

REGULAR SESSION –MONDAY, AUGUST 14, 2017

The Yates County Legislature met in regular session Monday, August 14, 2017 with Chairman Dennis presiding and Legislators Morris and Percy absent.

Chairman Dennis opened the public hearing on Local Law 2-17 entitled Renewing a Local Law Establishing an Additional Mortgage Tax for Mortgages on Real Property Situated in Yates County.

Comments:

Paul Rossi from the New York State Realtors addressed the Legislature asking them to consider not renewing the law. His thought was that by not having this law and the additional burden of the mortgage tax that it could help homebuyers in purchasing their homes.

Danielle Lyman, Director of Yates ARC, updated the Committee on the progress of the Yates Transit Service.

Minutes of the July meeting were approved as presented.

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

Airport Fund	\$ 16,688.98
Finance	\$ 86,659.07
Flint Creek	\$ -0-
Government Operations	\$292,425.52
Human Services	\$437,299.96
Prior to Audit	\$ 41,531.80
Public Safety	\$208,223.71
Public Works	\$892,668.97

Mr. Smith questioned bills paid prior to audit and what can actually be paid. Mr. Smith found a number of expenses that seem to be other than what he thought were regular for bills paid prior to audit which would be utility bills. There was an expense report from Public Safety, in addition to that there were bills from various Lowes that were listed as car repair but on the actual invoice it was items such as 2X4's and lag bolts. Mr. Smith explained it is strange or peculiar that 2X4 and lag bolts are used in car repair. Mr. Smith questioned if there was a policy for bills paid prior to audit and is there a corresponding policy for expense reports and whether these expenses fell within those policies.

Chairman Dennis suggested that Mr. Smith talk with the Chairman of Government Operations or the Vice Chairman and have them take those questions to the Treasurer. As to policy, it is his understanding these are bills that need to be paid by a certain date to avoid finance charge and are regularly anticipated bills.

Mr. Paddock stated they are made prior to audit to avoid finance charges.

Mr. Morrison questioned a bill for \$4,000 in training on side viewing sonar in the public safety audit. Mr. Morrison stated that he thought if items were purchased through a grant that county funds were not used for items purchased through grants.

Mr. Holgate stated as far as the question pertaining to a piece of equipment and not using county funds. He does not know of a policy where county funds could not be used. You need to maintain things and you have to be trained. Mr. Holgate stated that in talking with the Sheriff, the county receives 50% reimbursement for the training through parks and recreation. Mr. Holgate explained that this equipment was just used to recover a body in Canandaigua Lake. It was felt at that time that further training was needed.

Mr. Smith stated we did state that we would identify what the ongoing recurring costs would be associated with the acceptance of a grant.

Chairman Dennis ask Administrator Lawton to work on a policy for grants and bring to Committee.

COMMITTEE REPORTS:

Mr. Smith reported the Seneca Watershed Inter-municipal Organization met on July 25th in Geneva. Mr. Smith thanked Legislators Terry Button, Earle Gleason, and Mark Morris for attending. There was a presentation done by a summer intern. Mr. Smith reported as a condition for joining the organization there is no obligation on municipalities to provide funding. As the organization moves forward it's been determined that there is a need for a Watershed Manager or Steward. Towards that end a consolidated funding application has been put together thru the help of the Finger Lakes Institute with the Town of Geneva as the sponsoring agent. Should the grant be successful, there is enough in-kind services from individuals at Hobart College and the Finger Lakes Institute to meet the initial matching funds. The organization would like to pursue additional funding from the various municipalities on a voluntary basis. Primarily the work that is being looked at to improve the watershed is done by Soil & Water Agencies and outreach and assistance from Cornell Cooperative Extension and other similar like agencies. It is likely that the organization will pursue that funding through Soil & Water and not directly through the legislature.

Mr. Multer reported the Tourism Advisory Committee have met. They have established term limits for various members. A dead line of September 1st has been set for applications for funding.

Mr. Bronson reported he ProAction in conjunction with Keuka Housing are going to be opening their food bank in mid-September at the former VFW.

Administrator Lawton reported there is a resolution to consider the Interim Real Property Tax Director's hours.

Administrator Lawton stated public hearing dates have been established for the Shared Services Draft Plan. They will be Monday, August 28th, Thursday, August 31st, and Tuesday, September 5th at 6:00pm in the County Auditorium.

Mr. Button thanked Jared Bailey for meeting with him on jail issues. He now has a better idea of issues and a better appreciation for what Joe Reed's crew does.

Chairman Dennis stated that all Legislators have a laminated copy of the Yates County Vision Mission and Values statement which is also posted in the lobby.

PUBLIC COMMENT

Barbara Crumb – stated she is interested in the Shared Services Plan and what can be done in the community to share services. County Administrator Lawton will give Ms. Crumb a copy of the plan which can also be found on the County’s website at www.yatescounty.org.

RESOLUTION NO. 207A-17

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

**AUTHORIZE YATES COUNTY TO SUBMIT AN APPLICATION TO THE OFFICE
OF COMMUNITY RENEWAL FOR A COMMUNITY DEVELOPMENT BLOCK
GRANT ON BEHALF OF YATES COUNTY**

WHEREAS, Yates County is an eligible applicant for the Community Development Block Grant (CDBG) Program of housing rehabilitation for low and moderate income households, and

WHEREAS, a Public Hearing was held by the Yates County Legislature, at 1:15 p.m. on July 10, 2017, soliciting public comment related to the proposed application, and

WHEREAS, said housing rehabilitation activities are an eligible expenditure of CDBG funds, and

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

NOW THEREFORE, BE IT RESOLVED, that Yates County is hereby authorized to submit an application to the Department of Housing and Community Renewal for a Community Development Block Grant to provide funding for housing rehabilitation, and

BE IT FURTHER RESOLVED, the Chairman of the Yates County Legislature is hereby authorized to sign the application, and

BE IT FURTHER RESOLVED, that should said grant be awarded to Yates County, the County Treasurer is hereby authorized to deposit said grant in the appropriate line item in the Yates County Budget, and

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

BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Executive Director, Keuka Housing Council, Inc., 160 Main Street, Penn Yan, New York 14527

VOTE: Unanimous

RESOLUTION NO. 208B-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:
A3150.54571 JAIL-Software	A3110.54571 SHER-Software	369.30
A3350.54501 SDWI-Advertising	A3350.51942 SDWI-OT CO82 LE	718.12
D5110.51636 HWY-PT	D5112.51636 CHIPS-PT	118.17
D5112.54602 CHIPS-Bit. Mat'l	D5120.54995 BRID-Loomis Rd. Bridge	32,000.00
D5112.54602 CHIPS-Bit. Mat'l	D5120.54997 BRID-Valley View Bridge	100,000.00
D5112.54634 CHIPS-Hydroseed	D5110.54638 HWY-Maintenance	210.85
D5120.54913 BRID-Misc.	D5110.54638 HWY-Maintenance	143.39

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 209C-17

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

APPROPRIATE ADDITIONAL STATE AID (HWY)

WHEREAS, the Highway Department has received additional State Aid, and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$57,000.00:

Appropriation:

D5120.54995 Bridges & Culverts – Loomis Road

Revenue:

D5120.44589 Bridges & Culverts – Federal Aid DOT

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 210D-17

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

APPROPRIATE ADDITIONAL REVENUE (HWY)

WHEREAS, the Highway Department has received additional revenue, and

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

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

Appropriation:

DM5130.54652 Machinery-Diesel Fuel \$9,623.86

DM5130.54653 Machinery-Gasoline \$16,570.58

Revenue:

DM5130.42655 Machinery-Fuel Sales \$26,194.44

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 211E-17

Mr. Paddock offered resolutions 211E and 212F-17 and moved their adoption, seconded by Mr. Fitch.

APPROPRIATE ADDITIONAL STATE AID (PH)

WHEREAS, the Public Health Department has received additional State Aid, and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$20,000.00:

Appropriation:

A4010.54947 Public Health – Grant: Rural Health Network

Revenue:

A4010.44671 Public Health – ASTHO

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. 212F-17

APPROPRIATE ADDITIONAL STATE AID (PH)

WHEREAS, the Public Health Department has received additional State Aid, and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$1,541.00:

Appropriation:

A4010.54153 Public Health – Education

Revenue:

A4010.43401 Public Health – State Aid (IAP)

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. 213G-17

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

APPROPRIATE ADDITIONAL STATE AID (SHER)

WHEREAS, the Sheriff's Department has received a legislative grant DCJS Project #LG17-1197-D00 with no local match by the NYS Legislature per contract (T102479) for a replacement CID vehicle with equipment installed and that said grant is hereby accepted, and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$35,000.00:

Appropriation:

A3110.52965 Sheriff – DCJS Expense

Revenue:

A3110.43326 Sheriff – DCJS Grant

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 214H-17

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

APPROPRIATE CARRYOVER OF HOMELAND SECURITY GRANT (OEM)

WHEREAS, the Office of Emergency Management has received a Local Emergency Planning Council Grant through the New York State Office of Homeland Security, and a balance of \$7,124.86 remained at the end of 2016, and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$7,124.86:

Appropriation:

A3645.54959 OEM – Local Emergency Planning

Revenue:

A3645.44309 OEM – Federal Aid – LEPC-HMEP

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 215I-17

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

RESOLUTION CONCERNING DELINQUENT TAX LIEN

WHEREAS, the following tax parcel is subject to delinquent tax lien for the year 2016:

Town of Middlesex, State of New York

Tax Map No. 11.51-1-4.111

671 East Lake Rd.

Middlesex

Assessed to: Robert Vandenberg

WHEREAS, the above referenced parcel is now incorrectly assessed to Robert Vandenberg and

WHEREAS, upon information and belief, Ellen Ross and Thomas Treat were the apparent owners of said parcel on the taxable status date that formed the basis for the aforementioned tax lien that is now delinquent; and

WHEREAS, the County has the power to direct that any interest, penalties and other charges on a delinquent tax lien be cancelled upon determination that it is for the best interests of the tax district to do so, and

WHEREAS, the County has reviewed the totality of the facts and circumstances regarding this matter, and what is in the best interest of the tax district;

NOW, THEREFORE, BE IT RESOLVED, that Yates County hereby authorizes as follows: With regard to the 2016 delinquent tax lien concerning the above referenced tax parcel, if by October 1, 2017 the total tax levied portion of the delinquent tax lien is paid in full, the County hereby directs the County Treasurer to cancel all interest, penalties and other charges attributable to said delinquent tax lien, and as such the payment of the aforementioned total tax levied amount would constitute a redemption of said delinquent tax lien; and be it further

RESOLVED, that a copy of this resolution be furnished to the County Treasurer, Ellen Ross and Thomas Treat.

VOTE: Unanimous

RESOLUTION NO. 216J-17

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

DISCUSSION:

Mr. Button – questioned when the capital plan is approved, will the money in there for showers at the public safety building be slated for that.

Chairman Dennis explained, not until the legislature approves the budget. By passing the capital plan, this allows the treasure to put those funds in the budget for discussion at the budget workshops.

Mr. Morrison – questioned if money is put in the capital plan, and then in the budget and it is not spent can it be transferred to another budget. For instance, can a line item in Jail be transferred to Road Patrol?

Chairman Dennis stated that it can but generally it has to be transferred to line within that same department. So per your example, jail funds could not be transferred to road patrol, but no transfers take place without our approval.

Mr. Morrison – in the capital plan there is a line item for \$250,000 for vehicle replacement. This seems high to Mr. Morrison. Do we wait until the budget discussion to determine how many vehicles and what type and what they are replacing and so on. Mr. Morrison would like more information.

Chairman Dennis stated the plan came out of Finance Committee and it was approved by them. This is not the last chance to discuss this.

Mr. Paddock stated that is correct and most of the people here were present during the discussion at Finance and this is the first he have heard of this. The budget is approved by the Legislature and is reviewed during the budget workshops.

Chairman Dennis stated in previous years we have been cutting the capital plan before it goes to the budget officer. This year the Committee accepted the plan.

Mr. Paddock stated that the plan was approved in Committee with a slight modification. Last year's capital plan was approximately \$2.8 million, but we added in approximately \$300,000 to roads so that we could increase the mileage of roads bringing the capital plan to approximately \$3.1 million.

Mr. Morrison questioned the funding in the plan for the courthouse security system. He would like more information on this as to what the \$82,000 is going to do. Mr. Morrison would like to table this for a month until further information can be obtained.

Chairman Dennis stated it could be tabled. However, the budget officer needs something to put into the budget. The treasurer could still put the figures in but it would be pushing it a little.

Mr. Paddock stated if the legislature wishes to table this and send it back to the Finance Committee they can do so. We do have an opportunity to review this again at budget time. The budget officer will make adjustments as necessary in the timeframe in which she is allowed to work in.

Mr. Smith the capital plan is a guideline and there is sufficient checks and balances during the budget process that the questions posed by Legislator Morrison can be flushed out in time. So we are not locked into these numbers at this point but we do need to move forward.

Chairman Dennis stated the Chairman of the Committee that is involved needs to work up these questions and be sure there is a healthy discussion on the agenda for the September round of meetings regarding these questions on the capital plan as well as the Administrator helping us make sure we don't get into budget workshop and we haven't discussed some of these issues.

**APPROVE THE CAPITAL IMPROVEMENT PLAN FOR
FISCAL YEAR 2018-2022**

WHEREAS, the Yates County Legislature initiated a Capital Improvement Planning Program in December 1999 in order to more effectively identify, prioritize, plan for and finance capital projects and equipment expenditures,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby approves the proposed Fiscal Year 2018-2022 Capital Improvement Plan, and be it further

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

Capital Improvement Plan (FY2018)- FUNDING STREAMS

2018	Project	Total Project Cost	Federal Aid	State Aid	Fees	Reserve for Facilities	Telephone Reserve	Airport Reserve	General Fund	Road Fund	Road Machinery	TOTAL COUNTY 2018 CONTRIBUTION
ADM	City Building & Courthouse Communication Project- Debt Service	\$1,442,300		\$27,303					\$1,414,997			\$1,414,997
ADM	Horton Business Park- Debt Service	\$37,993							\$37,993			\$37,993
BLDG	Courthouse Security System	\$99,040		\$16,898					\$82,142			\$82,142
BLDG	Phone System Replacement	\$60,000			\$18,000		\$22,000		\$20,000			\$20,000
B-RI	Cap. Road Rehab/Construction 2018	\$2,040,200		\$1,434,961						\$605,239		\$605,239
H-EQ	Trucks/Heavy Equipment	\$458,000									\$458,000	\$458,000
IT	Computer Capital Plan	\$159,398		\$11,550					\$147,848			\$147,848
SHF	Jail Showers Replacement/ Renovations	\$128,960	\$0	\$0		\$0	\$0	\$0	\$128,960	\$0	\$0	\$128,960
SHF	Vehicle Replacement	\$267,000		\$17,000					\$250,000			\$250,000
	Total:	\$4,672,791	\$0	\$1,507,712	\$18,000	\$0	\$22,000	\$0	\$2,061,940	\$605,239	\$458,000	\$3,125,079

* Total County Contribution includes GENERAL FUND, ROAD FUND & ROAD MACHINERY

PEO	Airport Sanitary Sewer Extension	\$ 194,000.00		\$174,600	\$0	\$0		\$19,400	\$0			\$0
PEO	Friction Measuring Equipment	\$ 10,000.00		\$9,000	\$0	\$0		\$1,000	\$0			\$0
PEO	Environmental Assessment	\$ 120,000.00		\$6,000	\$0	\$0		\$6,000	\$0			\$0
	Totals:	\$ 324,000.00	\$ 108,000	\$189,600	\$0	\$0		\$26,400				\$0

Reduction History:

Proposed

Reduction:

YC Contribution

\$3,125,079

5/15/2017 Capital Plan as Submitted

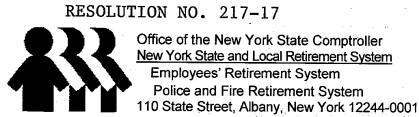
\$4,672,791

VOTE: Unanimous

RESOLUTION NO. 217K-17

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

ADOPT STANDARD WORK DAY REPORTING RESOLUTION



**Standard Work Day and Reporting Resolution
for Elected and Appointed Officials
RS 2417-A**

(Rev. 3/14)

BE IT RESOLVED, that the YATES COUNTY / 10057 hereby establishes the following standard work days for these titles and
(Name of Employer) (Location Code)

will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Participates in Employer's Time Keeping System (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials									
Coroner	7	Ronald Dailey				1/1/16 to 12/31/20	No	4.21 Per Call	
Appointed Officials									

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

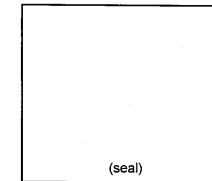
I, Connie C. Hayes, secretary/clerk of the governing board of the Yates County, of the State of New York,
(Name of secretary or clerk) (Circle one) (Name of Employer)

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 14th day of August, 20 17 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have here unto set my hand and the seal of the Yates County Legislature on this 14th day of, August, 2017.
(Signature of the secretary or clerk)

Affidavit of Posting: I, Connie C. Hayes, being duly sworn, deposes and says that the posting of the Resolution began on August 15, 2017 and continued for at least 30 days. That the Resolution was available to the public on the

- Employer's website at www.yatescounty.org
- Official sign board at _____
- Main entrance secretary of clerk's office at _____



Page ____ of ____ (for additional rows, attach a RS2417-B form).

VOTE: Unanimous

RESOLUTION NO. 218L-17

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

AUTHORIZE CHAIRMAN TO SIGN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER COUNTY FOR HOUSEHOLD HAZARDOUS WASTE DAY SERVICES

WHEREAS, the Schuyler County and Yates County will be holding a joint Household Hazardous Waste Day for residents of Yates and Schuyler counties, and

WHEREAS, Yates County has agreed to pay \$4,500 for its participation for said event,

NOW THEREFORE, BE IT RESOLVED, that upon the approval of the county attorney the Chairman is hereby authorized to sign an inter-municipal agreement with Schuyler County and be it,

RESOLVED, that a copy of the resolution be provided to the Schuyler County Planner.
VOTE: Unanimous

RESOLUTION NO. 219M-17

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

AUTHORIZE CHAIRMAN TO SIGN AMENDED AGREEMENT

WHEREAS, the Board of Directors of the Yates County Soil and Water Conservation District wishes to provide an Employee Assistance Program (EAP) for its employees; and

WHEREAS, Yates County's current EAP provider (ESI Employee Assistance Group) is willing to allow District employees to be added to the County's contract at the same rate per employee as the County's;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Yates County Legislature is authorized to sign a contract amendment with ESI Employee Assistance Group that allows employees of the Yates County Soil and Water Conservation District to be included on Yates County's contract; and

BE IT FURTHER RESOLVED, that expenses for District employees be the responsibility of the District; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Yates County Soil and Water Conservation District, the Yates County Personnel Officer and ESI Employee Assistance Group.

VOTE: Unanimous

RESOLUTION NO. 220N-17

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

**AMEND RESOLUTION 94-17
ADOPT 2017 NON-UNION SALARY SCHEDULE**

WHEREAS, under the New York Judiciary Law § 183-a. Compensation of certain district attorney's if a County has a population between 100,000 and 500,000, or the District Attorney is a full time position, the County's District Attorney's salary must be equal to or greater than the County Court Judge, and

WHEREAS, the Commission on Legislative, Judicial and Executive Compensation recommended in 2015 that if a County employed a District Attorney and they met the criteria, their salary would be increased on April 1st to the set dollar amounts for the following years; \$183,350 in 2016, \$185,200 in 2017, and \$193,000 in 2018, and

NOW, THEREFORE, BE IT RESOLVED, that effective April 1, 2017 the Yates County Legislature hereby amends the non-union salary schedule and approves the Yates County District Attorney's salary be increased from \$183,350 to \$185,200 and be it further

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

<u>Elected Officials</u>	<u>Annual</u>
County Clerk	\$64,614
County Treasurer	\$72,753
District Attorney	\$185,200
Legislators (14 at \$8,183 each)	\$114,562
Legislature Chairman	\$8,183
Sheriff	\$94,967
<u>Full-Time/Part-Time</u>	<u>Annual</u>
Assistant District Attorney (DM)	\$37,324
Assistant District Attorney (LT)	\$68,021
Assistant Public Defender (KL)	\$60,000
Assistant Public Defender (KM)	\$60,000
Budget Officer	\$9,518
Building Maintenance Supervisor	\$58,249
Chief Corrections Officer	\$63,000
Clerk, County Legislature	\$54,163
Commissioner of Social Services	\$66,570
Confidential Assistant to Sheriff	\$42,162
Conflict Defender	\$47,048
County Administrator	\$100,000
County Attorney	\$92,871
Deputy County Clerk	\$37,925
Deputy County Treasurer	\$46,125
Deputy Highway Superintendent	\$63,090

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

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

RESOLUTION NO. 2210-17

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

DISCUSSION:

Chairman Dennis thanked the Administrator for his work in pulling this plan together.

**ISSUING AN ADVISORY REPORT ON THE
2017 YATES COUNTY DRAFT SHARED SERVICES PLAN**

WHEREAS, Chapter 59, Laws of 2017, State of New York, mandated the establishment of a Shared Services Panel in each county, composed of the county chief executive, all city mayors, all town supervisors, all village mayors and, upon invitation, superintendents of schools within the county, and

WHEREAS; each county’s Shared Services Panel was charged with identifying collaborative opportunities for jurisdictions within each county to yield additional property tax savings, and

WHEREAS; each County’s Shared Service Panel was required to submit a Draft Shared Services Plan no later than August 1, 2017 to its county legislative body for review and consideration, following which the legislative body may issue an advisory report including such recommendations as it deems necessary, and

WHEREAS; the Yates County Shared Services Panel held three meetings between May 8, 2017 and July 27, 2017, including one Public Hearing, and engaged in dialogue with members of the public regarding strategies for consideration under a Shared Services Plan, and

WHEREAS; Panel members, based on their municipal experience and public input, found that Yates County's village, town and county governments have an extensive record of controlling costs through the formal and informal sharing of staff, equipment and program resources, with no fewer than thirty such agreements now in place, and

WHEREAS; such existing efforts have contributed to the ability of Yates County government to remain below its tax cap each year since 2014, and have similarly aided the county's other local governments in providing residents with the highest quality service for the lowest possible cost, and

WHEREAS; the Panel agreed that, of the strategies discussed, those of local court consolidation and either the establishment or joining of a health insurance consortium were the most likely to result in cost savings and established workgroups to research and report back to the Panel on their findings, and

WHEREAS; at the Panel's July 27 meeting, the Panel's workgroups advised that their review to date of each strategy indicated a possibility of savings, contingent on a number of factors requiring either State action or additional study prior to determining potential cost reductions, and

WHEREAS; the Panel noted that the Yates County Community Readiness Initiative provides a vehicle, through regular meetings of county officials, town supervisors and village mayors, for the continued and ongoing development of the shared services strategies discussed above, and

WHEREAS; the Yates County Shared Services Panel advised the Panel Chair to prepare for submission a Draft Plan indicating Yates County's desire to fulfill its legal mandate, setting forth Yates County's record of inter-municipal collaboration, and stating its determination to proceed toward greater savings outside of the confines of Chapter 59's mandated timelines and processes, and

WHEREAS; the Panel also wished to include with the Draft Report an expression of the role played by unfunded state mandates in driving local government costs and property taxes, with eligibility and benefit levels established in Albany, and the costs borne by local property owners, and

WHEREAS; unfunded mandates account for more than 62% of Yates County's property tax levy and,

WHEREAS; full state assumption of state costs and responsibilities would save Yates County taxpayers more than \$10,000,000 annually – an amount many times greater than the savings possible from further service sharing in Yates County, and

WHEREAS; the Draft Shared Services Plan conforming to these principles was submitted to the Yates County Legislature in accordance with law, and was similarly distributed to members of the Yates County Shared Services Panel local media representatives, the New York State Association of Counties and the New York State Department of State, and

WHEREAS; the Yates County Legislature has had sufficient opportunity to review and comment on the Draft Plan, including during a public meeting of the Legislature's Committee on Finance, now

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby finds no need for material changes to the Draft Plan and recommends its submission in accordance with the mandates of Chapter 59, Laws of 2017, State of New York, and be it further

RESOLVED, that the Yates County Legislature regards the submission of a Final Plan as fully discharging the County's obligations under Chapter 59, without need for further actions or deliberations, and be it further

RESOLVED, that copies of this Resolution be given to the County Administrator and all members of the Yates County Shared Services Panel.

VOTE: Unanimous

RESOLUTION NO. 222P-17

**AUTHORIZE DISTRICT ATTORNEY AND LEGISLATIVE CHAIR
TO EXECUTE APPLICATION FOR
AID TO PROSECUTION GRANT**

WHEREAS, the New York State Department of Criminal Justice has allocated to Yates County the amount of \$30,200.00 for the period of October 1, 2017 through September 30, 2018 for the recurring Aid To Prosecution Grant; and

NOW, THEREFORE, BE IT RESOLVED, that Yates County District Attorney Valerie G. Gardner and Yates County Legislative Chairperson Timothy Dennis are hereby authorized to complete and execute the grant contract on behalf of Yates County.

RESOLVED, that copies of this resolution be given to the Yates County District Attorney, Yates County Secretary to the Legislature and the Yates County Treasurer.

RESOLUTION NO. 223Q-17

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

AUTHORIZE CONTRACT WITH BI, INCORPORATED

WHEREAS, the Yates County Probation Department desires to continue an agreement with BI, Incorporated to provide for use of electronic monitoring equipment as an alternative to incarceration for certain probation cases,

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is authorized to sign a contract with BI, Incorporated upon the approval of the County Attorney, and be it further

RESOLVED, that a copy of this resolution be sent to the Probation Director.

VOTE: Unanimous

RESOLUTION NO. 224R-17

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

AMEND AUTHORIZED FEE SCHEDULE AND COLLECTION OF FEES

WHEREAS, an individual sentenced to electronic monitoring as a condition of probation may be ordered by the Court to pay a fee to defray program expenses,

BE IT RESOLVED, that resolution 175-95 authorized a fee schedule and collection of fees for individuals placed on electronic home monitoring equipment.

BE IT RESOLVED, that a fee for individuals placed on electronic monitoring equipment under the supervision of the Yates County Probation Department be amended to a rate of \$2.50 per day minimum and \$8.50 per day maximum, to be collected by the Yates County Probation Department, except however, an individual may apply to the Court for waiver of the fee based on good cause, and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the County Treasurer, County Court Judge and Probation Director.

VOTE: Unanimous

RESOLUTION NO. 225S-17

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

DISCUSSION:

Mr. Smith stated in talking with many of his constituents he has yet to find one that is in favor of Yates County Jail importing inmates. In light of the age of jail, the inefficiency of the jail and condition of the jail it is hard for Mr. Smith to reconcile the fact that we are bringing in additional inmates at \$85 a day when our cost per prisoner is in the \$200 range. Mr. Smith does not see how this is a positive impact on the county and in keeping with our mission, vision and values. In addition, it is my understanding, while today is August 14th that we have this resolution before us, that these prisoners were actually came into the Yates County Jail a month or so ago. Mr. Smith preserves this as problematic. He cannot support this resolution.

Mr. Morrison stated procedurally, in general, there is a problem here. Mr. Morrison according to what he has read, if a jail has to move a prisoner in a hurry, the jail needs to call the SCOC

and get permission to transfer a prisoner/prisoners to somewhere else, paperwork to follow. Mr. Morrison stated that ever since he has been here we have been taking in or boarding out prisoners other than the federals. This is the first time that Mr. Morrison has seen a mass influx of local NYS prisoners. The paperwork that was referred to is called a standing jail order. Once the verbal authorization is given then the paperwork follows. It goes the county clerk of the sending county, he/she then gives it to the jail administrator and while it is not lawfully required, the SCOC generally would send it to the accepting county also and it is for 90 days. If the county wants to keep the prisoner for longer than 90 days you have to renew the standing jail order. Mr. Morrison asked to see the standing jail order for this and he has not received it. He wanted to know what was agreed to unknown to the legislature.

Mr. Morrison moved to amend the resolution to read it expires 10/31/17 instead of 12/31/18 as that is when the 90 day period would be over. This motion died for lack of a second.

Mr. Holgate stated we have heard many times from the Sheriff a figure of \$240 a day. This figure could be what it actually costs based on overhead, correction staff and etc. When a federal prisoner is brought in the Sheriff has told Mr. Holgate it is roughly \$9 to \$10 a day for cost and we receive \$85 dollars. So in our minds right now we have \$235 of income for housing federal prisoners. We also house prisoners from other counties. The fact is if we have open beds if put someone in those beds we actually make money.

Chairman Dennis stated it is his understanding that the overhead is about the same except for meals and perhaps clothing. Should there be medical expenses that is charged back to the boarding county.

Mr. Morrison asked that if anyone has ever seen an actual spreadsheet he would like to see it. We get claims all the time. Mr. Morrison stated that he has explained and provided the data that if we could get down to around 35 prisoners and close the dorm we will save hundreds of thousands of dollars.

Mr. Holgate stated that he feels the sheriff can provide data as to housing inmates and he will ask the sheriff to provide it. As far as closing the dorm, the problem we have there is that when our population goes over, are we going to reopen the dorm? It's not that easy to just go out and rehire people to man those posts. What Mr. Morrison is actually talking about is shutting down and laying off people, basically doing away with a portion of our jail. Our population does not necessarily stay at the 35 level that Mr. Morrison thinks it should be at and we do not have any control over that. Genesee Co. is a good example here of a jail that is being overrun and that is why we are housing their inmates.

Mr. Smith state he believes the figure of \$240 a day is essentially soft costs it does not include amortization of the costs of the jail correction facility itself. Equipment wears out, as we have discussed \$128,000 to redo the showers obviously that is due to wear and tear. The more people that use it the more wear and tear we have. As we are about discuss resolution 229-17 a study

for a new jail. Clearly there is a cost to the county that is over and about that \$240. We need to have a detailed analysis of what the true cost is of housing outside inmates in our corrections facility.

Mr. Button stated that Genesee Co. has an opioid problem that is exasperated with other problems that come with that. We cannot talk, and we do not have a crystal ball to see human behavior in the future but the discussion to help this situation needs to occur.

AUTHORIZE CHAIRMAN AND SHERIFF TO SIGN 2017 INMATE HOLDING AGREEMENT (GENESEE CO.)

WHEREAS, there are times when Genesee County may require boarding an inmate into the Yates County Jail, and

WHEREAS, should that occasion arise then an inmate housing agreement is required at a rate set at \$85 a day each;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney that the Sheriff and Chairman are authorized to sign said agreement, which would expire 12/31/18, and

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

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

RESOLUTION NO. 226-17

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

AMEND RESOLUTION NO. 210-17

(Authorize Sheriff To Sign MOU With Dundee School For 2017-2018 SRO Services)

WHEREAS, Resolution 210-17 approved the MOU with Dundee Central School for Sheriff’s School Resource Officer services in the amount of \$55,807.12, and

NOW, THEREFORE, BE IT RESOLVED, that the corrected and amended amount revenue is decreased to \$42,230.04, and

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

VOTE: Unanimous

RESOLUTION NO. 227-17

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

Mr. Button thanked the current jail cook. We do not realize how tough of a job this is 365 days a year three times a day.

**AUTHORIZE SHERIFF TO FILL POSITION
(Cook)**

WHEREAS, due to recruitment difficulty for part time Cooks the Sheriff is requesting to recruit and hire a full time Cook, and

NOW, THEREFORE, BE IT RESOLVED, that effective August 14th, 2017 the Sheriff is authorized to fill a full time Cook position, and be it further

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

VOTE: Unanimous

RESOLUTION NO. 228-17

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that effective August 14th, 2017 the Sheriff is authorized to fill the Correction Officer position, and be it further

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

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

RESOLUTION NO. 229-17

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

DISCUSSION:

Mr. Holgate explained that this not necessarily to take a look at whether or not we need a new jail. Certainly one of the recommendations could be that we need a new jail. There are other efficiency’s that we are hoping that can be brought to light through this study. It doesn’t just look at the jail, it looks at the community as a whole and lets us know what is going on in our courts and is going to be good information for us at no cost.

Chairman Dennis stated that if the Legislature passes this he does not see it as a first step to building a new jail. He sees it as a first step of an independent agency to study the situation in correction and how that reflects on our community and how we may address that going forward.

**RESOLUTION IN SUPPORT OF THE YATES COUNTY SHERIFF’S REQUEST FOR
TECHNICAL ASSISTANCE FROM THE NATIONAL INSTITUTE OF CORRECTIONS**

WHEREAS, the Yates County Jail is operated by, and is under the jurisdiction of, the Yates County Sheriff's Office, and

WHEREAS; for four decades, the Jail has been an integral public safety resource of Yates County's justice system, and

WHEREAS; Yates County government is beginning the process of assessing the County's long term capital needs, and

WHEREAS, the National Institute of Corrections is a component of the United States Bureau of Prisons, within the United States Department of Justice, and is charged with providing training, technical assistance, information and program development services to local corrections agencies without charge, and

WHEREAS. Yates County Sheriff Ronald G. Spike has previously collaborated with the National Institute of Corrections on statewide and regional jail-related training issues, and

WHEREAS, pursuant to a July, 2017 request from the Legislature's Committee on Public Safety, Sheriff Spike obtained and shared with the Committee information from the Institute regarding the Institute's New Jail Planning Initiative, and

WHEREAS; the first of four phases in the Initiative is a Jail and Justice System Assessment to involve stakeholders representing public safety and criminal justice agencies, as well as the Legislature, in understanding how the local justice system works as a prerequisite to a discussion of local correctional facility needs, and

WHEREAS; participation in the Initiative may be initiated only by the agency responsible for operating the facility, and

WHEREAS; Sheriff Spike has indicated an interest in pursuing the Jail and Justice System Assessment, pursuant to an expression of Legislative interest in supporting and participating as a stakeholder group, and

WHEREAS; the Yates County Legislature regards the Assessment as a valuable opportunity to acquire the information necessary to make sound policy and financial decisions within its jurisdiction, and wishes to support the Sheriff in this regard,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby advises the Yates County Sheriff of its determination to support his application for technical assistance from the National Institute of Corrections related to the Jail and Justice System Assessment, and to offer its constructive participation as a stakeholder in that process, and be it further

RESOLVED, that copies of this Resolution be given to the Yates County Sheriff and the County Administrator.

VOTE: Unanimous

RESOLUTION NO. 230-17

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

Mr. Smith stated that he cannot support this resolution as written. He is unaware of the location of these improvised communities where there is a lack of food and are declared food deserts. We have fast food restaurants and convenience marts but we don't have grocery stores. Mr. Smith feels this incorrectly characterizes our rural county where there is a pleather of fresh fruits and vegetables we are a bread basket not a food desert. For that reason he cannot support the resolution as written.

Mr. Button questioned where the figure of 1 in 5 children came from. He is thinking it might be higher.

Chairman Dennis stated he suspects that figure came from Foodlink and the figure could possibly be higher than 1 to 5.

Mrs. Church stated to Mr. Smith's remarks, the resolution says many of our improvised communities, it does not just say Yates County. There are many more rural counties than ours, more so. It's referring to all.

Mr. Holgate stated he serves food at the foodlink that they do at the Starkey Town Barns. You see the people that come out on a very cold night to get food and people are going around and picking people up to bring them in because they don't have transportation.

PROCLAIMING THE MONTH OF SEPTEMBER AS HUNGER ACTION MONTH

WHEREAS, hunger is a grave concern for the State of New York and Yates County; and

WHEREAS, according to Feeding America, there are an estimated 2,780 Yates County residents who are considered food insecure, meaning they lack access to enough nutritious food to live a healthy life; and

WHEREAS, for the youngest residents of our county, food insecurity is more ubiquitous, affecting 1 in 5 children; and

WHEREAS, Yates County is committed to working with Fooklink and local hunger relief agencies to educate people about the role of food banks and hunger relief programs in addressing hunger; and

WHEREAS, many of our impoverished communities are classified as food deserts and have limited access to fresh fruits and vegetables. They lack supermarkets and grocery stores, and are instead served by fast food restaurants and convenience stores that offer very few healthy, affordable food options. Residents of these neighborhoods have high health disparities, with increased levels of obesity and other diet-related diseases, such as diabetes and heart disease; and

WHEREAS, Foodlink and its network of hunger-relief organizations provided over 17 million pounds of food to vulnerable children, seniors, and adults in its 10-county service area throughout the Finger Lakes and Genesee Valley regions of New York; and

WHEREAS, food banks across the country, including Foodlink, will host events and activities throughout the month of September to bring awareness and attention to the issue of hunger and encourage the involvement of our community to help solve this pressing issue.

NOW, THEREFORE, we do hereby proclaim the month of September, 2017, HUNGER ACTION MONTH, in Yates County and,

RESOLVED, that a copy of this proclamation be given to FoodLink, 1999 Mt. Read Blvd, Rochester, NY 14615

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

RESOLUTION NO. 231-17

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

AUTHORIZE CHAIRMAN TO SIGN AN AGREEMENT WITH MARK REYNOLDS Ph.D., LICENSED CLINICAL PSYCHOLOGIST AND THE YATES COUNTY COMMUNITY SERVICES DEPARTMENT.

WHEREAS, Yates County Community Services Department (Department) has the need for access to psychological evaluation and/or psychological testing of certain individuals, by a qualified psychologist.

WHEREAS, Mark Reynolds Ph.D., (Consultant) 209 Lake Road, Ontario, New York 14519 is a licensed psychologist in New York State license # 013321 and is willing and authorized to furnish such services.

WHEREAS, the Department desires to contract with Mark Reynolds for the furnishing of such services as aforesaid, and Consultant has agreed to render and furnish such services to Yates at a rate of one hundred twenty five dollars (\$125.00) per hour to the extent herein indicated, and

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the agreement by the Yates County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign said agreement and be it

RESOLVED, copy of this resolution is to be given to Schuyler County, the Yates County Director of Community Services, and the Yates County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 232-17

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

**GRANT UNPAID LEAVE OF ABSENCE
(A. Druker)**

RESOLVED, that a Public Health Nurse is hereby granted an unpaid leave of absence from August 3rd, 2017 until further notice, and be it further

RESOLVED, that a copy of this resolution be given to Ms. Druker, Director of Public Health, Personnel Officer and the Treasurer.

VOTE: Unanimous

RESOLUTION NO. 233-17

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

**RENEW AGREEMENT WITH DURHAM SCHOOL SERVICES FOR
TRANSPORTATION SERVICES**

RESOLVED, that the Chairman is authorized to sign an agreement with Durham School Services for Transportation for the transportation of developmentally delayed infants and preschoolers for the period September 1, 2017 through August 31, 2018 at the following rates:

To and from Happiness House Geneva site \$188.00 per child per day
To and from Happiness House Canandaigua \$188.00 per child per day
To and from Keuka Lake School \$40.01 per child per day

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 234-17

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

**AMEND CONTRACT WITH DUNDEE CHILDREN'S CENTER FOR THE PROVISION OF
DAY CARE SERVICES**

RESOLVED, that after review by the County Attorney, the Chairman of the Legislature and the Social Services Commissioner be authorized to sign a contract amendment with Dundee Children's Center to amend the rates to reflect the following:

Before School: \$35.00 per week and additional children in the same family \$10.00 per week.
After School: \$62.50 per week and additional children in the same family, \$41.66 per week

and be it further

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

VOTE: Unanimous

RESOLUTION NO. 235-17

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

APPROPRIATE WORKFORCE DEVELOPMENT FUNDING

WHEREAS, Yates County received WIOA funding for Administrative, Adult and Dislocated Worker, Youth, and One Stop Operator funds:

NOW, THEREFORE BE IT RESOLVED that the following amounts be allocated:

CD6293.1A	(WIOA Title I Adult Staff Wage)	\$21,684.00
CD6293.4A	(WIOA Title I Adult Operating)	\$2,905.00
CD6293.8A	(WIOA Title I Adult Staff Fringe)	\$11,172.00
CD6293.1B	(WIOA Title I DW Staff Wage)	\$17,750.00
CD6293.4B	(WIOA Title I DW Operating)	\$3,600.00
CD6293.8B	(WIOA Title I DW Staff Fringe)	\$9,029.00
CD6293.1D	(WIOA Title I Administration Staff Wage)	\$0
CD6293.4D	(WIOA Title I Administration Operating)	\$2,641.00
CD6293.8D	(WIOA Title I Administration Staff Fringe)	\$0
CD6293.1C	(WIOA Title I Youth Staff Wage)	\$32,236.00
CD6293.4C	(WIOA Title I Youth Operating)	\$8,100.00
CD6293.8C	(WIOA Title I Youth Staff Fringe)	\$7,214.00
CD6293.11C	(WIOA Title I Youth Participant Wage)	\$25,500.00
CD6293.81C	(WIOA Title I Youth Participation Fringe)	\$2,500.00
CD6293.4E	(WIOA One-Stop Operator)	\$10,182.00
CD6293.44791	(REVENUE)	\$154,513.00

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 236-17

Mrs. Church offered resolutions 236 and 237-17 and moved their adoption, seconded by Mr. Button.

WORKFORCE DEVELOPMENT BUDGET TRANSFER

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

FROM:	CD6293 4C	WIOA Youth Staff Operating	\$ 1,109.00
TO:	CD6293 1C	WIOA Youth Staff Wage	\$ 1,109.00
FROM:	CD6293 4C	WIOA Youth Staff Operating	\$ 900.00
TO:	CD6293 11C	WIOA Youth Participant Wage	\$ 900.00

AND be it further

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

VOTE: Unanimous

RESOLUTION NO. 237-17

WORKFORCE DEVELOPMENT BUDGET TRANSFER

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

FROM:	CD6292.4G	DSS Works Operating	\$ 2,000.00
TO:	CD6292.1G	DSS Works Staff Wage	\$ 1,340.00
TO:	CD6292.8G	DSS Works Staff Fringe	\$ 660.00

AND be it further

RESOLVED, that copies of this resolution be provided to the Workforce Development Director, and the Yates County Treasurer.

VOTE: Unanimous

Chairman Dennis closed the public hearing on proposed local law 2-17 at 2:35pm.

RESOLUTION NO. 238-17

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

Mr. Smith stated in light of the discussion and the comment at the beginning of the meeting, as we know there are people within this community that purchase property using money that is not legally considered mortgage money and therefore is not subject to the tax. This creates an uneven playing field in the community therefore he is going to vote against this resolution.

Mr. Button stated in light of the information that was presented at the beginning of the meeting, Mr. Button would encourage Mr. Rossi in that if he has any ideas of where there may be low hanging fruit to please let the legislature know.

Mr. Paddock stated he is not a big fan of taxes either but unfortunately the county does have a lot of sources of collection of funds. We have this mortgage tax, we have occupancy tax, sales tax along with property tax. No one likes property tax, no one is a big fan of sales tax or an occupancy tax. However, to remove \$220,000 would immediately put \$220,000 on the property tax which would be approximately 1.5% our levy this year is going to be approximately 1.8%.

Mr. Morrison noted Mr. Smith's comments that those that have cash avoid this and those that don't have cash available do not avoid it. Everybody wants to talk to about what else we can tax to make up for it. Mr. Morrison would like to talk about where spending could be reduced to make up for it and we could do that fairly easily.

ADOPT LOCAL LAW 2-17 ENTITLED RENEWING A LOCAL LAW ESTABLISHING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED IN YATES COUNTY

WHEREAS, proposed Local Law 2-17 entitled "Renewing a Local Law Establishing an Additional Mortgage Tax for Mortgages on Real Property Situated in Yates County was introduced at the July 2017 meeting,

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law 2-17 Entitled Renewing A Local Law Establishing An Additional Mortgage Tax For Mortgages On Real Property Situated In Yates County is hereby adopted, and be it further

RESOLVED, that a copy of this resolution be given to the County Attorney and the Secretary of State.

NEW YORK STATE DEPARTMENT OF STATE

**Local Law Filing 162 WASHINGTON AVENUE,
ALBANY, NY 12231 (Use this form to file a local law with the Secretary of State.)**

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.

LOCAL LAW 2-17 ENTITLED “RENEWING A LOCAL LAW ESTABLISHING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED IN YATES COUNTY”

Be it enacted by the Legislature of the

County

~~City~~ of Yates as follows:

~~Town~~

~~Village~~

SECTION 1. Pursuant to §253-t of the Tax Law, and commencing December 1, 2017, there is hereby imposed in Yates County a tax of twenty-five cents (\$0.25) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of twenty-five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00). This local law hereby continues without interruption the imposition of the Yates County Mortgage Recording Tax as authorized by Yates County local law number 1 of 2005.

SECTION 2. The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under subdivision 1 of Section 253 and paragraph (b) of subdivision 1 of Section 255 of the Tax Law. Except as otherwise provided in this section, all the provisions of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this section with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply 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 provision is either inconsistent with a provision of this local law or not relevant to the tax authorized by this local law. For purposes of this section, reference in this article to the tax or taxes imposed by Article 11 of the Tax Law shall be deemed to refer to a tax imposed pursuant to this local law, and any reference to the phrase “within this state” shall be read as “within Yates County”, unless a different meaning is clearly required.

SECTION 3. Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of this local law is situated in this State but within and without Yates County, the amount of such tax due and payable to Yates County shall be determined in a manner similar to that prescribed in the first paragraph of Section 260 of the Tax Law, which concerns real property situated in two or more counties. Where such property is situated both within Yates County and without the State, the amount due and payable to Yates County shall be determined in the manner prescribed in the second paragraph of Section 260 of the Tax Law, which concerns property situated within and without the State. Where real property is situated

within and without Yates County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

SECTION 4. A tax imposed under the authority of this section shall be in addition to the taxes imposed by Section 253 of the Tax Law and shall take effect on December 1, 2017 and shall expire and be deemed repealed on December 1, 2020.

SECTION 5. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all moneys paid to the recording officer of the County of Yates during each month upon account of the tax imposed pursuant to the authority of this local law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth (10th) day of each succeeding month to the Treasurer of Yates County and, after the deduction by such County Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law shall be deposited in the general fund of the County of Yates for expenditure on any county purpose. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of said Commissioner.

SECTION 6. Any local law imposing a tax pursuant to the authority of this local law repealing or suspending such a tax shall take effect only on the first day of a calendar month. Such a local law shall not be effective unless a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at the Commissioner's office in Albany at least thirty (30) days prior to the date the local law shall take effect.

SECTION 7. Certified copies of any local law described in this section shall also be filed with the County Clerk of the County of Yates, the Secretary of State and the State Comptroller within five days (5) after the date it is duly enacted.

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

RESOLUTION NO. 239-17 (LOST)

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

Mr. Morrison stated we 14 people impose taxes. We have a responsibility as to how we spend that money. We have had data given to us showing that we are running a very expensive public safety operation. The most recent data was a pie chart from NYSAC and when you compare it to Yates County we are spending around 75% to 80% more per capita above the median expenditure of the State of New York. We are not a high crime community. This resolution asks this legislature to establish a goal for the remainder of this year and all of 2018, to reduce the

public safety budget by 5%. Keeping in mind that we are 75% to 80% above the median going in.

Chairman Dennis reminded everyone that the Public Safety Budget also includes, Emergency Management, Probation, and the District Attorney in addition to other functions overseen by the Sheriff. So that would be a broad 5% over all those things.

Mr. Fitch objected to having this discussion without the Sheriff present. He is the one that can defend the Sheriff's budget better than we can. The Sheriff has already turned in his budget to the budget officer. The only reason the legislature looked at expansion years ago was because the jail was over crowded and we had to board people out. Now it is the opposite way, we only 35 of our own prisoners, but who's to say this will not change again in the future, which Mr. Fitch is sure it will at some point. The only way to achieve the savings is to shut down the dormitory, which Mr. Fitch does not think is feasible at time even with 35 or 40 prisoners based on classifications. Boarding out prisoners sounds like a good idea, we should study that. But we to decide what the potential cost of transporting prisoners back and forth, transporting for court dates. We still have a lockup in our own jail requiring correction officers for people who are arrested in the evening and they may have to stay in the jail a day or two before they have a court date. All those things are things that we have to study. But the big thing that we have to study is to see if New York State will allow us to do that on a regular basis and so far they have been very protective on jails boarding out prisoners from county jails to other county jails. They want every county to have a jail and many of the counties around us have been forced to build new jails because of that requirement. Mr. Fitch suggest that to solve all this is to ask the Department of Corrections to come down and do a survey of our jail and see if our survey of our jail meets the requirements from the State and talk to them directly to see if we can lower the amount of correction officers we have. We have avoided this in the past, every time that survey has come down they have required Yates County to hire more corrections officers for a number of different reasons. One of the main reasons was because our staff is getting older and the staff has more vacation time. To solve all this bite the bullet, ask the Department of Corrections to come down and do a survey and go from there. Mr. Fitch does believe that boarding in prisoners does help the county's bottom line. That jail and the 2 additions to the jail were paid for by boarding in prisoners from the federal government or other counties. The cost for running the jail is pretty much the same whether you have 50 prisoners or 30 prisoners. The only different is the cost of food. If you close down the dormitory or another section of the jail it could possibly work but Mr. Fitch doesn't see how that work. We need to have the Sheriff here for this discussion. We did a study of the jail several years ago and we have also done a study of the Sheriff's department. None of those studies showed us what efficiencies could be done.

Mr. Smith thanked Legislator Morrison for bringing the resolution forward. Mr. Smith does not feel that we need a resolution that requests that the Sheriff reduce spending by 5%. He does believe that the Legislative body is the budget authority for the County and it very much is our responsibility to provide guidance to the department heads and the other leaders of this organization on what we expect for financial budget number. As we enter the budget process he expects that the Legislature will be providing guidance to all department heads in working with the budget officer to come up with the budgets for 2018. It is of note that we do have on a per capita basis a very high expense within our public safety. It is important for us all to recognize

that necessarily affects the monies available for other programs. We have heard from a number of individuals including, Steve Griffin from the IDA that Yates County is spending very little on things that may actually develop our youth or provide programs for our citizens that could potential reduce crime and lead to fewer prisoners. Things like the arts, recreation, parks, we would all like to support those things but if we continue to see the expense of public safety grow and eat away at our total revenue that will further limit our ability to support these other programs. Mr. Smith does support the reduction in public safety spending because a 1% reduction would free up close to \$100,000 and we could use that in support of things like the Outlet Trail and the restoration of Sampson Theater and other arts and recreation programs. Mr. Smith is not in support of the resolution because he does not feel a resolution is needed to provide guidance to the department heads.

Mr. Morrison the total budget in public safety if you include pensions is approximately \$10 million dollars. So 1% is in fact \$100,000. Of that Law Enforcement, the Jail and Dispatch including pensions is about \$7 million so 1% of those three is another \$70,000. Mr. Fitch referred to the DCJS study and that clearly showed we were over staffed on road patrol. Mr. Morrison analyzed this and sent it out, there is the Wednesday issue, and we are over by 2 on the road patrol there. When you are talking about these types of percentages on a budget this large, even a small improvement can be \$100,000. Even if we did the 2 largest departments it would be \$70,000.

DIRECT BUDGET OFFICER AND SHERIFF RE FISCAL YEAR 2018 BUDGETARY GOALS

WHEREAS Yates County imposes and collects various taxes such as Property Taxes and Sales Taxes from its citizens and

WHEREAS the elected Legislature has a duty and responsibility to the citizens we so tax to ensure that the monies collected are disbursed in the most efficient and effective manner and

WHEREAS multiple independent sources have indicated that Yates County expenditures for Public Safety are in the top quintile of the fifty seven upstate counties on a per capita basis and

WHEREAS, for example, Yates County boards in prisoners at \$85 per day while costs (2016) were at \$246 per day and

WHEREAS projections indicate that several hundred thousand dollars could be saved per annum by terminating the practice of boarding in out of county prisoners

NOW, THEREFORE BE IT RESOLVED, that this Legislature hereby directs the Yates County Budget Officer to work with the Yates County Sheriff and his staff to reduce the net spend for the Public Safety function for fiscal year 2018 by a minimum of five percent (inclusive of pension costs) as compared to the budgeted net spend for 2017 and

BE IT RESOLVED, this Legislature further recommends that priority be given to savings at the jail and be it directed that any savings that can be achieved in fiscal year 2017 may be applied to the goal indicated and be it

RESOLVED, that copies of this resolution be given to the Sheriff and Budget Officer.
VOTE: Roll call – Paddock, Fitch, Bronson, Multer, Holgate, Banach, Church, Gleason, Smith Dennis voting “No” Morrison, Button voting “Yes” motion lost

RESOLUTION NO. 240-17

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

**AMEND RESOLUTION NO. 206-17
AUTHORIZE CREATION AND FILLING OF TEMPORARY DIRECTOR OF REAL
PROPERTY TAX SERVICES I POSITION**

WHEREAS, the Yates County Legislature adopted Resolution 206-17 on July 10, 2017, which included provisions for the hiring of a Temporary Director of Real Property Tax Services I for no more than 28 hours per pay period, and

WHEREAS, support for the timely processing of school tax bills required the Temporary Director to work a total of 34.5 hours during the pay period ending on August 13, 2017,

NOW, THEREFORE, BE IT RESOLVED, that, effective August 14, 2017, Resolution 206-17 of the Yates County Legislature be amended, to read as follows:

“WHEREAS, due to the pending resignation of the incumbent to be effective July 5th, 2017 the Legislature has requested to temporarily reconfigure the Real Property Office by creating and filling a temporary Director of Real Property Tax Services I position, and

“NOW, THEREFORE, BE IT RESOLVED, that effective July 10th, 2017 the Legislature authorized to create and fill a temporary position for Director of Real Property Tax Services I for a period not to exceed six (6) months unless terminated sooner by the Legislature at a rate of pay of \$60.00 per hour, not to exceed an average of 28 hours per pay period, and be it further

“RESOLVED, that copies of this resolution be given to the County Administrator, Personnel Officer, County Attorney and Treasurer”
VOTE: Unanimous

RESOLUTION NO. 241-17

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

AUTHORIZE SHERIFF TO SEEK PROPOSALS FOR JAIL BARBER

NOW, THEREFORE, BE IT RESOLVED that the Sheriff is authorized to advertise for proposals from contractors providing barber or cosmetologist services for inmates within the

Yates County Jail consistent with Sheriffs specifications, and upon receipt will report to the Public Safety Committee in September 2017 and further

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

VOTE: Unanimous

At this time Steve Manning and Andy Lukasiewicz from the Southern Tier Network and ECC gave their quarterly report to the Legislature.

Mr. Paddock moved to enter executive session to discuss the financial history of a certain corporation, the employment history of particular individuals, with Legislators, the County Administrator, present and the Planner and representatives from STN present for part of the discussion, seconded by Mr. Smith.

Meeting adjourned at 5:28pm