

**REGULAR SESSION – MONDAY, JUNE 12, 2017**

The Yates County Legislature convened in regular session Monday, June 12, 2017 at 1:00pm with Chairman Dennis presiding and Legislator Church absent.

Mr. Morris introduced Steve Griffin, CEO and President of the Finger Lakes Economic Development Center (FLEDC) who was recently awarded the 2017 Economic Developer of the Year Award by the NYS DEC. Mr. Griffin updated the Legislature on the activities of the FLEDC.

Sheriff Spike introduced Peter Kehoe, Executive Director and Counsel for the New York State Sheriff's Association, who presented Sheriff Spike and staff members with certificates/plaques for the Court Security Re-Accreditation.

Minutes of the May 8<sup>th</sup> and May 31 meetings were approved as presented.

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

Airport Fund	\$ 4,355.01
Finance	\$ 329,053.09
Flint Creek	\$ -0-
Government Operations	\$ 229,739.59
Human Services	\$ 398,214.17
Prior to Audit	\$ 44,562.93
Public Safety	\$ 183,158.33
Public Works	\$ 472,047.54

Committee reports:

Mr. Paddock reported there will be a need for an executive session and probable action after that.

Mr. Bronson reported he attended the ProAction meeting. ProAction is working with Keuka Housing Council to open a food pantry in the VFW Building.

Mr. Button reported he was asked to serve on the Rushville Health Center Board of Directors.

Chairman Dennis reported various meetings he attended or will be attending.

Public comment:

Valerie Brechko reported she attended the first meeting of the Shared Services Committee and thanked the County Administrator for putting it together. Ms. Brechko agrees that an area to look at is health insurance.

Chairman's appointments:

Chairman Dennis appointed Dan Condella and Katie Campbell to the Yates County Youth Bureau for terms 5/31/17 to 5/31/20.

**RESOLUTION NO. 160-17**

Mr. Paddock offered resolutions 160 and 161-17 and moved their adoption, seconded by Mr. Fitch.

**SET DATE FOR PUBLIC HEARING ON THE YATES COUNTY SEPTIC & WELL REPLACEMENT PROGRAM GRANT UPDATE.**

RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on an update for the Yates County Septic and Well Replacement Program Grant, and be it

RESOLVED, said public hearing shall be held July 10, 2017 at 1:10 in the Yates County Legislature Chambers, 417 Liberty St., Penn Yan, NY 14527

VOTE: Unanimous

**RESOLUTION NO. 161-17**

**SET DATE FOR PUBLIC HEARING ON APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING IN COOPERATION WITH KEUKA HOUSING.**

RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on the Application for Community Development Block Grant Funding. And be it

RESOLVED, said public hearing shall be held July 10, 2017 at 1:15 in the Yates County Legislature Chambers, 417 Liberty St., Penn Yan, NY 14527

VOTE: Unanimous

**RESOLUTION NO. 162-17**

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

**APPROVE MORTGAGE TAX APPORTIONMENT**

WHEREAS, this Legislature is in receipt of the Mortgage Tax Report showing the amounts to be credited to each tax district of the County, of the money collected during the period October 1, 2017 to March31, 2017 be it

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

Total Tax Collected	\$239,434.25
Recording Officer's Expense	\$15,157.55
Treasurer's Expense	
Interest Received	\$19.76
Adj and refunds	
Net amount of Distribution	\$224,296.46

Town	Net After	To Towns	Village	To Village	Total
Barrington	\$20,948.17	\$20,948.17			\$20,948.17
Benton	\$17,534.70	\$16,399.92	Penn Yan	\$1,134.78	\$17,534.70
Italy	\$9,984.53	\$9,984.53			\$9,984.53
Jerusalem	\$74,041.45	\$73,727.97	Penn Yan	\$313.48	\$74,041.45

Middlesex	\$23,813.81	\$23,813.81			\$23,813.81
Milo	\$42,612.09	\$28,406.08	Penn Yan	\$14,206.01	\$42,612.09
Potter	\$8,824.94	\$8,199.47	Rushville	\$625.47	\$8,824.94
Starkey	\$12,380.98	\$10,507.80	Dundee	\$1,873.18	\$12,380.98
Torrey	<u>\$14,155.79</u>	<u>\$13,588.24</u>	Dresden	<u>\$567.55</u>	<u>\$14,155.79</u>
	\$224,296.46	\$205,575.97		\$18,720.49	\$224,296.46

VOTE: Unanimous

### **RESOLUTION NO. 163-17**

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

#### **AUTHORIZE CHAIRMAN TO ENTER INTO AN ADDENDUM TO THE FIXED BASE OPERATION AGREEMENT AND COMMERCIAL AVIATION LEASE WITH SENECA FOODS CORPORATION TO ADDRESS T1-HANGAR PROPERTY SERVICES AT PENN YAN-YATES COUNTY AIRPORT**

**WHEREAS**, there exists a Fixed Base Operation Agreement and Commercial Aviation Lease (hereinafter referred to as the “FBO Agreement”), dated November 12, 2013, entered into between the County of Yates, as Lessor (hereinafter to as the “County”) and Seneca Foods Corporation, acting by and through Seneca Flight Operations, a Division of Seneca Foods Corporation, as Lessee (hereinafter referred to as “Seneca”), concerning the County’s Penn Yan-Yates County Airport; and

**WHEREAS**, the County has previously constructed two buildings at the Penn Yan-Yates County Airport, located south of Seneca’s building and adjacent to taxiway 1-19, which house an 8 bay T1-Hangar in one building and a 10 bay T1-Hangar in the other building (each hangar bay individually referred to as “T-Hangar” and collectively referred to as “T-Hangars”); and

**WHEREAS**, the County wishes to have Seneca perform all necessary services related to the marketing and leasing of T-Hangar spaces, as well as the maintenance, repair and management of the T-Hangars; and

**WHEREAS**, in connection thereto, the County wishes to give Seneca express authority to execute any T-Hangar lease on behalf of the County and collect such rents thereto, as the County’s agent, with such authorization to execute any such T-Hangar lease being contingent upon it first receiving the approval of the Yates County Attorney of the particular lease at issue; and

**WHEREAS**, the County would require that all such T-Hangar leases be in writing; and

**WHEREAS**, in consideration for the aforementioned services, the County would pay Seneca fifteen percent (15%) of the County’s gross rental income from the leasing of the T-Hangar spaces;

**NOW, THEREFORE, BE IT RESOLVED**, that upon approval by the County Attorney, Yates County hereby authorizes and the Chairman may enter into, a written addendum to the FBO Agreement, with Seneca, dated as of June 1, 2017, concerning Seneca’s performance of all necessary services related to the marketing and leasing of T-Hangar spaces, as well as the maintenance, repair and management of the T-Hangars, for a term that is commensurate with the term of the FBO Agreement and any renewals or extensions thereof, with an allowance for either party to terminate such addendum upon thirty (30) days written notice to the other, and granting

Seneca express authority to execute any T-Hangar lease on behalf of the County as the County's agent, with such authorization to execute any such T-Hangar lease being contingent upon it first receiving the approval of the Yates County Attorney of the particular lease at issue, and authorizing Seneca as the County's agent to collect such rents on behalf of the County, with the requirement that any such T-Hangar leases be in writing, with consideration to Seneca for its rendering of such services consisting of fifteen percent (15%) of the County's gross rental income from the leasing of the T-Hangar spaces, with the requirement that Seneca shall remit all rents less the aforementioned fifteen percent (15%) thereof due Seneca to the County on a quarterly basis, and containing any other provisions approved by the County Attorney; and be it further

**RESOLVED**, that a copy of this resolution be given to the County Treasurer, County Attorney, County Administrator, County Airport Council and Seneca Foods Corporation, acting by and through Seneca Flight Operations, a Division of Seneca Foods Corporation

VOTE: Unanimous

**RESOLUTION NO. 164-17**

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

**2017 BUDGET TRANSFERS**

BE IT RESOLVED, that the following transfers be made in the 2017 budget:

From:	To:	Amount:
A7510.51075 HIST-Historian and be it further	A7510.54408 HIST-Equip. Maint.	110.00

RESOLVED, that copies of this resolution be given to the County Clerk, Personnel Officer, Director of Information Technology, Director of Real Property, Highway Superintendent and County Treasurer/Budget Officer.

VOTE: Unanimous

**RESOLUTION NO. 165-17**

Mr. Paddock offered resolutions 165 and 166-17 and moved their adoption, seconded by Mr. Morris.

**APPROPRIATE FEDERAL AID (PH)**

WHEREAS, the Public Health Director has received additional federal aid, and

WHEREAS, this aid is not part of the 2017 budget,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased in the 2017 budget:

Revenue:		
A4010.44401 PH-Federal Aid		\$3,200.00
Appropriation:		
A4010.54939 PH-Health Learning Systems		3,200.00

And be it further

RESOLVED, that a copy of this resolution be provided to the Public Health Director and Treasurer/Budget Officer.

VOTE: Unanimous

**RESOLUTION NO. 166-17**

**APPROPRIATE ADDITIONAL FEDERAL AID (DSS)**

WHEREAS, the Office of Social Services has received additional federal aid, and

WHEREAS, these funds are not part of the 2017 budget,

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

Revenue:

A6010.44610 DSS-Social Services Admin. \$7,764.00

Appropriation:

A6010.54381 DSS-Summer Youth Employment \$7,764.00

And be it further,

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

VOTE: Unanimous

**RESOLUTION NO. 167-17**

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

**AUTHORIZE CONVEYANCE OF REAL PROPERTY**

WHEREAS, the Yates County Treasurer has conveyed the following 2015 delinquent tax parcels to the County of Yates:

Benton: Tax Map No. 8.50-1-10, Krieger, Ricky; Krieger, Suzanne

Italy: Tax Map No. 56-01-1-4, Shay, Stacey

Potter: Tax Map No. 24.64-1-13, Giguere, John

Starkey: Tax Map No. 120.41-1-17, Hill, Christy

Starkey: Tax Map No. 131.01-1-1, Brothers, Fletcher

pursuant to the provisions of the Real Property Tax Law by Deed recorded in the Yates County Clerk's Office on May 5, 2017 in Liber 718 of Deeds at Page 314, 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, within the time parameters set forth in Resolution No. 256-15 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. 256-15 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. 256-15; 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, County Administrator and County Attorney.

VOTE: Unanimous

#### **RESOLUTION NO. 168-17**

Mr. Paddock offered resolutions 168 and 169-17 and moved their adoption, seconded by Mr. Morris.

#### **DISCUSSION:**

Mr. Morris stated regarding the resolution for the fund balance change, Mr. Morris asked that the Treasurer/Budget Officer communicate to the public that 2016 ended on a good note with lower expenses and higher revenues because of some events that happen throughout the year. This allotted us over a \$1million dollar surplus. The Legislature decided to put this into some funds for future budget management and capital projects. We need to be transparent that we have done that and we have done this somewhat.

#### **AMEND FIXED ASSET POLICY**

WHEREAS, Resolution 391-13 adopted the Yates County Fixed Asset Policy and,

WHEREAS, the Yates County Legislature wishes to update the policy,

NOW THEREFORE BE IT RESOLVED, that the following be added under Definitions:

- Construction Work in Progress (CWIP) accounts for amounts expended on an uncompleted building or other capital construction projects. Costs accumulated from an asset during construction will be recorded in the CWIP Account. This account accumulates construction costs until that project is completed. Once construction is complete, related costs are transferred from the CWIP account to the applicable capital asset building account.

And be it further;

RESOLVED, that a copy of this resolution be forwarded to the County Treasurer.  
VOTE: Unanimous

**RESOLUTION NO. 169-17**

**AMEND GENERAL FUND BALANCE OBJECTIVE**

WHEREAS, Resolutions 191-03 adopted the Yates County General Fund Balance Objective and,

WHEREAS, the Yates County Legislature wishes to update the levels of unrestricted fund balance in the policy,

NOW, THEREFORE BE IT RESOLVED that the third paragraph in the resolution be modified to read:

“NOW, THEREFORE BE IT RESOLVED, that the Legislature hereby adopts a fiscal policy that will meet specific targets for ensuring accounting and fiscal stability taking into account risk factors such as the predictability of future revenues, the volatility of expenditures, exposure to significant one-time outlays, legal claims and liquidity concerns as follows:

1. Fund balance size and stability are important factors to credit markets when they determine the credit rating of Yates County debt instruments, which in turn affects the interest rate that taxpayers must pay for borrowed funds for many years.
2. An adequate fund balance enables the County to respond to unforeseen negative events and to level out the impact of those events on taxpayers and service-delivery recipients.
3. An adequate fund balance makes possible a cash position that is viewed by credit markets as healthy and avoids unnecessary staff time for accounting.
4. Adequate fund balance avoids the costs of borrowing and generates interest earnings.
5. Adequate fund balance provides sufficient cash flow for daily financial needs and to offset significant economic downturns or revenue shortfalls.
6. The County will strive to maintain an unrestricted fund balance in the General Fund with a lower level of \$7.5 million to ensure the orderly operation of County government and the continued provision of services.
7. To the extent that the General Fund unrestricted fund balance exceeds \$12 million, the balances may be utilized to fund capital expenditures or pay down outstanding County debt.”

And be it further;

RESOLVED, that a copy of this resolution be forwarded to the County Treasurer.  
VOTE: Unanimous

## RESOLUTION NO. 170-17

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

### ADOPT JOURNAL ENTRY POLICY

WHEREAS, the County follows certain procedures in regard to journal entries and wishes to formalize the processing of journal entries.

NOW, THEREFORE, BE IT RESOLVED, that the following is hereby adopted:

### Journal Entry Policy

#### Purpose

The purpose of the journal entry policy is to ensure that all manual journal entries that are recorded in the general ledger are prepared, reviewed, and approved according to generally accepted accounting principles. All entries should be kept in such a manner that they are easily accessible. The responsibility for entering all manual journal entries is assigned to the Yates County Deputy Treasurer. The Deputy Treasurer must be knowledgeable of the journal entry policies and procedures. The Yates County Treasurer is responsible for the approval of these entries and should have an appropriate level of financial knowledge.

#### Accountability & Responsibilities

This policy applies to Yates County employees involved in the manual journal entry creation, processing, approval, and recording process. This policy excludes journal entries that are system generated and posted automatically to the general ledger.

#### Definitions

General Ledger – The general ledger contains all Yates County financial transactions

Journal Entry – A journal entry records financial transaction in the general ledger

Supporting Documentation – Supporting documentation consists of documents providing support, calculations, and/or other items necessary to substantiate the accuracy and appropriateness of a journal entry.

#### Policy

- Journal entries are required to have an approver that is different from the preparer.
- The journal entry preparer is required to submit the completed journal entry template to the approver for approval on a weekly basis.
- Evidence of the journal entry approval is required to be in the form of a written signature.

Approved journal entries and supporting documentation are required to be stored by the preparer in a location that is easily accessible.

And be it further;

RESOLVED, that a copy of this resolution be forwarded to the County Treasurer.  
VOTE: Unanimous

### **RESOLUTION NO. 171-17**

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

#### **ADOPT BANK RECONCILIATION POLICY**

WHEREAS, the County follows certain procedures surrounding the performance and review of bank reconciliations and wishes to formalize the processing of the bank reconciliations.

NOW, THEREFORE, BE IT RESOLVED, that the following is hereby adopted:

### **Bank Reconciliation Policy**

#### **Purpose**

The purpose of the bank reconciliation policy is to ensure that all incoming or outgoing funds to Yates County bank accounts are recorded in the general ledger on a timely basis. Monthly bank reconciliations are essential to prevent fraud as well as ensure that Yates County's funds are handled responsibly.

#### **Accountability & Responsibilities**

This policy applies to all bank accounts maintained and reconciled by the Yates County Treasurer's Office.

Each bank account will be reconciled on a monthly basis by the Accounts Payable Clerk.

#### **Definitions**

General Ledger – The general ledger contains all Yates County financial transactions

Bank Statements – A paper or electronic record of all financial activity for the prior month provided by each bank

Bank Account Reconciliation – Process of confirming that the bank statement is valid and accurate, that the transactions are reflected properly in the general ledgers, and that the ending balance on the general ledger account matches that of the bank statements.

#### **Policy**

1. Bank statements approval prior to reconciliation is required to be in the form of a written signature by the Yates County Treasurer
2. Bank account reconciliations will be prepared by the Accounts Payable Clerk and will be approved by the Yates County Treasurer.
3. Evidence of the bank reconciliation approval is required to be in the form of a written signature.
4. Approved reconciliations are required to be stored by the preparer in a location that is easily accessible.

And be it further;

RESOLVED, that a copy of this resolution be forwarded to the County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 172-17**

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

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT FOR AUDITING SERVICES**

WHEREAS, the Yates County Treasurer received a quote for accounting services to perform the 2017-2022 annual audits and;

WHEREAS, the Finance Committee recommends the proposal submitted by Drescher & Malecki, LLP in the amounts of \$35,350, \$35,704, \$36,061, \$36,421, \$36,785 and \$37,153 for each of the years from 2017 through 2022;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Yates County Legislature, upon approval of the County Attorney, is authorized to sign an agreement for said accounting services with Drescher & Malecki, LLP and be it further;

RESOLVED, that a copy of this resolution be given to Drescher & Malecki and the Yates County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 173-17**

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

Mr. Paddock explained this law would allow surcharge to be assigned to pre-paid wireless which is not in place now.

**SET DATE FOR PUBLIC HEARING ON LOCAL LAW 1-17 ENTITLED A LOCAL LAW REPEALING LOCAL LAW 03-02 SURCHARGE ON WIRELESS COMMUNICATIONS SERVICES & IMPOSING SURCHARGE ON WIRELESS COMMUNICATIONS SERVICES**

RESOLVED, that the Clerk of the Yates County Legislature is directed to advertise a public hearing on proposed local law 1-17 entitled Repeal Local Law 03-02 Surcharge on Wireless Communications Services and Impose Surcharge on Wireless Communications Services.

BE IT RESOLVED, said public hearing shall be held July 10, 2017 at 1:05 p.m. in the Yates County Legislative Chambers, 417 Liberty St., Penn Yan, NY

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underling to indicate new matter.

**County of Yates**

**City**

**Town**

**Village**

**LOCAL LAW 1-17 ENTITLED: A Local Law Repealing Local Law 3-02 Surcharge on Wireless Communications Services; and Imposing the Wireless Communications Surcharges pursuant to the Authority of Tax Law § 186-g.**

**Be it enacted by the Legislature of the**

**County of Yates as follows:**

**City**

**Town**

**Village**

SECTION 1. Local Law No. 3 of the year 2002 is hereby REPEALED.

SECTION 2. Imposition of wireless communications surcharges. (a) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Yates on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such County, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. Administration of surcharges. The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law § 186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. Applicability of State law to surcharges imposed by this Local Law. All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5. Net collections received by this County from the surcharges imposed by this Local Law shall be expended only upon authorization of the Legislature of the County of Yates and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County, as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Effective date. This Local Law shall take effect December 1, 2017.

VOTE: Unanimous

### **RESOLUTION NO. 174-17**

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

Mr. Morrison stated he believes the County authorized to pay, through the yearly payment, for someone to do the marketing and sales of our broadband.

Chairman Dennis stated this is not directly tied to the dark fiber network, it is to identify those that can't be reached with the existing infrastructure or technology.

Mr. Smith stated this project will allow the county, to determine with the assistance of our towns, and residents what the actual capability of internet is at individual's homes. Mr. Smith believes that high speed internet access is now one of the fundamental structures like sewer and water that is important for our residents to have access to. It is essential to attract people and maintain people in the county.

### **AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH ECC TECHNOLOGIES FOR DEPLOYMENT OF A BROADBAND AGGREGATION AND ADOPTION TOOL**

WHEREAS, access to high-speed internet service is vital to improving economic and educational opportunities for residents of Yates County, and

WHEREAS, Yates County government has invested in construction of the Yates County Dark Fiber Network, a fiber optic backbone that extends to areas of the County the opportunity to receive high speed access from private sector internet service providers, and

WHEREAS, Yates County wishes to encourage internet service providers to enter the market in all areas of Yates County, not merely those adjacent to the Dark Fiber Network, and

WHEREAS, existing consumer data is available in the form of maps delineating the boundaries of franchise service areas rather than actual connection speed and quality available to residents, and

WHEREAS, ECC Technologies offers an interactive data gathering program known variously as "Crowdfiber" and "Broadband Aggregation and Adoption" which systematically collects at the individual home and business level information voluntarily shared by residents regarding their access to the internet, and

WHEREAS, aggregating this data for analysis and presentation transforms it into information which may be used by Yates County to encourage additional private sector investment in improving internet access and service to all County residents and commercial establishments,

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign an agreement with ECC Communications in an amount not to exceed \$10,000 for the provision countywide of the Broadband Aggregation and Adoption system for a period not to exceed six months from the date of contract execution, and be it further

RESOLVED, that copies of this resolution be given to the County Administrator and the Planning Director.

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

### **RESOLUTION NO. 175-17**

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

#### **CREATE TEMPORARY CORRECTION OFFICER POSITION**

WHEREAS, Sheriff requesting a temporary position due full-time vacancy as that such a created position will reduce overtime costs, and that a part-time officer is fully trained and available, and

WHEREAS, there is no eligible civil service list presently to address vacancies, and

NOW, THEREFORE, BE IT RESOLVED, that effective June 12, 2017 a temporary correction officer position is hereby created for up to ninety (90) days, unless appointment is ended sooner by the Sheriff, and

VOTE: Unanimous

### **RESOLUTION NO. 176-17**

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

DISCUSSION:

Mr. Morris stated as it has been pointed out by him and a couple of others in the past, the number of people per county benchmark measure by itself is not an adequate measure it should be based on workload rather than individuals. During the October 16<sup>th</sup> budget workshop Mr. Morris brought up a number of issues, there are a couple of things there that are still unanswered that at least some of us think there are still opportunities. One is why are we still using the all in on Wednesday schedule, which is equivalent to two people that could be used elsewhere in the schedule. Secondly, why are we not answering Legislator Morrison question on DCJS report assumptions and calculations from their last report.

Mr. Morrison stated he believes at absolute minimum, when you fill this position that we are talking about, it will cost at least \$100,000 per deputy on the roads. As Mr. Morris pointed out if you would quit the double shift on Wednesday it would free up two deputies immediately.

Mr. Button stated he was unable to attend the meeting but listened to the audio. He echo's Mr. Holgate's comments on needing help for the Sheriff. When we hire somebody and we make a

commitment to them the return on investment is sometimes short lived. We need to have this discussion.

Mr. Holgate stated the Sheriff is continually needing to fill these positions so we have comments quite often. Mr. Morris has had the opportunity to sit down and talk with the Sheriff about the Wednesday shift, he apparently wasn't happy with what the Sheriff had to say. It is the Sheriff's department to run and he has explained to us before why he does the Wednesday shifts, why the reports are the way they are. Until there is something new I don't see any reason to revisit this.

**AUTHORIZE SHERIFF TO FILL VACANCY  
(DEPUTY SHERIFF)**

NOW, THEREFORE, BE IT RESOLVED, that effective June 12, 2017 the Sheriff is hereby authorized to fill the vacant position of Deputy Sheriff, and be it further

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

RESOLVED, that copies of this resolution shall be provided the Sheriff, Personnel Officer and the Treasurer.

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

**RESOLUTION NO. 177-17**

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

**AUTHORIZE SHERIFF TO SIGN RENEWAL FOOD PURCHASE CONTRACT  
WITH NYS-DOCS NUTRITIONAL SERVICES FOR COUNTY JAIL**

WHEREAS, the NYS Department of Correctional Services - Office of Nutritional Services operates a food product producing facility on the grounds of Mohawk Correctional Facility, Rome, NY for the purpose of feeding inmate populations in state wide facilities and which is also capable of producing food products to local correctional facilities consistent with Correction Law Sections 170 and 184 and the current Yates County contract expires January 31, 2018 and NYS-DOCS is request renewal to commence at this time, and,

WHEREAS, the Sheriff desires to continue food services efficiencies and reduce food budget costs for county jail inmates where and when appropriate and applicable, and desires to continue DOCS weekly deliveries to the Yates County Jail,

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff is authorized upon the approval of the county attorney to sign a renewal contract with NYS DOCS-NS to provide food products as requested by the Jail Cook Manager, and that NYS DOCS transportation staff will deliver food products to the Yates County Jail according to contractual terms, and pricing schedule from February 1, 2018 thru January 31, 2023 with termination clauses, etc., and

RESOLVED, that a copy of this contract be provided the Sheriff.  
VOTE: Unanimous

**RESOLUTION NO. 178-17**

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

Mr. Holgate explained this is a bill that was received from LifeNet for transportation of an inmate from here to Rochester. We tried to negotiate with them and was able to reduce the bill by 10%.

Mrs. Percy stated this was not a decision of the Sheriff, it was the hospital/medical staff that made this decision.

Mr. Button stated it should be noted that this company out of Seneca Falls operates a little different as far as billing practices and what they accept rather than Mercy Flight out of Canandaigua.

**AUTHORIZE CHAIRMAN TO ENTER INTO SETTLEMENT AGREEMENT WITH AIR METHODS CORPORATION/ROCKY MOUNTAIN HOLDINGS/LIFE FLIGHT**

WHEREAS, the County has been presented with an invoice from Air Methods Corporation/Rocky Mountain Holdings/Life Flight for the provision of air ambulance services to an inmate of the Yates County Jail in April, 2017 in the amount of \$56,332.72; and

WHEREAS, Air Methods Corporation/Rocky Mountain Holdings/Life Flight is willing to settle the above recited matter for \$50,699.45, representing a 10% discount, upon the execution of an applicable settlement agreement; and

WHEREAS, the County intends to enter such settlement;

NOW, THEREFORE, BE IT RESOLVED, that upon approval by the County Attorney, Yates County hereby authorizes and the Chairman may enter into, a settlement agreement with Air Methods Corporation/Rocky Mountain Holdings/Life Flight settling the above recited invoice for \$50,699.45; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to make immediate payment of the above recited \$50,699.45 expenditure; and be it further

RESOLVED, that a copy of this resolution be given to the County Sheriff, County Treasurer, County Administrator and County Attorney

VOTE: Unanimous

**RESOLUTION NO. 179-17**

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

**GRANT UNPAID LEAVE OF ABSENCE  
(S. Wakeman)**

RESOLVED, that Building Maintenance Worker is hereby granted an unpaid leave of absence from April 27<sup>th</sup>, 2017 to June 2<sup>nd</sup>, 2017, and be it further

RESOLVED, that a copy of this resolution be given to Mr. Wakeman, Building Maintenance Supervisor, Personnel Officer and the Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 180-17**

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

DICUSSION:

Mr. Banach explained that this is for the wood bridge on Valley View Road that has been closed. It is the simplest way to solve the issue.

Chairman Dennis noted that Dave Hartman and his staff stayed on this and found a reasonable solution.

**AWARD BID FOR THE PURCHASE OF THE VALLEY VIEW ROAD TIMBER BRIDGE (BIN 3219290) COMPONENTS AND AUTHORIZE HIGHWAY SUPERINTENDENT TO PURCHASE THE TIMBER BRIDGE COMPONENTS**

WHEREAS, Hunt Engineers submitted the design of the superstructure replacement for the Valley View Bridge as per Resolution 81-17, and

WHEREAS, bids were received for the purchase of the timber superstructure (per design specifications) on May 31, 2017 and three firms submitted bids to the Yates County Highway Department

Western Wood Structures, Inc.	\$88,900.00
Unalam	\$87,937.00
Laminated Concepts, Inc.	\$97,293.00

WHEREAS, Unalam did not provide a bid bond and other required bid documents with their bid of \$87,939 and must be disqualified, and

WHEREAS, Hunt Engineers has reviewed the bids and conducted a background check on Western Wood Structures, Inc. and found no negatives or reason not to award the project to them and recommends awarding the bid to Western Wood Structures, Inc.,

NOW, THEREFORE BE IT RESOLVED, to award the bid to Western Wood Structures, Inc. in the amount of \$88,900, and be it further

RESOLVED, to authorize the Superintendent of the Yates County Highway Department to sign the purchase agreement for the timber bridge components and be it further,

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

VOTE: Unanimous

**RESOLUTION NO. 181-17**

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

**DECLARE SURPLUS EQUIPMENT**

WHEREAS, the Yates County Highway Department has equipment that is or has been replaced and is no longer being used and should be sold, as is by the county,

WHEREAS, the following equipment shall be declared surplus property,

E-2.....2008 Volvo Excavator Model # EW160C – 6041 hrs

NOW, THEREFORE BE IT RESOLVED, the authorize the Yates County Highway Superintendent to sell the above equipment at auction, 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. 182-17**

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

**RENEW RESIDENTIAL SERVICES CONTRACTS  
FROM July1, 2017- June 30, 2018**

RESOLVED, that contingent on the approval of the County Attorney, the Chairman of the Legislature and the Social Services Commissioner be authorized to sign contracts for residential services for eligible youth at the rates as shown below, or as adjusted by OCFS (New York State), and at the following institutions as listed below for the time frame July 1, 2017- June 30, 2018.

Cayuga Home for Children	HTP Institution	\$380.15
	Group Home	\$377.28
	FBH	\$83.39
Children's Home of Wyoming	Institution	\$291.62
	Emergency	\$348.43
	Group Home	\$280.76/\$260.80
	FBH	\$33.95
	Therapeutic Foster	\$58.62
William George Agency	Institution	\$206.47
	HTP (Sex Off.)	\$377.69
	HTP Special	\$319.07
Glove House	Group Home	\$248.35
	Therapeutic	\$82.17
	FBH	\$33.64
Hillside Children's Center	Institution	\$342.45
	HTP (Horton) Institution	\$328.61
	HTP (Varick) Institution	\$413.81
	HTP (X Systems-Varick)	\$569.20
	Foster Boarding Home	\$38.96
	Therapeutic FB Home	\$76.90
	Kinship Family & Youth Services	Therapeutic FB Home
Snell Farms	Institution	\$359.48
Villa of Hope	Institution	\$302.90
	HTP Institution	\$397.79
	Group Home	\$283.11
Vanderheyden Hall	Regular Institution	\$294.01
	HTP Institution	\$254.09
	Group Home	\$291.73
St. Catherine's	Group Home	\$272.72

	FBH	\$42.10
Northeast Parent & Child Society	Regular Institution	\$283.76
	HTP Institution	\$456.89
	Emg. Institution	\$384.13
	Regular GH	\$271.37
	Therapeutic FBH	\$63.41
Pathways	Therapeutic FBH	\$95.74
St. Anne's Institute	Regular Institution	\$283.44
	HTP Institution	\$336.55
	Regular Agency FBH	\$254.07
Toomey Residential Services	Vandina/Miles Agency FBH	\$264.91
	Regular FBH	\$38.44
	Therapeutic FBH	\$50.00

And, be it further

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. 183-17**

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

**AUTHORIZE CONTRACT  
Casson**

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

WHEREAS, the term of these contracts/agreements is July1, 2017 through December 31, 2017, and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Yates County Legislature and Commissioner of Social Services to sign contracts/agreements with the following agencies/persons:

Deborah Casson

- \$250.00 for Psychiatric Evaluation;
- \$ 90.00 for 15-29 minutes of Psychopharmacologic/medication follow up;
- \$125.00 for 30-45 minutes of Psychopharmacologic/medication follow up;
- \$150.00 for Crisis Visit.

VOTE: Unanimous

**RESOLUTION NO. 184-17**

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

**ADOPT WORKFORCE DEVELOPMENT  
New York State Summer Youth Employment Program (SYEP)**

WHEREAS, Temporary Assistance for Needy Families (TANF) funds to support the 2017 New York State Summer Youth Employment Program (SYEP);

WHEREAS, The NYS OTDA approved the following allocations  
(Revenue)                      CD6294.42802                      \$55,978

NOW, THEREFORE BE IT RESOLVED, that appropriations of TANF-SYEP funds be made in these accounts:

	Contract	May 1, 2017- September 29, 2017
SYEP		
Staff Wage	CD6294.1A	\$2557.23
Staff Fringe	CD6294.8A	\$589.95
Program Operating	CD6294.4A	\$12,300
Participant Wage	CD6294.11A	\$36194.02
Participant Fringe	CD6294.81A	\$4336.80

AND be it further

RESOLVED, that copies of this resolution be provided to the DSS Commissioner, Director of Income Maintenance, and the Yates County Treasurer.

VOTE: Unanimous

### **RESOLUTION NO. 185-17**

Mr. Paddock offered resolutions 185 and 186-17 and moved their adoption, seconded by Mr. Bronson.

### **WORKFORCE DEVELOPMENT BUDGET TRANSFER**

BE IT RESOLVED, that the following transfers be made in the Yates County Workforce Development account:

FROM:	CD6292.4G	DSS Workforce Operating Expenses	\$ 388.86
TO:	CD6292.1G	DSS Workforce Staff Wage	\$ 287.83
TO:	CD6292.8G	DSS Workforce Staff Fringe	\$ 101.03

AND be it further

RESOLVED, that copies of this resolution be provided to the DSS Commissioner, Director of Income Maintenance, and the Yates County Treasurer.

VOTE: Unanimous

### **RESOLUTION NO. 186-17**

### **WORKFORCE DEVELOPMENT BUDGET TRANSFER**

BE IT RESOLVED, that the following transfers be made in the Yates County Workforce Development account:

FROM:	CD6293 8B	WIOA DW Staff Fringe	\$ 2,048.00
TO:	CD6293 1B	WIOA DW Staff Wage	\$ 2,048.00
FROM:	CD6293 8A	WIOA Adult Staff Fringe	\$ 2,540.00
TO:	CD6293 1A	WIOA Adult Staff Wage	\$ 2,540.00

AND be it further

RESOLVED, that copies of this resolution be provided to the DSS Commissioner, Director of Income Maintenance, and the Yates County Treasurer

VOTE: Unanimous

## **RESOLUTION NO. 187-17**

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

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

WHEREAS, this Legislature, by Resolution #334-99, has authorized the creation of the Finger Lakes Workforce Investment Board for the Counties of Yates, Ontario, Seneca and Wayne in compliance with the Workforce Investment and Opportunity Act (WIOA) of 2017; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby appoint the following representative to the Finger Lakes Workforce Investment Board to fill a three-year term from June 30, 2017 through June 30, 2020.

Dan Maloney  
President  
Rochester and Genesee Valley Area Labor Federation  
30 North Union St.  
Rochester, NY 14607

and be it further

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

VOTE: Unanimous

## **RESOLUTION NO. 188-17**

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

DISCUSSION:

Mr. Button questioned if the Workforce Investment Board would be doing a presentation to the Legislature as other entities do.

Chairman Dennis explained that it is reported on monthly by the Commissioner of Social Services and Mrs. Percy is the Legislative representative to that board who also reports on the activities. Further discussion on a presentation will be done at the Human Services Committee meeting.

### **AUTHORIZE WORKFORCE DEVELOPMENT TO ENTER INTO CONTRACT**

WHEREAS, The Workforce Innovation and Opportunity Act (WIOA) of 2014 requires an Administrative Agreement between the Chief Elected Officials and the Workforce Investment

Board for the allocation of Title I Workforce Innovation and Opportunity Act funds, and for the designation of the Career Center(s);

WHEREAS, it is necessary for the County to enter into financial contracts with the Finger Lakes Workforce Investment Board Inc., as Grant Recipient for WIOA Title I Administration, Adult and Dislocated Worker funds and for Youth funds:

WIOA Title I Contract Administration, Adult, Dislocated Worker Services and Career Center services	July 1, 2017-June 30, 2018 \$68,781
WIOA Title 1 Youth Contract	July 1, 2017-June 30, 2018 \$75,550
One Stop Operator	July 1, 2017-June 30, 2017 \$10,000

WHEREAS, these budget amounts have been approved by the Finger Lakes Workforce Investment Board, Inc.

NOW, THEREFORE, BE IT RESOLVED, that this County Legislature does hereby authorize the Chairperson or his designee, to sign said contracts on behalf of the County, and be it further

RESOLVED, that certified copies of this resolution be sent to The Finger Lakes Workforce Investment Board Inc., and the Yates County Workforce Development Director.  
VOTE: Unanimous

#### **RESOLUTION NO. 189-17**

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

#### **AUTHORIZE 2017 YATES COUNTY YOUTH BUREAU CONTRACTS**

BE IT RESOLVED, that after review by the County Attorney, the Youth Bureau Director and the Chairman of the Legislature are authorized to sign contracts with the following agencies for approved Youth Bureau funding for the time frame 1/1/2017-12/31/2017:

<u>Agency/Organization</u>	<u>Program</u>	<u>Amount</u>
Big Brothers Big Sisters - Youth Mentoring Program		\$1,350.00
Child and Family Resources - Together Time		\$1,500.00
Dundee Library- Youth Services		\$1,400.00
Kinship Family & Youth Services - Kids Adventure Time		\$2,000.00
Pro-Action of Steuben & Yates		\$1,560.00
Safe Harbors -KidsRights to Personal Safety		\$1,400.00
Town of Jerusalem - Summer Recreation		\$3,000.00
Town of Middlesex - Summer Swim Instruction		\$ 400.00
Town of Torrey - Summer Recreation		\$ 800.00
Village of Dundee - Summer Recreation		\$2,600.00
Village of Penn Yan - Summer Recreation		\$3,000.00
Rushville Summer Fun Reading Program		\$ 700.00
Our Town Rocks and Reads		\$1,980.00
The Fatherhood Connection		\$ 500.00

And be it further

RESOLVED, that copies of this resolution be given to the Youth Bureau Director and the County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 190-17**

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

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD:  
DEVELOPMENTAL DISABILITY SUBCOMMITTEE**

BE IT RESOLVED, that the Yates County Legislature appoint Lauren R. Snyder, 118 Ogden Street, Penn Yan, New York 14527 to the Yates County Community Services Board Developmental Disability Subcommittee, to a 1<sup>st</sup> term ending, 12/31/2020.

RESOLVED, that a copy of this resolution be provided to Lauren R. Snyder and to the Yates County Department of Community Services.

VOTE: Unanimous

**RESOLUTION NO. 191-17**

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

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD:  
Alcohol and Substance Abuse Subcommittee**

BE IT RESOLVED, that the Yates County Legislature appoint Sara Christensen, 22 Hillcrest Dr., Penn Yan, New York 14527 to the Community Services Board Alcohol and Substance Abuse Subcommittee, to a 1st term ending, 12/31/2019 to fill an unexpired term.

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. 192-17**

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

**PROCLAIMING THE WEEK OF JULY 10, 2017 AS  
NEW YORK STATE INVASIVE SPECIES AWARENESS WEEK**

WHEREAS, New York State is rich and varied in its lands and waters and species of plants, trees, and wildlife that inhabit them that enhance our State's air and water quality, contribute to the overall environmental balance, support a robust agricultural industry, beautify recreational destinations and wildlife habitats, and add to property values and local economies; and

WHEREAS, the citizens of Yates County are pleased to support initiatives through which we can illustrate our ongoing commitment to these precious resources and those cherished lands and waters which reflect our noble heritage and whose presence has a meaningful impact upon the lives of New Yorkers; and

WHEREAS, the quality of those lands and waters are put at risk by invasive species which have been introduced to New York State and spread, harming the environment, the economy, and even human health; and

WHEREAS, increased awareness and understanding about the need to stop the introduction and spread of invasive species will benefit New York State and the Nation by encouraging a cooperative spirit and environmental stewardship throughout New York State and among its partners to reduce the specific risk of invasive species to the State's natural resources, economy, and human health; efforts are being undertaken in this State, in partnership with private and nonprofit organizations, universities, and local, State and Federal agencies, to help protect the State's lands and waters; and

WHEREAS, New Yorkers share a concern for the safety and well-being of our environment and economic prosperity, and all citizens and visitors alike are encouraged to increase their knowledge, understanding, and awareness of invasive species and their damaging environmental, societal, and economic impact on New York State and the entire Nation; and

WHEREAS, summer marks the high season of tourism, boating, camping and agricultural productivity in New York State and Invasive Species Awareness Week provides an opportunity for all to express support for the goals of this observance and to extend appreciation to the agencies, businesses, environmental groups, academic institutions, community organizations, and volunteers that are taking action against the spread of invasive species; now, therefore be it

RESOLVED, that in coordination with other counties and regions of the State, Yates County hereby designates the week of July 10-16, 2017 as New York State Invasive Species Awareness Week in Yates County.

VOTE: Unanimous

#### **RESOLUTION NO. 193-17**

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

#### **AUTHORIZING THE COUNTY ADMINISTRATOR TO ISSUE A REQUEST FOR PROPOSALS FOR LABOR AND EMPLOYMENT MANAGEMENT LEGAL CONSULTING SERVICES**

WHEREAS, Yates County government acquires legal services related to labor relations and collective bargaining from outside counsel on an hourly, fee for service basis, with no contractual relationship, and

WHEREAS, this arrangement has existed in its present structure for more than twenty years, and

WHEREAS, Yates County recently ratified a collective bargaining agreement with one of the County's three negotiating units leaving an interval of several months prior to preparation for negotiations with another unit, and

WHEREAS, the Legislature finds that the time is appropriate for the County to solicit, and competitively review, professional qualifications and cost proposals from employment law firms desirous of providing services to Yates County government,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature authorize the County Administrator to issue a request for proposals for labor and employment management legal consulting services, and

BE IT FURTHER RESOLVED, that the County Administrator is authorized to bring forward for Legislative consideration the recommendations of any evaluation committee established pursuant to the proposal review process, and

BE IT FURTHER RESOLVED, that copies of this Resolution be transmitted to the County Administrator, the Personnel Director and the County Attorney  
VOTE: Unanimous

### **RESOLUTION NO. 194-17 (Tabled)**

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

#### **DISCUSSION:**

Chairman Dennis commented that on the vision statement we had emphasized the “all” we don’t want to leave people behind. The word “all” was capitalized. Chairman Dennis thanked County Administrator Lawton for putting this together.

Mr. Paddock stated that he believes the Legislature has reviewed this along with the Department Heads but we have not yet solicited input from the people to whom we report and serve.

Mr. Paddock moved to table the resolution until next month with it being reviewed at the Government Operations Committee in order to allow time for the public to have input, seconded by Mr. Smith.

Chairman Dennis stated with help from the media maybe this can get out to the public. The Legislature wants to hear from the public with regards to what the Legislature has come up with.  
VOTE: Unanimous

### **ADOPTING YATES COUNTY MISSION, VISION AND CORE VALUES STATEMENTS**

WHEREAS, the Yates County Legislature provides County administration and departments with policy leadership, fiscal direction and oversight, and

WHEREAS, Yates County government is a \$42 million enterprise, serving nearly 25,000 residents through the efforts of more than 250 employees organized into 24 departments, and

WHEREAS, Yates County departments achieve focus and accountability for their effective and efficient conduct of day-to-day operations through mission and vision statements developed by departmental managers and staff, and

WHEREAS, this combination of efforts has built for Yates County a strong record of achievement in fiscal and program matters, and

WHEREAS, an organization which expresses, and adheres to, a clear set of guiding principles engages leaders, staff and stakeholders in considering the broadest impacts of policy recommendations and decisions, and

WHEREAS, the Legislature has determined that the development of countywide mission, vision and values statements can complement similar efforts at the department level while providing a unifying framework for all County activities, and

WHEREAS, a facilitated Legislative Workshop was held on May 11, 2017 with the objective of agreeing on proposed Mission, Vision and Core Values Statements for consideration by the Legislature as a body, and

WHEREAS, Legislators present, and the County Administrator, meeting both in teams and as a group, agreed on the following statements and referred them to the Legislature for further action:

**VISION:**

**Yates County: A community that values our people and environment; a place that encourages prosperity, safety and opportunities for all.**

**MISSION:**

**Yates County, while respecting the diverse and changing needs of our community, will deliver high quality services, supported by essential infrastructure, in a fiscally responsible, efficient manner.**

**VALUES:**

**Integrity  
Teamwork  
Accountability  
Fiscal Responsibility  
Stewardship  
Respect  
Continuous Improvement**

WHEREAS, The Yates County Legislature finds that these statements address such fundamental organizational questions as, “To what do we aspire?”, “What is our contribution?” and “For what do we wish to be known?”

NOW, THEREFORE, BE IT RESOLVED, Yates County Legislature adopts as the County’s Mission, Vision and Values the statements set forth in this Resolution, to express a framework for making decisions that impact the community and government of Yates County, and be it further

RESOLVED, that copies of this Resolution be given to the County Administrator and all County department heads.

Mr. Paddock moved to enter into executive session to discuss the proposed sale of real property with Legislators, County Administrator, County Planner and Tim Cutler present, seconded by Jim Smith.

VOTE. Unanimous

The Legislature reconvened in open session at 2:50pm and the following action was taken.

## RESOLUTION NO. 195-17

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

Mr. Morrison stated his basic objection to this is he does not think the deal that we have today is in the best interest of Yates County. He feels too many concessions were made in February of 2014 when we did the original the passage of the agreement.

**AUTHORIZE CHAIRMAN TO ENTER INTO AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT WITH THE VILLAGE OF PENN YAN AND KEUKA OUTLET DEVELOPMENT LLC CONCERNING THE REMEDIATION AND REDEVELOPMENT OF THE PENN YAN MARINE PROPERTY and AUTHORIZE CHAIRMAN TO EXECUTE DEED AND ALL REQUIRED DOCUMENTS NECESSARY TO EFFECUATE THE CONVEYANCE OF TITLE TO THE VILLAGE OF PENN YAN**

**WHEREAS**, the County of Yates, the Village of Penn Yan and Keuka Outlet Development LLC have entered into a certain Development Agreement dated February 26, 2014, and subsequent Amendment to Development Agreement dated January, 2015 (collectively referred to as the "Agreements") governing the terms and conditions regarding the remediation and redevelopment of the parcel of real property on the east bank of the Keuka Lake Outlet commonly referred to as the Penn Yan Marine Property and located in the Village of Penn Yan, Town of Milo, County of Yates, State of New York, as well as matters related to the transfer of title of said property; and

**WHEREAS**, the parties now desire to amend and restate said Agreements and memorialize the same, all as more particularly described in the proposed Amended and Restated Development Agreement between the County of Yates, the Village of Penn Yan and Keuka Outlet Development LLC that has been duly submitted and presented to the Yates County Legislature at its meeting held on June 12, 2017;

**NOW, THEREFORE, BE IT RESOLVED**, that on behalf of the County of Yates, the Chairman of the Legislature may enter into an agreement amending and restating the Agreements with the Village of Penn Yan and Keuka Outlet Development LLC; and be it further

**RESOLVED**, that to this end, the form and substance of the aforementioned proposed Amended and Restated Development Agreement presented at the Yates County Legislature meeting held on June 12, 2017, is hereby approved and the Chairman of the Legislature is hereby authorized on behalf of the County, to execute and deliver said proposed Amended and Restated Development Agreement, in substantially the same form; and be it further

**RESOLVED**, that the grant and delivery by way of Deed conveying title of the Penn Yan Marine Property to the Village of Penn Yan, prepared in accordance with and pursuant to the terms contained in the aforementioned Amended and Restated Development Agreement, is hereby authorized, with the Deed and all other documentation necessary to convey title to the Village of Penn Yan being subject to the review and approval of the County Attorney; and be it further

**RESOLVED**, that on behalf of the County of Yates, the Chairman of the Legislature is hereby authorized to execute the Deed and all other documentation to fully convey title of the Penn Yan Marine Property to the Village of Penn Yan, prepared in accordance with and pursuant to the terms contained in the aforementioned Amended and Restated Development Agreement,

after and subject to the review and approval of the County Attorney of the Deed and all other documentation necessary to convey title to the Village of Penn Yan; and be it further

**RESOLVED**, that the above recited authorizations regarding the conveyance of title and execution of title conveyance documents shall extend to the quitclaiming of any right, title, or interest the County of Yates may have in real property of the Village of Penn Yan that is the subject of certain Home Rule Legislation passed and made law by the New York State Legislature on September 25, 2015 at L 2015, ch 335; and be it further

**RESOLVED**, that in accordance with the aforementioned Amended and Restated Development Agreement, the County Treasurer is hereby authorized and directed to make immediate payment of the sum of Thirty Thousand Dollars (\$30,000) to Keuka Outlet Development LLC upon Closing (as defined in said Amended and Restated Development Agreement); and be it further

**RESOLVED**, that a copy of this resolution be given to the County Administrator, County Treasurer, County Planner, Village of Penn Yan and Keuka Outlet Development LLC.  
VOTE: Roll Call: Paddock, Fitch, Bronson, Percy, Multer, Holgate, Banach, Gleason, Morris, Smith, Dennis voting "Yes" Morrison voting "No" Button abstained. Motion carried.

Meeting adjourned at 3:05pm