMS Coordinator from Group VIII to Group IX, and be it further

RESOLVED, that copies of this resolution be given to the Director of Emergency Management, Deputy Director of Emergency Management, Treasurer, Payroll Specialist, IT Director, Computer Technical Specialist, Director of Public Health, Public Health Program Coordinator, EMS Coordinator, Personnel Officer and CSEA Yates County Unit President.

VOTE: Unanimous

RESOLUTION NO. 178-16

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

**AMEND RESOLUTION NUMBER 434-15
ADOPT 2016 NON-UNION SALARY SCHEDULE**

WHEREAS, by concurrent resolution, the County Attorney will be continuing to perform such additional duties that are normally part of the duties of the position of Assistant County Attorney, of which said position is not filled, and in accordance therewith the County Attorney's salary will be increased by \$17,000 per year effective April 25, 2016;

NOW THEREFORE BE IT RESOLVED, that the Assistant County Attorney position at \$34,374 per year is hereby removed from the Non-Union Salary Schedule; and be it further

RESOLVED, that effective April 25th, 2016 the Yates County Legislature hereby amends Resolution 434-15 and replaces it with the subsequent resolution,

ADOPT 2016 NON-UNION SALARY SCHEDULE

RESOLVED, that the Yates County Legislature hereby adopts the following non-union salary schedule, effective January 1, 2016;

<u>Elected Officials</u>	<u>Annual</u>
County Clerk	\$63,038
County Treasurer	\$70,979
District Attorney	\$152,500
Legislators (14 at \$8,183 each)	\$114,562
Legislature Chairman	\$8,183
Sheriff	\$92,651

<u>Full-Time/Part-Time</u>	<u>Annual</u>
Assistant District Attorney (DM)	\$36,414
Assistant District Attorney (LT)	\$66,362
Assistant Public Defender (KL)	\$41,860
Assistant Public Defender (KM)	\$34,333
Budget Officer	\$9,286
Building Maintenance Supervisor	\$56,828
Clerk, County Legislature	\$52,842
Commissioner of Social Services	\$64,946
Confidential Assistant to Sheriff	\$41,134
Conflict Defender	\$45,900
County Administrator	\$99,491
County Attorney	\$90,606
Deputy County Clerk	\$38,796
Deputy County Treasurer	\$47,754
Deputy Highway Superintendent	\$61,551
Director of Children and Family Services	\$57,370
Director of Community Services	\$71,400
Director of Emergency Management	\$63,864
Director of Income Maintenance & Child Support	\$57,370
Director of Patient Services/Public Health	\$69,179

Director of Real Property Tax Services	\$67,092
Director of Veteran Services Agency	\$46,818
Election Commissioner (D)	\$38,679
Election Commissioner (R)	\$38,679
Highway Superintendent	\$79,365
Information Technology Director	\$71,767
Personnel Assistant	\$36,720
Personnel Officer	\$64,000
Planner	\$67,092
Probation Director	\$61,466
Public Defender	\$72,076
Secretary to District Attorney	\$35,307
Social Services Attorney	\$61,901
Supervising Public Health Nurse	\$60,090
Undersheriff	\$72,733

and be it further

RESOLVED, that a copy of this resolution be given to the Personnel Officer, County Attorney and Treasurer.

VOTE: Unanimous

RESOLUTION NO. 179-16

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

AUTHORIZE HIGHWAY SUPERINTENDENT TO FILL VACANCY

RESOLVED, that effective March 14th, 2016, the Highway Superintendent is authorized to fill the vacant Heavy Equipment Operator position with a Motor Equipment Operator/Light position per discussion and approval at the March 7, 2016 Public Works Committee meeting, and be it further

RESOLVED, that a copy of this resolution be given to the Yates County Highway Superintendent, the Treasurer and the Personnel Officer.

VOTE: Unanimous

At this time Southern Tier Network updated the Legislature on the progress of the Dark Fiber Ring.

Mr. Banach moved to enter into executive session to discuss the financial history of a particular corporation, seconded by Mr. Gleason.

Meeting adjourned at 3:47 p.m.