

## REGULAR SESSION – MONDAY, JANUARY 9, 2017

The Yates County Legislature convened in regular session Monday, January 9, 2017 with Chairman Dennis presiding.

Chairman Dennis made the following comments:

Each year, at our first meeting, we take time to recognize members of our Yates County family that have reached certain milestones in their career with us.

We often reflect on the functions of County Government. The essentials are; to provide for the public safety, establish and maintain the public infrastructure, support and improve our quality of life, and to act as a partner with the State of NY in delivering certain services.

The people we are recognizing today are representatives of Yates County Staff who do all these things and more. There are times the job is not easy or comfortable. All the citizens of Yates County depend on them whatever the circumstances may be. I know each and every one of you have gone beyond the exact expectations of your position and delivered outstanding service.

I have often remarked on the resiliency and compassion of Yates County citizens. These people being recognized fit that mold. They are a part of us. Thank you to all of you for all you do.

Chairman Dennis was joined by Kerry Brennan, Personnel Officer and Robert Lawton, County Administrator in recognizing the following individuals for their service to the County.

### 2017 Yates County Employee Recognition Ceremony Recipients

#### 5 Years

Kerry Brennan  
Kristin Birdsall  
Sharon Clark  
Lawrence Hansen  
Scott Nielsen  
Joseph Reed  
Cynthia Turrell

#### 20 Years

Heather McLoud  
David Wright

#### 30 Years

Daryn Potts

#### 10 Years

Nancy Opper

#### 15 Years

Gary Christensen  
Valerie Gardner  
Krystine Leo  
Rodney Phillips

#### 25 Years

Sharon Dawes  
Leslie Norton  
Brian Winslow

Sheriff Spike made the following comments. I appreciate the County allowing me the opportunity to do awards that I have been doing for years and years in the agency. We have several recipients this year and I normally give something special to those that have done 20yrs and 30yrs. I could never afford to give someone a lot for 20yrs but I could give them some kind of a clock award. So that is what we have always traditionally done. But there are several this year that are deserving so I appreciate the opportunity to do this with the County awards. More often than not all the good deeds that those of us that work in public service do for the public and our citizens often goes unrecognized or are taken for granted. In any good disciplined system it's not only when you do badly you get into trouble but when you do well you need to be awarded. That's all part of the same system. So I thank you for the opportunity to do these awards today as a co-employer.

2017 Yates County Sheriff's Office employee Recognition Ceremony Recipients

**5 Years**

Anthony Hill  
Paul Hubbard  
Wayne Marsh  
Anthony Nesbit  
James Stenzel

**20 Years**

Derek Blumbergs  
Joan Bonnett  
Eric Marelli  
Dorothy Shanto

**35 Years**

John Warner

**10 Years**

Rae (Jean) Hubbell

**15 Years**

Jason Bassett  
Dusty Blumbergs  
Amy McAdams  
Jeffery Meyers

**25 Years**

Roger Miller  
Richard Simpson

**30 Years**

Dave Head

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

	<b><u>2016</u></b>	<b><u>2017</u></b>
Airport Fund	\$ 237,274.38	\$ 568.26
Finance	\$3,547,536.74	\$266,627.34
Flint Creek	\$ 0.00	\$ -0-
Government Operations	\$ 39,081.02	\$ 43,346.16
Human Services	\$ 59,789.20	\$ 28,454.29
Prior to Audit	\$ 5,447.77	\$ 16,489.88
Public Safety	\$ 18,801.61	\$ 2,025.00
Public Works	\$ 57,087.39	\$ 1,151.41

**COMMITTEE RESPORTS**

Mr. Banach reported he attended the Fish and Wildlife meeting. It was reported the deer harvest was a little higher this year than last and problems are starting with Cormorant around Lake Ontario and Canandaigua Lake.

Mr. Gleason reported he and Legislator Paddock attended the annual Board of Elections meeting.

Mr. Button reported he attended the Flint Creek meeting. Discussion took place on clearing the channel, brush spraying, driveway grading and also the Sheriff's Deputies were thanked for taking care of some trespassing issues. The next meeting will be in Gorham on July 5<sup>th</sup>.

Mr. Smith reported the next meeting of the Seneca Watershed Inter-Municipal Organization will be January 24<sup>th</sup> in Montour Falls.

Mr. Holgate reported the initial meeting of the Tourism Sub-Committee was held. Discussion took place on things that need to be considered pertaining to resolution 141 and the makeup of the Tourism Advisory Council (TAC). It was decided that TAC would get back to us with terms and makeup of that committee to start that conversation.

Mr. Bronson reported he attended the ProAction meeting. Updates were given on Child Care Regulations and Day Care Certifications.

Mr. Paddock reported he will have an additional resolution which will describe a method for dealing with an error in the Town of Jerusalem tax bills pertaining to the County tax rate. There will also be a press release going out later this afternoon that will more formally exploit that.

County Administrator Lawton reported he attended the Board of Elections meeting, received Laser fiche training, provided support for the Tourism Sub-Committee and also supported the Finance Chair, County Treasurer and Real Property Tax Director in addressing the property tax issue.

Chairman Dennis reported a brief meeting was held this morning of the Committee Chairs with the County Administrator and we have asked him to obtain some background work for us to see how and when we could bring to the entire board and open a discussion of trying to create a broader statement on how the Legislature views itself at the operations of the county overall. This is in the very early stages.

#### CHAIRMAN'S APPOINTMENT

Chairman Dennis appointed Doug Paddock and Bonnie Percy to the Soil & Water Conservation Board for a one year term.

### **RESOLUTION NO. 1-17**

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

#### **APPOINT MEMBER TO THE YATES COUNTY PLANNING BOARD (David Ferry, Town of Italy)**

WHEREAS, David Ferry (722 Italy Valley Road, Naples), has been recommended by his respective municipality to be their representation on the Yates County Planning Board,

NOW, THEREFORE, BE IT RESOLVED, that *David Ferry* is hereby appointed as a member of the Yates County Planning Board, representing the *Town of Italy*, to a

term to expire on January 9, 2019, and, be it further

RESOLVED, that copies of this resolution be given David Ferry, the County Planner, the Town of Italy, and a copy filed with the County Clerk.

VOTE: Unanimous

**RESOLUTION NO. 2-17**

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

**REAPPOINT MEMBER TO THE YATES COUNTY PLANNING BOARD  
(John Sawers, Village of Rushville)**

WHEREAS, John Sawers (12 Bassett Street, Rushville), has been recommended by his respective municipalities to be their representation on the Yates County Planning Board,

NOW, THEREFORE, BE IT RESOLVED, that *John Sawers* is hereby reappointed as a member of the Yates County Planning Board, representing the *Village of Rushville*, to a term to expire on January 12, 2019, and be it further

RESOLVED, that copies of this resolution be given John Sawers, the County Planner, the Village of Rushville, and a copy filed with the County Clerk.

VOTE: Unanimous

**RESOLUTION NO. 3-17**

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

**APPROPRIATE ADDITIONAL REVENUE (SHER)**

WHEREAS, the Sheriff has received additional revenue from Penn Yan Village for suicide watch services, and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$56.07:

Revenue:

A3150.42260 JAIL-Public Safety Services

Appropriation:

A3150.51952 JAIL-Overtime CO82 Other

And be it further

RESOLVED, that copies of this resolution be given to the Sheriff and the County.

VOTE: Unanimous

**RESOLUTION NO. 4-17**

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

**APPOINTMENT TO THE FINGER LAKES ECONOMIC DEVELOPMENT CENTER (YATES COUNTY IDA) BOARD THE YATES CAPITAL RESOURCE CORP. BOARD AND THE FINGER LAKES HORIZON ECONOMIC DEVELOPMENT CORP.**

BE IT RESOLVED, that the following individuals be appointed to Finger Lakes Economic Development Center (Yates County IDA) Board The Yates Capital Resource Corp. Board and The Finger Lakes Horizon Economic Development Corp. the for the terms indicated:

Gene Pierce, 164 N. Glenora Road, Dundee, NY 14837 Term: 1/1/17 to 12/31/18

Rita Gow, 785 E. Lake Road, Penn Yan, NY 14527 Term: 1/1/17 to 12/31/18

Mary Zelazny, 3393 Stryker Rd, Penn Yan, NY 14527 Term: 1/1/17 to 12/31/18

And be it

RESOLVED, that a copy of this resolution be forwarded to Steven Griffin, Executive Director of the FLEDC, the Department of State, and the County Clerk

VOTE: Unanimous

**RESOLUTION NO. 5-17**

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

**AUTHORIZE CHAIRMAN TO SIGN SOFTWARE MAINTENANCE AGREEMENT RENEWAL AND AUTHORIZE EARLY PAYMENT OF FEES**

WHEREAS, the Yates County Probation Department operates the computer software program owned by AutoMon Corporation and requires an annual agreement for software maintenance,

Now, THEREFORE BE IT RESOLVED, that upon the approval of the County Attorney, the Chairman is authorized to sign the Software Maintenance Agreement for one year beginning July 20, 2017 at a cost of \$5,337.47 additionally early payment of fees is authorized, and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 6-17**

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

**AMEND RES. 176-04  
(AUTHORIZE SHERIFF TO ACCEPT JAIL BARBER PROPOSAL)**

NOW, THEREFORE, BE IT RESOLVED, that the fee charged by the recognized licensed jail barber Stacy Seeley after more than twelve years be increased by three dollars to \$12.00 and continue to conform to SCOC minimum standards, and

RESOLVED, that the Sheriff and Treasure receive a copy of this resolution.  
VOTE: Unanimous

**RESOLUTION NO. 7-17**

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

**AUTHORIZE CHAIRMAN TO SIGN INTERMUNICIPAL AGREEMENT WITH SCHUYLER COUNTY TO SHARE THE CODE ENFORCEMENT OFFICER FOR 2017**

WHEREAS, Yates and Schuyler County are desirous of continuing an inter-municipal agreement for a Shared Code Enforcement Officer.

WHEREAS, this agreement retains the Code Enforcement Officer as a Schuyler County employee, but shares said position with Yates County. The contract rate from Yates County for 2017 shall be \$3,000 annually payable consistent with the current agreement and reviewable on an annual basis.

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 an agreement with Schuyler County for the shared services of Schuyler County's Code Enforcement Officer. A position as set forth above, said agreement to run from January 1, 2017 through December 31, 2017, and be it

RESOLVED, that a copy of this resolution is to be given to Schuyler County, the Yates County Director of Emergency Services, Building Maintenance Supervisor of Yates County and the Yates County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 8-17**

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

DISCUSSION:

Mr. Morrison clarified that this expense will be paid by the Sheriff with grant funds for the term of the agreement. The Sheriff agreed.

**AUTHORIZE CHAIRMAN TO SIGN AN AGREEMENT WITH EMERSON NETWORK POWER**

WHEREAS, the annual preventative maintenance for the Uninterrupted Power Supply systems in the Public Safety Building is due, and

WHEREAS the Building Maintenance Supervisor has received a proposal, from Emerson Network Power for \$3,275.58 per year for this service, and

WHEREAS Emerson Network Power is certified by buy the manufacture Liebert Power Products as a sole source service provider for this region,

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be authorized to sign the agreement with Emerson Network Power to perform the annual preventative maintenance on the Uninterrupted Power Supply systems in the Public Safety Building for the sum of \$3,275.58 per year for a three term.

RESOLVED, that copies of the resolution be given to the Buildings Maintenance Supervisor.

VOTE: Unanimous

**RESOLUTION NO. 9-17**

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

**AUTHORIZE CREATION AND FILLING OF POSITION  
(HIGHWAY)**

WHEREAS, the Auto Mechanic Supervisor position will become vacant due to a retirement, and

WHEREAS, the Highway Superintendent is requesting to abolish the Auto Mechanic Supervisor position and create and fill a Fleet Maintenance Supervisor position, and

NOW, THEREFORE, BE IT RESOLVED, that effective January 9<sup>th</sup>, 2017 the Highway Superintendent is authorized to create and fill a Fleet Maintenance Supervisor position, and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 10-17**

Mrs. Church offered resolutions 10 and 11-17 and moved their adoption, seconded by Mr. Fitch.

**SIGN AGREEMENT WITH JASON JOHNSON FOR EMS TRAINING**

RESOLVED, that the Chairman is hereby authorized to sign an agreement with Jason Johnson for the period January 1, 2017 through December 31, 2018 at the following rates:

- |                                    |              |
|------------------------------------|--------------|
| ▪ Certified Instructor Coordinator | \$25.30/HR   |
| ▪ Other Lectures (CPR,etc.)        | \$17.31/HR   |
| ▪ Certified Lab Instructor         | \$20.00/HR   |
| ▪ Practical Work Instructor        | \$12.00/HR   |
| ▪ Practical Skills Evaluator       | \$10.00/HR   |
| ▪ Victims/Patients                 | minimum wage |

RESOLVED that the requirement for general liability insurance is waived, and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 11-17**

#### **SIGN AGREEMENT WITH DAVID HARRINGTON FOR EMS TRAINING**

RESOLVED, that the Chairman is hereby authorized to sign an agreement with David Harrington for the period January 1, 2017 through December 31, 2018 at the following rates:

▪ Certified Instructor Coordinator	\$25.30/HR
▪ Other Lectures (CPR,etc.)	\$17.31/HR
▪ Certified Lab Instructor	\$20.00/HR
▪ Practical Work Instructor	\$12.00/HR
▪ Practical Skills Evaluator	\$10.00/HR
▪ Victims/Patients	minimum wage

RESOLVED that the requirement for general liability insurance is waived, and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 12-17**

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

#### **AMEND AGREEMENT WITH MEDICAL DIRECTOR**

RESOLVED, that the Chairman is hereby authorized to sign an amendment to the Agreement with the Eleanor DeWitt, Medical Director executed July 1, 2014 to include a rate increase to \$200.00 per month, and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 13-17**

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

#### **AUTHORIZE CONTRACT RENEWALS WITH THE AGENCIES/PERSONS:**

WHEREAS, Yates County and the Yates County Department of Social Services wish to renew their contracts/agreements with the following agencies/persons, and

WHEREAS, the term of these contracts/agreements is January 1, 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 renewal contracts/agreements with the following agencies/persons:

Waive Liability Insurance due to having professional Liability Insurance

- Arnie Bagchi, counseling services at \$75 per hour

VOTE: Unanimous

**RESOLUTION NO. 14-17**

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

**AMEND RESOLUTION 430-16 AUTHORIZE CONTRACTS**

WHEREAS Resolution 430-16 authorized a contract with Child and Family Resources at at a rate of \$50 per hour

NOW, THEREFORE, BE IT RESOLVED, that the rate in that resolution be corrected to be \$60 per hour.

VOTE: Unanimous

**RESOLUTION NO. 15-17**

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

**AUTHORIZE DSS COMMISSIONER TO FILL POSITION  
(Caseworker )**

WHEREAS, a Caseworker position will become vacant due to a resignation, and

NOW, THEREFORE, BE IT RESOLVED, that effective January 9<sup>th</sup>, 2017 the DSS Commissioner is authorized to fill a Caseworker position, and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 16-17**

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

**AUTHORIZE DSS COMMISSIONER CREATE AND FILL POSITION  
(Account Clerk Typist )**

WHEREAS, the Typist position became vacant due to a retirement, and

WHEREAS, the DSS is hereby requesting authorization to create and fill an Account Clerk Typist position and not fill the Typist position, and

NOW, THEREFORE, BE IT RESOLVED, that effective January 9<sup>th</sup>, 2017 the DSS Commissioner is authorized to create and fill an Account Clerk Typist position, and be it further

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

VOTE: Unanimous

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

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

#### **ADOPT 2017 EMPLOYEE BENEFITS FOR NON-UNION PERSONNEL**

WHEREAS, Yates County offers health insurance and other benefits for non-union personnel;

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 2017, the Yates County Legislature adopts the following health insurance and other benefit options for non-union personnel:

##### **Part-Time Non-Union Employees**

1. Part-time employees and temporary employees not listed elsewhere (per Res. #76-96)
2. County Legislator(s)

##### **Benefits:**

- New York State and Local Retirement System membership, to the extent required by law.  
(*Enrollment is optional*).
- No other benefits.

##### **Full-Time Non-Union Employees**

1. Elected and Appointed Officials
2. All other full-time non-union employees (not including temporary employees)

##### **Benefits:**

New York State and Local Retirement System (mandatory participation for full-time employees).

Health Insurance: Employees may elect to participate in any County sponsored health insurance plan that is offered for which they are eligible to enroll. Employee premium contribution rates are subject to change during the duration of employment.

- Employees hired prior to January 1, 2013, contribute 15% of the premium cost.
- Employees hired after January 1, 2013 contribute 25% of the premium cost for a period of one (1) year, after which their contribution will be 20%.
- Employees may elect to participate in any health plan option being offered by the County. In maintaining the fiscal responsibility to the County, effective January 1,

2015 the County's portion of the premium cost will only reflect that of the most inexpensive health plan being offered. Therefore, should the employee decide to go with a more expensive plan he/she will be responsible for the difference in the health plan premium to be considered as the "buy-up". Upon hire the employees premium contribution rate will be 25% for a period of one (1) year, after which the contribution rate will be 20%.

Health Insurance "Buy-Out": Each employee covered by this Agreement who elects in advance in writing during the annual enrollment period to discontinue his/her active coverage in the County's health insurance program for the next succeeding calendar year, and who has been covered in said program for at least one (1) year immediately preceding such election, will receive an annual stipend of twenty percent (20%) of the County's share of the health plan premium, based on the particular coverage level that the employee had at the time of his/her election, which would be paid by the County if the employee chose to continue such insurance coverage, payable in equal installments throughout the year of election, provided the employee provides written proof of alternate health insurance coverage from another source. Such payments shall be subject to the County's Internal Revenue Code Section 125 plan.

Health Insurance "Opt-Out": Employees who have NOT been active participants in the County's health insurance program for a period of at least one (1) year throughout the course of their employment are not eligible to receive the Health Insurance "Buy-Out".

Dental Insurance: Excellus Dental Blue Plans: Core or Buy-Up. Employee pays 100% of the premium cost. *(Coverage is subject to certain plan limitations and restrictions as applicable).*

Health Flexible Spending Account (FSA): maximum election \$2,600 (per law).

Dependent Care Flexible Spending Account: maximum election \$5,000 (per law).

Health Reimbursement Account (HRA): The County will fund an HRA account for benefit eligible employees that enroll in the SimplyBlue HDHP. The HRA account will be funded at \$1,300 for single employees and \$2,600 for employee/spouse, employee/child(ren) and family to a level not to exceed \$6,000. *(HRA use is subject to certain terms, conditions, and restrictions).*

Paid Leave: Full-time non-union employees with the exception of Elected Officials.

and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 18-17**

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

#### **AUTHORIZE CHAIRMAN TO SIGN PLAN MANAGEMENT AGREEMENT AND BUSINESS ASSOCIATE AGREEMENT WITH BENETECH**

WHEREAS, Yates County desires to contract with Benetech for the administration and management of Workers Compensation, Family Medical Leave, Loss Control/Risk Management Services, Health Insurance Benefits Administration, Flexible Spending Account Administration and Health Reimbursement Arrangement

Administrative Services inclusive of all statutory functions performed as a Third Party Administrator, and

NOW, THEREFORE BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign The Plan Management Agreement and Business Associate Agreement with Benetech for the period of January 1, 2017 through December 31, 2019 for the following cost apportionments,

<b>Service</b>	<b>Fee</b>
Benefits Management Services	Commission Based
Flexible Spending Account (FSA) Administrative Services	\$4.50 Per Participant Per Month (PPPM)
Summary Plan Description (SPD) and Plan Documents	\$300 each
Amendments and Summaries of Material Modifications (SMMs)	\$100 each
Health Reimbursement Arrangement (HRA) Administrative Services	\$4.50 Per Participant Per Month (PPPM)
Summary Plan Description (SPD) and Plan Documents	\$300 each
Amendments and Summaries of Material Modifications (SMMs)	\$100 each
Dependent Eligibility Auditing Services	\$.60 Per Contract Per Month
Family Medical Leave Act (FMLA) Administrative Services	\$.62 Per Employee Per Month  Not to exceed \$1,578 per year
Loss Control/Risk Management Services	\$6,000 per year/paid monthly
Self-Insured Workers Compensation Third Party Claims Administrative Services	\$18,672 per year/paid monthly
WCB General Administration Assessments	\$2,448 per year/paid monthly

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 19-17**

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT AGREEMENT WITH  
ESI EMPLOYEE ASSISTANCE GROUP FOR  
CSEA AND NON-UNION EAP SERVICES AND PEAK PERFORMANCE  
TRAINING**

WHEREAS, that contingent upon review by the County Attorney, the Chairman is authorized to sign an agreement with ESI Employee Assistance Group for the CSEA and

Non-Union Employee Assistance Program (EAP) and access to the Peak Performance training courses for all County employees for the period of January 1, 2017 through December 31, 2017 in the amount of \$3,595.65, and be it further

RESOLVED, that a copy of this resolution be given to the Treasurer, the Personnel Officer and ESI Employee Assistance Group.

VOTE: Unanimous

**RESOLUTION NO. 20-17**

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT RENEWAL  
(Jay Hollister)**

WHEREAS, in accordance with Civil Service Law §58, and New York State Executive Law §840, each municipal civil service agency is required to administer physical fitness screening tests prescribed by the Municipal Police Training Council, to deputy sheriff and police officer candidates, and

WHEREAS, the County wishes to renew the contract with Jay Hollister, a qualified trainer, to conduct the aforementioned physical screening tests, and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be authorized to sign a contract a contract renewal with Jay Hollister of 826 Rock Haven Rd., Penn Yan, New York, to conduct physical fitness screening tests at a rate of twenty-five dollars (\$25.00) per candidate tested, for the period of February 1, 2017 through January, 31, 2021, and be it further

RESOLVED, that Mr. Hollister is exempt from New York State Worker's Compensation and/or Disability Benefit insurance coverage, and Liability Insurance is waived, and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 21-17**

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH  
BONADIO FOR AUDIT SERVICES**

WHEREAS, that contingent upon review by the County Attorney, the Chairman is authorized to sign a contract with Bonadio for auditing related services to the Yates County Deferred Compensation Plan Procedures for the period of January 1, 2017 through December 31, 2017 in the amount of \$4,000.00, and be it further

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

VOTE: Unanimous

## **RESOLUTION NO. 22-17**

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

### **DISCUSSION:**

Chairman Dennis explained he would like to echo the comments made at the special Finance Committee meeting this morning. This was an error that was discovered late in the process. The Clerk of the Legislature in doing a form for the State picked this up. The Director of Real Property Services, Treasurer, Finance Chair and the County Administrator worked very hard over the weekend in conjunction with County Attorney Falvey to make sure this was handled in an efficient and accurate manner and Chairman Dennis thanked all those involved with this.

### **CORRECTION OF CLERICAL ERROR PERTAINING TO THE TOWN OF JERUSALEM'S APPORTIONED SHARE OF THE 2017 YATES COUNTY TAX LEVY**

WHEREAS, the 2017 Tax Roll was adopted by the Yates County Legislature in December, 2016; and

WHEREAS, a clerical error in calculating the Tax Roll as it pertains to the Town of Jerusalem has been subsequently discovered, consisting of an error in the County's adopted equalization and apportionment table, resulting in an understatement of the Town of Jerusalem's apportioned share of the Yates County tax levy in the amount of \$168,738.79; and

WHEREAS, it is apparent that said clerical error has resulted in an injustice; and

WHEREAS, two years have not elapsed since the equalization;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to applicable provision of the New York State Real Property Tax Law, the Yates County Legislature hereby directs that the \$168,738.79 deficiency as recited above shall be corrected as follows: The sum of \$168,738.79 shall be added to the Town of Jerusalem's apportioned share of the next Yates County tax levy; and be it further

RESOLVED, that applicable Yates County personnel are hereby directed to prepare and distribute any and all correspondence and/or public notice deemed necessary to communicate to the affected Town of Jerusalem property taxpayers of the existence of the aforementioned clerical error and how it will be corrected, as well as how the same will effect such taxpayers' 2018 property tax bill; and be it further

RESOLVED, that copies of this resolution be given to the County Administrator, County Real Property Tax Service Director, County Treasurer and Town of Jerusalem.

VOTE: Unanimous

At time members from Southern Tier Network and ECC updated the Legislature on the progress of the Fiber Network.

Mr. Paddock moved to enter executive session to discuss the financial history of a particular corporation with the Legislature, County Administrator, STN, ECC and Tim Cutler present, seconded by Mr. Bronson.

Meeting adjourned at 3:40pm