

## REGULAR SESSION – MONDAY, MAY 8, 2017

The Yates County Legislature convened in regular session on Monday, May 8, 2017 at 1:00pm with Chairman Dennis presiding and Legislator Holgate absent.

Danielle Lyman and Mary Zelazny gave a quarterly update on the Yates Transit Services.

Minutes of the April meeting were approved as presented.

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

Airport Fund	\$ 5,072.54
Finance	\$ 58,928.51
Flint Creek	\$ 2,642.00
Government Operations	\$ 116,619.88
Human Services	\$ 208,856.25
Prior to Audit	\$ 45,292.65
Public Safety	\$ 82,040.76
Public Works	\$ 141,953.83

### COMMITTEE REPORTS

Mr. Banach reported he attended the Finger Lakes Wildlife Management Board meeting there is a grant for the High Tor area which includes the Middlesex Valley. The old railroad track from Naples to Middlesex is going to be improved and there will be some small bridges so that people who have motorized handicapped type vehicles will be able to use the trail.

On June 10<sup>th</sup> there will be a State of the Lake meeting that will be at Keuka College which will entail a DEC study of what the fish ecology is like in Keuka Lake compared to years ago.

Mrs. Church reported the Town of Milo and the Village of Penn Yan had a very successful cleanup day. It gave us cause to reflect on the many ways that we work together and share services within our community to do what is needed. This has now changed with the mandated Shared Services Initiative. The key to this process is a Shared Services Panel, which by law is chaired by the County Administrator and is composed of the Village Mayors and Town Supervisors within Yates County. This mandate sets a very aggressive time line that the proposed plan be submitted by August 1<sup>st</sup> to the Yates County Legislature. Many of you might not realize that the planning for this meeting has been going on and bringing together the Town Supervisors and Mayors. Mrs. Church commended County Administrator Lawton on all the work that was gone into setting up the Shared Services meeting that will be held tonight at the Penn Yan Village Hall.

Mr. Morris reported he attended the Finger Lakes Economic Development Center meeting which centered on a strategic review. Mr. Morris suggested that Steve Griffin do a presentation to the Legislature or the Finance Committee in the future.

Mr. Morris also attended the Inter-County meeting which Mark Levine spent time talking about the Governor's new Shared Services Panel. There was also a visit from one of the Assistant Comptroller's Gay Dale who is responsible for local government services. Mr. Dale reviewed what the office does and functions that they perform.

Mr. Button reported he attended the Victim's Impact Panel.

Mr. Smith reported there was a meeting of the Seneca Inter-Municipal Watershed Organization on April 25<sup>th</sup> where Soil and Water gave a presentation on the projects that they have been doing that impact the watershed. On May 5<sup>th</sup> Mr. Smith and Mr. Venuti met with State Senator Pam Helming to update her on activities. The next quarterly meeting will be July 25<sup>th</sup> in the Town of Geneva Town Hall.

Mr. Bronson reported he attended the meeting of the ProAction Board and there was a report from the auditors. Everything is in good standing.

Mr. Paddock reported this was not available for our Finance Committee meeting, however, NYSAC is declaring the month of May “Mayday for Mandate Relief” Mayday is an international call for help and this year’s Mayday for Mandate Relief campaign calls on the state to provide much needed help to counties through mandate relief measures. County property taxes, according to NYSAC Executive Director Steven Acquario, fund the tax States Medicaid Program, Public Defense, Safety Net, Temporary Assistance for Needy Families, Preschool Special Education, Foster Care, Probation and others. It amounts to over 60% of the property taxes in Yates County that are levied. The 2017 – 2018 State budget also requires counties to expand indigent legal defense services, implement the states provisions to raise the age of criminal responsibility. Both measures will require counties to hire more staff and expand services with the hope of retroactive state reimbursement. Ironically, the same budget that they increase costs for counties the state is requiring counties and local governments to take action to reduce property taxes. According to William Cherry, the Schoharie County Treasurer, who is the president of NYSAC, if state law makers really want to do something to control property taxes, the first thing they should do is stop asking property taxpaying homeowners and businesses to pay more for their programs and services. There is a law S2323 and A2922 being proposed that would require the state to fully fund the cost of any new mandate or the expansion of an existing mandate that is placed on local governments or schools. This year’s Mayday for Mandate Relief campaign is focused on one thing. We call on state lawmakers to enact this No New Unfunded Mandate legislation according to president Cherry. Legislators at the state level need to acknowledge their role in high property taxes and they need to pass this bill to take the first incremental step in helping their partners in local governments, protect our homeowners and businesses from runaway states mandates.

Chairman Dennis made the following statement.

I would like to comment on the County perspective to the health care act recently passed by the House of Representative in Congress.

This will now be considered by the US Senate. We all know that the final bill will look somewhat different from the House bill. However, there is a provision in the House bill which is the equivalent of a Declaration of Independence for NY counties. That is the provision that Medicaid costs should not be passed from state governments to local government such as counties. This provision should stand. The Governor and State Legislature will then have full financial responsibility for what Medicaid benefits in the future will look like for New Yorkers.

New York has long been an outlier with regard to Medicaid benefits and spending on Medicaid. This provision could force NY to bring Medicaid benefits in line with the other 49 states. In addition, the ongoing burden to counties which significantly drives property taxes would be relieved.

If the Governor truly believes in property tax relief, here is his chance to make a significant impact. This reduction in property taxes could be a huge driver for economic development and bring prosperity to upstate NY.

County Administrator Lawton – Handed out a copy of the presentation that will be given at tonight’s Shared Services meeting that will be held in the Village Hall at 6:00pm.

Mr. Lawton updated the Legislators on meetings that he attended last month.

**PUBLIC COMMENT**

Mrs. Brechko thanked Connie Hayes for the quick response regarding the times of this month’s Committee meetings. Mrs. Brechko also questioned if the public would have input on the development of the new County Website.

Tim Groth, Yates County IT Director, reviewed how the development is being done and the added features/options that people will have available. The go live date for the new website is the end of August.

**CHAIRMAN’S APPOINTMENTS**

Chairman Dennis made the following appointments.

- Reappointed Amy Miller to the Youth Board for a term to run 4/26/17 to 4/26/20
- Reappointed Jessica Kennada to the Youth Board for a term to run 4/26/17 to 4/26/20

Chairman Dennis also reported that the Yates County Legislature now has a Facebook page. This page will be used to post meeting notices and announcements.

**RESOLUTION NO. 127-17**

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

**2017 BUDGET TRANSFERS**

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

From:	To:	Amount:
A1410.54470 CLK-Office Supplies	A1410.51509 CLK-Comp. BO CSEA	574.33
A1410.54470 CLK-Office Supplies	A1410.51661 CLK-Comp. BO NU	73.87
A1430.54156 PERS-Training	A1430.51661 PERS-Comp. BO NU	33.24
A8020.54011 PL-Consultants	A1355.51508 RP-35-40 hours	1,700.00
A8020.54011 PL-Consultants	A1355.58100 RP-Fica/Medicare	300.00
A9902.59150 Transfers Out	A6410.54205 ECON.DEV-PY Hotel	5,791.51
D9010.58400 HWY-Retirement	D5010.51509 HWY-Comp. BO CSEA	2.33
D9010.58400 HWY-Retirement	D5010.51661 HWY-Comp. BO NU	1,002.71
D9010.58400 HWY-Retirement	D5010.51992 HWY-Signing Offset	1,000.00
D9060.58303 HWY-Med.Ins.CSEA	D5010.51993 HWY-HD Offset	2,000.00
D9010.58400 HWY-Retirement	D5110.51509 HWY-Comp. BO CSEA	1,223.64
D9010.58400 HWY-Retirement	D5110.51992 HWY-Signing Offset	9,500.00
D9060.58303 HWY-Med.Ins.CSEA	D5110.51993 HWY-HD Offset	7,500.00
D5120.54913 HWY-Misc. Items	D5110.54638 HWY-Maint.	112.59
DM9010.58400 RDM-Retirement	DM5130.51992 RDM-Signing Offset	1,500.00
DM9010.58400 RDM-Retirement	DM5130.51993 RDM-HD Offset	1,500.00

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 128-17**

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

**APPROPRIATE INDIGENT LEGAL SERVICES GRANT (PD)**

WHEREAS the Office of Public Defender received an Indigent Legal Services Grant through the New York State Office of Indigent Legal Services, and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by a total of \$10,000.00:

Appropriation:		
A1170.54941 PD-Indigent Legal Services Expense		\$10,000.00
Revenue:		
A1170.43025 PD-Indigent Legal Services Revenue		\$10,000.00

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 129-17**

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

**APPROPRIATE ENVIRONMENTAL CLEANUP RESERVE FUND (PLANNING)**

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

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

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

A511.000	Appropriated Reserve-Environmental Cleanup	\$2,119.09
A1364.54936	TAP Expense: Cleanup	\$2,119.09

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 130-17**

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

**APPROPRIATE STATE AID (PH)**

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

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

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

Revenue:		
A4010.44457 PH-Lead Program		\$1,941.00
A4010.43401 PH-State Aid		1,429.00

Appropriation:		
A4010.54469 PH-Nursing Supplies		2,472.00
A4010.54470 PH-Office Supplies		120.00
A4042.54855 PH-Rabies Control		778.00

And be it further

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

VOTE: Unanimous

**RESOLUTION NO. 131-17**

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

**APPROPRIATE ADDITIONAL STATE AID (DSS)**

WHEREAS, the Office of Social Services has received additional NYS aid for Code Blue payments and claims, and

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

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

Revenue:		
A6010.43610 DSS-Social Services Admin.		\$12,500.00

Appropriation:		
A6010.54027 DSS-Misc. Contractual Expenses		\$12,500.00

And be it further,

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

VOTE: Unanimous

**RESOLUTION NO. 132-17**

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

**APPROPRIATE HAZARD MITIGATION UPDATE GRANT (OEM)**

WHEREAS, the Office of Emergency Services has received a Pre-Disaster Mitigation Competitive grant, and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$54,963.75:

Revenue:

A3645.44311 OEM-Pre-Disaster Mitigation #C000783

Appropriation:

A3645.54957 OEM-Pre-Disaster Mitigation #C000783

And be it further,

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

VOTE: Unanimous

**RESOLUTION NO. 133-17**

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

**APPROPRIATE SUICIDE PREVENTION GRANT (CS)**

WHEREAS, the Community Services Department received a Suicide Prevention Coalition Grant in the amount of \$4,500.00, from the New York State Suicide Prevention Center and

WHEREAS, this grant adds additional funding to the original Mental Health Grant

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$4,500.00:

Appropriation

A4320.54282 (Suicide Prevention Grant)

Revenue:

A4320.41690 (MH Grants)

And be it further

RESOLVED, that a copy of this resolution be given to the Community Services Director, and the Treasurer/Budget Officer.

VOTE: Unanimous

**RESOLUTION NO. 134-17**

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

**APPROPRIATE ADDITIONAL STATE AID (HWY)**

WHEREAS, the Highway Department has received additional NYS aid from the Department of Transportation for Consolidated Local Street and Highway Improvement Program (CHIPS), and

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

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

Revenue:		
D5112.43510 HWY-CHIPS Capital		\$170,621.00
Appropriation:		
D5112.54602 HWY-Bituminous Material		\$170,621.00

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. 135-17**

Mr. Paddock offered resolutions 135 and 136-17 and moved their adoption, seconded by Mr. Morris.

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT FOR ACTUARY SERVICES  
(TRS)**

WHEREAS, it is necessary to perform the actuarial valuations of post-retirement medical benefits according to GASB 45;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Yates County Legislature, is authorized to sign the service agreement with BPAS for \$7,500.00 for the year ending December 31, 2017, and be it further;

RESOLVED, that the liability insurance requirement is hereby waived, and be it further;

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

VOTE: Unanimous

**RESOLUTION NO. 136-17**

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT FOR FISCAL SERVICES  
(TRS)**

WHEREAS, it is required by New York State to file a Continuing Disclosure Statement annually;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Yates County Legislature, is authorized to sign the service agreement with Fiscal Advisors, effective May 8, 2017 and be it further;

RESOLVED, that the liability insurance requirement is hereby waived, and be it further;

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

VOTE: Unanimous

#### **RESOLUTION NO. 137-17**

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

#### **RECOGNIZE PEACE OFFICER'S MEMORIAL DAY**

WHEREAS, the Congress and President have designated May 15 as Peace Officers Memorial Day during National Police Week recognizing that law enforcement plays an essential role in safe guarding the rights and freedoms of citizens while members understand their duties, responsibilities, hazards, sacrifices, and duty to serve and safeguard life and property against violence and disorder, and that local law enforcement provides an essential public safety service, and,

THEREFORE, BE IT RESOLVED, that this Legislature extends their appreciation to the men and woman of local law enforcement, corrections and public safety related duties on this national week and observance of May 15 where public law 103-322 directs flags at government buildings be at half-staff in observance of this recognition, and further

RESOLVED, that copies of this resolution be provided Sheriff Spike, Buildings and Grounds Supt., and to Presidents of both local Council 82 unions #9875 and #086.

VOTE: Unanimous

#### **RESOLUTION NO. 138-17**

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

#### **RECOGNIZE NATIONAL CORRECTIONAL OFFICERS' AND EMPLOYEES' WEEK**

WHEREAS, the first full week of May, the 7 -13 is recognized as National Correctional Officers' and Employees' Week by President Reagan's proclamation commencing in 1984 to honor the work of correctional officers as peace officers, and correctional personnel working at jails and court houses nationwide guarding, transporting and supervising offenders in the facility, the community, and preparing offenders for their return to their communities are critical to protecting public safety, while related personnel prepare meals, laundry services, education, recreation and related inmate care and custody often working under demanding circumstances facing danger in their daily lives, and now,

THEREFORE, BE IT RESOLVED that this Legislature joins with the Sheriff and recognizes the contributions made by the men and women who work in our county jail protecting and serving our community 24X7 during this national week and thank them for their essential public service,

RESOLVED, that a copy of this resolution be provided the Sheriff, and President of the Council 82 #086.

VOTE: Unanimous



**RESOLUTION NO. 139-17**

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

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

RESOLVED, that newly elected Penn Yan Fire Chief William LaRock fulfills the remainder of Michael Clancy's appointment to the Yates County Fire Advisory Board for the term to expire 12/31/17

RESOLVED, that copies of this resolution be provided to Brian Winslow, Emergency Management Coordinator.

VOTE: Unanimous

**RESOLUTION NO. 140-17**

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

**AUTHORIZE LEGISLATURE CHAIRMAN TO SIGN AN AGREEMENT FOR THE PRELIMINARY ENGINEERING AND FINAL DESIGN OF THE BRIDGE NY (FEDERAL AID) PROJECT KNOWN AS LOOMIS ROAD OVER WEST RIVER, (PIN 6755.08)**

WHEREAS, Resolution number 48-17 authorized participation in and the implementation and funding of a BRIDGE NY and federal aid bridge superstructure replacement project known as Loomis Road over West River (PIN 6755.08) in the Town of Middlesex, Yates County, and

WHEREAS, Preliminary and Final design work is required to develop plans and specifications to replace the superstructure, and

WHEREAS, CHA Consulting, Inc. was previously selected as the engineering consultant for this project and approved by the New York State Department of Transportation,

NOW, THEREFORE, BE IT RESOLVED, to authorize the Chairman of the Yates County Legislature to sign the Preliminary and Final Design Engineering agreement with CHA Consulting, Inc. contingent upon approval of the contract by the Yates County Attorney, and be it further

RESOLVED, that the Yates County Legislature Chairman is authorized to execute all subsequent and necessary Engineering and Construction Inspection agreements throughout the duration of the project, and be it further

RESOLVED, that copies of this resolution be forwarded to the Yates County Treasurer, CHA Consulting, Inc., the Yates County Highway Superintendent.

VOTE: Unanimous

**RESOLUTION NO. 141-17**

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

**AUTHORIZE BUILDINGS AND GROUNDS SUPERVISOR TO FILL VACANCY  
(SENIOR CLEANER)**

WHEREAS, due to a pending retirement the Buildings and Grounds Supervisor is requesting authorization to fill the upcoming vacancy for the position of Senior Cleaner, and

WHEREAS, the Buildings and Ground Supervisor is approved to fill any subsequent vacancy as a direct result of filling the Senior Cleaner position, and

NOW, THEREFORE, BE IT RESOLVED, that effective June 5<sup>th</sup>, 2017 the Building and Ground Supervisor is authorized to fill the vacant position of Senior Cleaner and any subsequent vacancies as a direct result of filling the position, and be it further

RESOLVED, that copies of this resolution be given to the County Administrator, Buildings and Grounds Supervisor, Personnel Officer and Treasurer

VOTE: Unanimous

**RESOLUTION NO. 142-17**

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

**AUTHORIZATION TO APPROPRIATE FUNDS**

WHEREAS, the Community Services Department received a Suicide Prevention Coalition Grant in the amount of \$4,500.00, from the New York State suicide Prevention Center and

WHEREAS, this grant adds additional funding to the original Mental Health Grant

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$4,500.00:

Appropriation  
A4320.54282 (Suicide Prevention Grant)

Revenue:  
A4320.41690 (MH Grants)

And be it further

RESOLVED, that a copy of this resolution be given to the Community Services Director, and the Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 143-17**

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

**SIGN AGREEMENT WITH HEALTH RESEARCH INC. (HRI)**

RESOLVED, that the Chairman is hereby authorized to sign an agreement with Health Research Inc. (HRI) for the period July 1, 2017 through June 30, 2018 for the Public Health Emergency Preparedness and Response Grant in the amount of \$52,096, and be it further,

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

VOTE: Unanimous

**RESOLUTION NO. 144-17**

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

**AMEND RESOLUTION #126-17**

RESOLVED, that Resolution 126-17 is hereby amended to reflect an increase in funding level to \$20,000 for the agreement with Health Research Inc. (HRI),

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. 145-17**

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

**SIGN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF HEALTH**

RESOLVED, that the Chairman is hereby authorized to sign an agreement with the New York State Department of Health for the period October 1, 2017 through September 30, 2020 for the Children with Special Health Care Needs Program Grant in the amount of \$16,983 annually, and be it further,

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

VOTE: Unanimous

**RESOLUTION NO. 146-17**

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

**ADOPT SLIDING FEE SCHEDULES**

RESOLVED, that Yates County Legislature hereby adopts the following fee schedules for the License Home Care Services Agency, lead screenings and administration of immunizations effective April 1, 2017:

YATES COUNTY PUBLIC HEALTH										
CHILDHOOD LEAD POISONING PREVENTION PROGRAM										
2017 SLIDING FEE SCALE										
Percent of Fee	0%		25%		50%		75%		100%	
Lead Test	\$0.00		\$7.50		\$15.00		\$22.50		\$30.00	
Family Size	200% FPG *		250% FPG		300% FPG		350% FPG		400% FPG	
1	0 -	24,120	24,121	30,150	30,151	36,180	36,181	42,210	42,211	+
2	0 -	32,480	32,481	40,600	40,601	48,720	48,721	56,840	56,841	+
3	0 -	40,840	40,841	51,050	51,051	61,260	61,261	71,470	71,471	+
4	0 -	49,200	49,201	61,500	61,501	73,800	73,801	86,100	86,101	+
5	0 -	57,560	57,561	71,950	71,951	86,340	86,341	100,730	100,731	+
6	0 -	65,920	65,921	82,400	82,401	98,880	98,881	115,360	115,361	+
7	0 -	74,280	74,281	92,850	92,851	111,420	111,421	129,990	129,991	+
8	0 -	82,640	82,641	103,300	103,301	123,960	123,961	144,620	144,621	+
9	0 -	91,000	91,001	113,750	113,751	136,500	136,501	159,250	159,251	+
10	0 -	99,360	99,361	124,200	124,201	149,040	149,041	173,880	173,881	+
11	0 -	107,720	107,721	134,650	134,651	161,580	161,581	188,510	188,511	+
12	0 -	116,080	116,081	145,100	145,101	174,120	174,121	203,140	203,141	+
13	0 -	124,440	124,441	155,550	155,551	186,660	186,661	217,770	217,771	+
14	0 -	132,800	132,801	166,000	166,001	199,200	199,201	232,400	232,401	+
15	0 -	141,160	141,161	176,450	176,451	211,740	211,741	247,030	247,031	+
16	0 -	149,520	149,521	186,900	186,901	224,280	224,281	261,660	261,661	+
17	0 -	157,880	157,881	197,350	197,351	236,820	236,821	276,290	276,291	+
18	0 -	166,240	166,241	207,800	207,801	249,360	249,361	290,920	290,921	+
19	0 -	174,600	174,601	218,250	218,251	261,900	261,901	305,550	305,551	+
20	0 -	182,960	182,961	228,700	228,701	274,440	274,441	320,180	320,181	+
Percent of Fee	0%		25%		50%		75%		100%	
Based on guidelines effective January 31, 2017										
3/10/2017										
For families with more than 20 members, add \$8,360 for each additional member.										
*FPG = Federal Poverty Guidelines										

YATES COUNTY PUBLIC HEALTH

IMMUNIZATION ADMINISTRATION

2017 SLIDING FEE SCALE

Family Size	200% FPG *	250% FPG	300% FPG	350% FPG	400% FPG
1	0 - 24,120	24,121 - 30,150	30,151 - 36,180	36,181 - 42,210	42,211 +
2	0 - 32,480	32,481 - 40,600	40,601 - 48,720	48,721 - 56,840	56,841 +
3	0 - 40,840	40,841 - 51,050	51,051 - 61,260	61,261 - 71,470	71,471 +
4	0 - 49,200	49,201 - 61,500	61,501 - 73,800	73,801 - 86,100	86,101 +
5	0 - 57,560	57,561 - 71,950	71,951 - 86,340	86,341 - 100,730	100,731 +
6	0 - 65,920	65,921 - 82,400	82,401 - 98,880	98,881 - 115,360	115,361 +
7	0 - 74,280	74,281 - 92,850	92,851 - 111,420	111,421 - 129,990	129,991 +
8	0 - 82,640	82,641 - 103,300	103,301 - 123,960	123,961 - 144,620	144,621 +
9	0 - 91,000	91,001 - 113,750	113,751 - 136,500	136,501 - 159,250	159,251 +
10	0 - 99,360	99,361 - 124,200	124,201 - 149,040	149,041 - 173,880	173,881 +
11	0 - 107,720	107,721 - 134,650	134,651 - 161,580	161,581 - 188,510	188,511 +
12	0 - 116,080	116,081 - 145,100	145,101 - 174,120	174,121 - 203,140	203,141 +
13	0 - 124,440	124,441 - 155,550	155,551 - 186,660	186,661 - 217,770	217,771 +
14	0 - 132,800	132,801 - 166,000	166,001 - 199,200	199,201 - 232,400	232,401 +
15	0 - 141,160	141,161 - 176,450	176,451 - 211,740	211,741 - 247,030	247,031 +
16	0 - 149,520	149,521 - 186,900	186,901 - 224,280	224,281 - 261,660	261,661 +
17	0 - 157,880	157,881 - 197,350	197,351 - 236,820	236,821 - 276,290	276,291 +
18	0 - 166,240	166,241 - 207,800	207,801 - 249,360	249,361 - 290,920	290,921 +
19	0 - 174,600	174,601 - 218,250	218,251 - 261,900	261,901 - 305,550	305,551 +
20	0 - 182,960	182,961 - 228,700	228,701 - 274,440	274,441 - 320,180	320,181 +
Percent of Fee	0%	25%	50%	75%	100%
Charge	\$0.00	\$6.25	\$12.50	\$18.75	\$25.00

Based on guidelines effective January 31, 2017

For families with more than 20 members, add \$8,360 for each additional member.

3/10/2017

\*FPG = Federal Poverty Guidelines

**YATES COUNTY PUBLIC HEALTH  
 LICENSED HOME CARE SERVICES AGENCY  
 SCHEDULE OF CHARGES EFFECTIVE January 31, 2017**

**SERVICE      CHARGES**

	<b>Minimum</b>	<b>10% of Fee</b>	<b>20% of Fee</b>	<b>30% of Fee</b>	<b>40% of Fee</b>	<b>50% of Fee</b>	<b>Full Fee</b>
<b>Nursing</b>	\$5.00	\$16.00/visit	\$32.00/visit	\$48.00/visit	\$64.00/visit	\$80.00/visit	\$160.00/visit

<b>Family Size:</b>	<b>100% FPL</b>	<b>100 - 125% FPL</b>		<b>125 - 150% FPL</b>		<b>150 - 175% FPL</b>		<b>175 - 200% FPL</b>		<b>200 - 250% FPL</b>		<b>250+ % FPL</b>	
<b>1</b>	* 0 - \$12,060	\$12,061	\$15,075	\$15,076	\$18,090	\$18,091	\$21,105	\$21,106	\$24,120	\$24,121	\$30,150	\$30,151	+
<b>2</b>	* 0 - \$16,240	\$16,241	\$20,300	\$20,301	\$24,360	\$24,361	\$28,420	\$28,421	\$32,480	\$32,481	\$40,600	\$40,601	+
<b>3</b>	* 0 - \$20,420	\$20,421	\$25,525	\$25,526	\$30,630	\$30,631	\$35,735	\$35,736	\$40,840	\$40,841	\$51,050	\$51,051	+
<b>4</b>	* 0 - \$24,600	\$24,601	\$30,750	\$30,751	\$36,900	\$36,901	\$43,050	\$43,051	\$49,200	\$49,201	\$61,500	\$61,501	+
<b>5</b>	* 0 - \$28,780	\$28,781	\$35,975	\$35,976	\$43,170	\$43,171	\$50,365	\$50,366	\$57,560	\$57,561	\$71,950	\$71,951	+
<b>6</b>	* 0 - \$32,960	\$32,961	\$41,200	\$41,201	\$49,440	\$49,441	\$57,680	\$57,681	\$65,920	\$65,921	\$82,400	\$82,401	+
<b>7</b>	* 0 - \$37,140	\$37,141	\$46,425	\$46,426	\$55,710	\$55,711	\$64,995	\$64,996	\$74,280	\$74,281	\$92,850	\$92,851	+
<b>8</b>	* 0 - \$41,320	\$41,321	\$51,650	\$51,651	\$61,980	\$61,981	\$72,310	\$72,311	\$82,640	\$82,641	\$103,300	\$103,301	+

\*Adult Medicaid Level (85% FPL) Inform Patient of Probable Eligibility

VOTE: Unanimous

**RESOLUTION NO. 147-17**

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

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

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

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

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

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

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

Mike Rusinko  
Assistant Vice President  
Lyons National Bank  
399 Exchange St.  
Geneva, NY 14456

Lynn Fried  
Regional Director  
Workforce Development Institute  
30 North Union Street, Suite 102  
Rochester, NY 14607

Lina Brennan  
Finger Lakes Health  
418 N Main St.  
Penn Yan, NY 14527

Ann Scheetz  
Executive Director  
Ontario ARC  
3071 County Complex Drive  
Canandaigua, NY 14424

Carol Kramer  
Director of Counseling  
ACCES-VR  
109 South Union Street  
Rochester, NY 14607

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 148-17**

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

**WORKFORCE DEVELOPMENT BUDGET TRANSFER**

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

FROM:	CD6293 4G	DSS Works Operating Expense	\$ 2,100.00
TO:	CD6293 1G	DSS Works Staff Wages	\$ 1,300.00
	CD6293 8G	DSS Works Staff Fringe	\$ 800.00

AND be it further

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

VOTE: Unanimous

**RESOLUTION NO. 149-17**

Mrs. Church offered resolutions 149 and 150-17 and moved their adoption, seconded by Mr. Bronson.

**AUTHORIZE CONTRACT WITH PRO-ACTION OF STEUBEN AND YATES COUNTIES, INC. FOR STAFFING OF THE YATES COUNTY SUMMER YOUTH EMPLOYMENT PROGRAM**

RESOLVED, that after review by the County Attorney, the Chairman of the Legislature and the Director of Workforce Development be authorized to sign a contract with Pro-Action of Steuben and Yates Counties, Inc to contract for summer staffing with the Department for the period 5/15/17-9/30/17 to staff the summer youth employment program for an amount not to exceed \$9,000, and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 150-17**

**AUTHORIZE CONTRACT WITH THE FOLLOWING AGENCIES/PERSONS:**

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

WHEREAS, the term of these contracts/agreements is June 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



- Mark Reynolds, Psychological Evaluation Service, \$125 per hour

VOTE: Unanimous

### **RESOLUTION NO. 151-17**

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

#### **AUTHORIZE DSS COMMISSIONER TO CREATE AND FILL POSITION (Social Services Attorney )**

WHEREAS, due to an upcoming retirement in July 2017, the DSS Commissioner has requested to fill the part time Social Services Attorney position, and

WHEREAS, the DSS Commissioner has requested to create and fill an additional part time Social Services Attorney position to run parallel with the current Social Services Attorney position to allow for training and a transition period, and

WHEREAS, the newly created position will replace the current Social Services Attorney position at the time of the retirement, and

NOW, THEREFORE, BE IT RESOLVED, that effective May 8th, 2017 the DSS Commissioner is authorized to fill the Social Services Attorney position on a part time basis, 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. 152-17**

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

#### **DISCUSSION:**

Chairman Dennis commented, we do this on a periodic basis and this process has gone on for almost a year. It has been thorough and exhausting and was led by the Clerk of the Legislature Connie Hayes. She has had experience in the insurance industry prior to working here. She has spent many hours and a lot of time getting this to the point where we can consider this resolution.

Mr. Morris stated that this is probably the best we have done for insurance since I have been on the legislature. Kerry Brennan, Scott Falvey and Jim Smith were also team members and Kerry and Scott put in a lot of time on this also. Mr. Morris thanked the whole team for their efforts.

Chairman Dennis stated that after this exhaustive process we are still dealing locally. I am so proud that our local business with stood this exhaustive process and we are still able to do business here in Penn Yan.

#### **AUTHORIZE INSURANCE RENEWAL**

WHEREAS, various liability insurance policies on behalf of the County expire on May 10, 2017, and

WHEREAS, the Clerk of the Legislature sought RFP's to renew the policies for a period of one year from May 10, 2017 through May 10, 2018, and

WHEREAS, an Insurance Sub-Committee was established to review the proposals and make a recommendation,

NOW, THEREFORE, BE IT RESOLVED, that, effective May 10, 2017, the Insurance Sub-Committee recommends the County continue their policies with the Stork Insurance Agency, and be it

RESOLVED, that the Clerk of the Legislature is hereby authorized to advise the Stork Insurance Agency, to renew said policies for a one-year period, and be it further,

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

VOTE: Unanimous

### **RESOLUTION NO. 153-17**

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

### **CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE MUNICIPAL SELF INSURED WORKERS' COMPENSATION PLANS**

WHEREAS, the New York State Association of Self-Insured Counties (NYSASIC) has become aware of Senate Bill S01411 and Assembly Bill A00711; and

WHEREAS, NYSASIC, as the professional organization representing the majority of self-insured counties and many other municipalities in the State of New York, strongly oppose this legislation; and

WHEREAS, the proposed legislation states the following:

“§ 11-d – Volunteer firefighters; presumption in certain cancers.

1. Notwithstanding any other provision of this chapter to the contrary, a condition of impairment of health of a volunteer firefighter with (a) five or more years of faithful and actual service in the protection of life and property from fire in the interior of buildings caused by cancer affecting the lymphatic or hematological systems or (b) ten or more years of faithful and actual service in the protection of life and property from fire in the interior of buildings caused by cancer affecting the digestive, urinary, prostate, neurological, breast or reproductive systems or melanoma, resulting in total or partial disability or death to such volunteer firefighter, who successfully passed a physical examination on entry into firefighter service, which examination failed to reveal any evidence of such cancers, shall be presumptive evidence that it was incurred in the performance and discharge of duty, unless the contrary be proven by competent evidence. Claims for benefits pursuant to this section must be filed within twelve years of separation from actual service in protecting life and property from fire in the interior of buildings.

2. This section shall not apply to volunteer firefighters serving in a fire company or fire department where the legislative body of the city or the village, the board of fire commissioners or other governing board of the fire district, or the town board of the town in relation to (a) the fire company serving territory outside the villages and fire districts or (b) a town fire department, has adopted a local law or resolution to elect not to provide this presumption.

This act shall take effect immediately and shall expire and be deemed repealed June 30, 2021.”

WHEREAS, this legislation is problematic for several reasons: First the physical examination required for entry into a volunteer fire department is typically quite limited in scope. Such physical examinations do not include the detail or diagnostic testing typically associated with diagnosing cancer or ruling out the presence of cancer. For example, such physical examinations do not include comprehensive blood testing, PET scans, CT scans, MRI's, colonoscopies, mammograms, pap smears, prostate examinations, etc., as the physical examinations are typically quite limited and cursory in nature. Many of the cancers referenced in the proposed legislation may be present and remain undiagnosed even though an individual may still pass the physical examination associated with entry into volunteer firefighter service; and

WHEREAS, many of the conditions identified in the proposed legislation often develop with age and/or are either genetic or hereditary in nature. Thus, even if a comprehensive physical examination with diagnostic testing is performed when an individual first enters firefighter service, it would be both disingenuous and unwise to presume that in the event that such an individual eventually is diagnosed with cancer, such as prostate cancer or breast cancer many years later, that the development or cause of that cancer is in any way connected to the individual's firefighter service; and

WHEREAS, a Second reason this proposed legislation is also problematic as it does not define what is meant by “faithful and actual service in the protection of life and property from fire in the interior of buildings”; and

WHEREAS, a Third reason this proposed legislation is also problematic as the time frames used of five or ten years of faithful and actual service in the protection of life and property from fire in the interior of buildings does not define how a volunteer firefighter's time is tracked as the individual transfers from one department or company to another and which department or company is ultimately responsible for the costs associated with this presumptive coverage; and

WHEREAS, such legislation would essentially place counties in the position of insuring that in the event that a volunteer firefighter contracts lymphatic or hematological systems or cancer affecting the digestive, urinary, prostate, neurological, breast or reproductive systems or melanoma cancers that counties will need to provide indemnity, medical and, potentially death benefits, unless they can prove that the volunteer firefighter does not have five or ten years of faithful and actual service in the protection of life and property from fire in the interior of buildings. Providing such a presumption and placing the cost of rebutting such a presumption on county taxpayers would pose an undue financial burden and hardship. In addition, such a presumption would likely force counties and volunteer fire departments to change their procedures relating to physical examinations for volunteer firefighters in order to ensure that applicants are cancer free.

Such comprehensive physical examinations would prove costly and could have a chilling effect on recruitment and the membership of volunteer fire departments; and

WHEREAS, the proposed legislation is unnecessary as the Volunteer Firefighters' Benefits Law already provides such benefits in the event that a volunteer firefighter (or his or her dependents in connection with a death claim) can prove that the cancer condition arose in the line of duty Shifting the burden of proof from the volunteer firefighter to the local municipality based upon flawed presumptions which lack sound medical foundation would be ill advised; now be it

RESOLVED, that the NYSASIC urges the State of New York not to pass Senate Bill S01411 and Assembly Bill A00711 in its current language; and be it further

RESOLVED, that in the event that there is a desire that the aforementioned legislation be passed, the Yates County Legislature urges Senate Bill S01411 and Assembly Bill A00711 to be modified so that municipal self-insured workers' compensation plans shall be reimbursed the costs of claims which are associated with Senate Bill S01411 and Assembly Bill A00711 by the State of New York. This will facilitate the continued operation and existence of the very volunteer fire departments and volunteer fire companies whose members would be assisted by the bills, since the taxing authorities which support these volunteer fire departments and volunteer fire companies will otherwise be financially stressed by the claims precipitated; and be it further

RESOLVED, that copies of this resolution be given to the Personnel Officer, NYSASIC Board of Directors, NYS District 132 Assemblyman Philip Palmesano and NYS District 58 Senator Thomas F. O'Mara.

VOTE: Unanimous

#### **RESOLUTION NO. 154-17**

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

#### **APPROVE/RATIFY EMPLOYMENT SEPARATION AGREEMENT AND RELEASE**

BE IT RESOLVED, that the Yates County Legislature hereby approves and ratifies a certain employment separation agreement and release, dated April 13<sup>th</sup>, 2017 and executed by the applicable County appointing authority, and as such, authorizes the Chairman to indicate on behalf of the County, such approval and ratification, in the manner determined by the County Attorney; and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 155-17**

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

#### **AUTHORIZE IT DIRECTOR TO FILL VACANCY (COMPUTER TECHINCAL SPECIALIST)**

WHEREAS, due to a resignation the IT Director is requesting authorization to fill the vacancy for the position of Computer Technical Specialist, and

NOW, THEREFORE, BE IT RESOLVED, that effective May 8<sup>th</sup>, 2017 the IT Director is authorized to fill the vacant position of Computer Technical Specialist, and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 156-17**

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

#### **AUTHORIZE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH TETRA TECH, INC.**

WHEREAS, the County's Department of Emergency Management is in need of contracting for the provision of professional services consisting of assistance and support to the County Department of Emergency Management with disaster/emergency planning activities, training and exercise program development and support; and

WHEREAS, Warren County currently has a contract with Tetra-Tech, Inc. for the provision of the above recited professional services to such county;

NOW, THEREFORE, BE IT RESOLVED, that on behalf of Yates County, and upon approval of the County Attorney, the Chairman of the Legislature may enter into an agreement with Tetra Tech, Inc. for the provision of professional services to the County's Department of Emergency Management consisting of assistance and support to the County Department of Emergency Management with disaster/emergency planning activities, training and exercise program development and support; with such agreement being through the contract between Warren County and Tetra Tech, Inc. in accordance with all applicable provisions of the General Municipal Law and County Law in this regard; and be it further

RESOLVED, that a copy of this resolution be given to the County Administrator, County Treasurer, County Attorney and County Emergency Management Director.

VOTE: Unanimous

At this time Andy Lukasiewicz and Meredith Carroll from ECC Technologies gave a presentation on Crowd Fiber.

Mr. Paddock moved to enter into executive session to discuss current litigation with the Legislature, County Administrator and Sheriff present. Also, the contractual history of a particular corporation with Legislators, County Administrator and County Attorney present, seconded by Mr. Smith.

Meeting adjourned at 3:47pm