

## REGULAR SESSION – MONDAY, AUGUST 10, 2015

The Yates County Legislature convened in regular session, Monday, August 10, 2015, with Chairman Dennis presiding and Legislators Banach and Percy absent.

Steve Griffin, Finger Lakes Economic Development Center, and Dave Reeve, Friends of the Outlet, Inc. gave a presentation on the Outlet Trail explaining how the trail if maintained and promoted could benefit the County as far as tourism and revenue. It was explained that if the County took ownership of the trail, they could apply for funding through grants that the Friends of the Outlet are not eligible for. County Administrator Purdy and Mr. Griffin will work on obtaining more information on funding sources and etc. and give a preliminary report to the Finance Committee in September.

Mike Linehan, Director of the Chamber of Commerce updated the Legislature on the economic impact of tourism for the 2014 calendar year.

Minutes of the July 13<sup>th</sup> and July 28<sup>th</sup> meetings were approved as presented.

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

Airport Fund	\$ 15,046.42
Finance	\$ 46,205.12
Flint Creek	\$ -0-
Government Operations	\$ 36,381.51
Human Services	\$ 375,334.29
Prior to Audit	\$ 50,970.81
Public Safety	\$ 72,727.53
Public Works	\$ 1,762,346.58

### COMMITTEE REPORTS

Mr. Paddock reported everyone should have received the capital improvement plan for the next five years. We will be approving that plan tonight.

County Administrator Purdy reported under the assumption that resolution 285-15 will be adopted, Mr. Gosper is planning on coming in on Friday to take care of all his paperwork. His office is ready. It is in the area of the building where Office for the Aging vacated some of their offices. His office will be next door to the assigned council administrator's office.

### PUBLIC COMMENT

Patrick Flynn addressed the board urging the board for more funding for the Highway Department so that they can mow the roadsides on a timely basis. They are very dangerous, if you come to intersections and you can't see, someone is going to get hurt. They use to have 4 tractors going all summer.

Chairman Dennis stated now we have two tractors going part-time. Hopefully we will get around to all the roads twice.

Mr. Paddock stated Dave Hartman addressed this in last week's committee meeting when he said that the mowing crews had been involved in making repairs due to related weather issues.

## RESOLUTION NO. 251-15

Mr. Paddock offered resolutions 251 and 252-15 and moved their adoption, seconded by Mr. Sackett.

**AUTHORIZE CHAIRMAN TO EXECUTE AGREEMENT WITH  
O'CONNELL ELECTRIC CO.**

**PROJECT: AIRPORT LIGHTING IMPROVEMENTS**

WHEREAS, bids were received to replace the edge lights and install new Precision Approach Path Indicators (PAPI) on Runway 10-28 at Penn Yan-Yates County Airport;

WHEREAS, the bids were reviewed for correctness and completeness; and

WHEREAS, the low bid was submitted by O'Connell Electric Co. in the amount of \$276,120.00.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature, upon execution of the federal grant agreement providing funding for the aforementioned project at Penn Yan-Yates County Airport, is authorized to execute an agreement with O'Connell Electric Co. in the amount of \$276,120.00; and be it further

RESOLVED, that copies of this resolution be given to the Yates County Treasurer and Passero Associates.

VOTE: Unanimous

**RESOLUTION NO. 252-15**

**AUTHORIZE CHAIRMAN TO EXECUTE FEDERAL GRANT AGREEMENT AND  
RELATED DOCUMENTS**

**PROJECT: Replacement of Runway 10-28 Medium Intensity Edge Lighting System, with  
a New LED System including new Precision Approach Path Indicators (PAPI)**

WHEREAS, Yates County has received a grant from the Federal Aviation Administration (FAA) for financial assistance for the airfield lighting improvements project at the Penn Yan-Yates County Airport; and

WHEREAS, the total project cost would be \$372,020, with a Yates County 5% share of \$18,601.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the FAA grant agreement and any other necessary documents in connection with the advancement or approval of the aforementioned project at Penn Yan-Yates County Airport; and be it further

RESOLVED, that copies of this resolution be given to the Yates County Treasurer and Passero Associates.

VOTE: Unanimous

**RESOLUTION NO. 253-15**

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

Chairman Dennis stated that we have two members of our county staff that are involved here. This resolution perhaps understates the nineteen years of dedicated service that Sarah Purdy did offer us as budget officer. Our budgets were always done accurately and always done on time. I think they were done so that we could understand them as best as we possibly could. I know there was a lot of extra hours put into it. Sarah, I speak for myself, I certainly appreciate that. To Ms. Flynn, thank you very much for stepping up. We are excited that you have done so and we look forward to working with you in a cooperative manner in what will be some difficult issues. Also, thank you.

Mr. Paddock also offered his thanks to Sarah for being budget officer for a long period of time and the challenges that she went through a number of times including building projects and so on. Nonie, I wish you luck.

Mr. Sackett stated he knows that sometimes Sarah had put in long hours and he appreciates it.

### **RESOLUTION CONCERNING THE COUNTY BUDGET OFFICER**

WHEREAS, pursuant to New York State County Law (the "County Law") the Budget Officer for Yates County (the "County") is its County Treasurer, unless the Yates County Legislature (the "Legislature") appoints another person to serve as its Budget Officer; and

WHEREAS, in accordance with said provision, the Legislature had appointed another person to serve as Budget Officer, namely, Sarah Purdy; and

WHEREAS, Sarah Purdy has announced her resignation as Budget Officer effective August 15, 2015, and as such a vacancy in the office of Budget Officer will be created on said date; and

WHEREAS, pursuant to County Law when a person other than the County Treasurer has been appointed Budget Officer, in the event of a vacancy, the County Treasurer shall serve as Budget Officer, and shall remain the Budget Officer unless and until the Legislature decides to appoint another person to serve as Budget Officer; and

WHEREAS, the Legislature has not appointed another person to serve as Budget Officer upon the vacancy set forth above;

NOW, THEREFORE, BE IT RESOLVED, that the resignation of Sarah Purdy as Budget Officer effective August 15, 2015 is hereby accepted, and her 19 years of dedicated service as Budget Officer is recognized with gratitude; and be it further

RESOLVED, that effective August 16, 2015 the County Treasurer shall serve as Budget Officer, and shall remain so unless and until the Legislature exercises its right under the County Law to appoint another person to serve as Budget Officer; and be it further

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

VOTE: Roll Call – Paddock, Montgomery, Dunn, Morrison, Multer, Holgate, Church, Sackett, Morris, Clark, Dennis voting "Yes" Smith voting "No" motion carried.

## RESOLUTION NO. 254-15

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

### APPROVE THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2016-2020

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 2016-2020 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 (FY2016)- FUNDING STREAMS															
2016	Project	Total Project Cost	Federal Aid	State Aid	Fees/ STOP DWI	Cap/Building Reserve	Reserve for Facilities	Telephone Reserve	Airport Reserve	General Fund Balance **	General Fund	Road Fund	Road Machinery	TOTAL COUNTY 2016 CONTRIBUTION	
ADM	City Building & Courthouse Communication Project- Debt Service	\$1,673,788		\$36,446							\$1,637,342			\$1,637,342	
ADM	Horizon Business Park- Debt Service	\$41,887									\$41,887			\$41,887	
BLDG	Phone System Replacement	\$60,000			\$18,000			\$22,000			\$20,000			\$20,000	
BLDG	Relocate PH & Workforce	\$14,500		\$12,737							\$1,763			\$1,763	
HRD & HWY	Road Rehab/Const/West Ave Bridge Repl	\$2,007,000		\$1,168,800						\$190,000		\$648,200		\$858,200	
H-EQ	Trucks/Heavy Equipment	\$321,000											\$321,000	\$321,000	
IT	Computer Capital Plan	\$82,270									\$82,270			\$82,270	
SHF	Vehicle Replacement	\$106,250		\$28,000	\$28,000						\$50,250			\$50,250	
	<b>Total:</b>	<b>\$4,306,695</b>	<b>\$0</b>	<b>\$1,245,983</b>	<b>\$46,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$22,000</b>	<b>\$0</b>	<b>\$190,000</b>	<b>\$1,833,512</b>	<b>\$648,200</b>	<b>\$321,000</b>	<b>\$2,992,712</b>	
* Total County Contribution includes GENERAL FUND BALANCE, GENERAL FUND, ROAD FUND, RESERVE FOR FACILITIES & ROAD MACHINERY															
<b>Reduction History:</b>		<b>Proposed Amount:</b>	<b>Reduction:</b>	<b>County Contrib:</b>											<b>Amount to be raised by taxes: \$2,802,712</b>
<b>May</b>	<b>Capital Plan, AS SUBMITTED</b>		n/a	<b>\$3,815,499</b>											
<b>June</b>	BLD/G- Phase PH relocation	\$12,263	\$10,500	\$1,763											
	HWY- Reduce Equip by Tandem Dump	\$490,000	\$169,000	\$321,000											
	Sheriff- Vehicle Replacement Reduction from 9 to 6 cars- 3 new/3 used	\$231,455	\$153,205	\$78,250											
	Sheriff- Public Safety Equipment Storage	\$139,878	\$89,878	\$50,000											
	<b>Total June Reductions</b>			<b>\$422,583</b>											

Capital Improvement Plan (FY2017)- FUNDING STREAMS														
2017	Project	Total Project Cost	Federal Aid	State Aid	Fees	Capital/Building Reserve	Reserve for Facilities	Telephone Reserve	Airport Reserve	General Fund	Road Fund	Road Machinery	TOTAL COUNTY 2017 CONTRIBUTION	
ADM	City Building & Courthouse Communication Project- Debt Service	\$1,659,050		\$30,909						\$1,628,141			\$1,628,141	
ADM	Horizon Business Park- Debt Service	\$40,607								\$40,607			\$40,607	
ADM	Reserve for Facilities	\$56,799					\$56,799						\$0	
BLDG	Phone System Replacement	\$60,000			\$18,000			\$22,000		\$20,000			\$20,000	
BLDG	Roof Replacement (@ Highway)	\$78,000				\$78,000							\$0	
BLDG	Truck Replacement (with plow)	\$29,500		\$2,100						\$27,400			\$27,400	
H-RD	Cap. Road Rehab/Construction 2017	\$2,028,000		\$1,168,800							\$859,200		\$859,200	
HWY	Bridge Design/Replacement (Valley View)	\$220,000								\$220,000			\$220,000	
H-EQ	Trucks/Heavy Equipment	\$567,000										\$567,000	\$567,000	
IT	Computer Capital Plan	\$109,505								\$109,505			\$109,505	
SHF	Vehicle Replacement	\$185,275								\$185,275			\$185,275	
TREAS	Tax Software	\$99,000								\$99,000			\$99,000	
	<b>Total:</b>	<b>\$5,132,736</b>	<b>\$0</b>	<b>\$1,201,809</b>		<b>\$78,000</b>	<b>\$56,799</b>	<b>\$22,000</b>	<b>\$0</b>	<b>\$2,109,928</b>	<b>\$1,079,200</b>	<b>\$567,000</b>	<b>\$3,756,128</b>	
* Total County Contribution includes GENERAL FUND, ROAD FUND & ROAD MACHINERY														

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		\$25,648					\$1,416,652			\$1,416,652		
ADM	Horizon Business Park- Debt Service	\$39,301							\$39,301			\$39,301		
ADM	Reserve for Facilities	\$267,949				\$267,949						\$0		
BLDG	Phone System Replacement	\$60,000			\$18,000		\$22,000		\$20,000			\$20,000		
H-RD	Cap. Road Rehab/Construction 2018	\$2,393,850		\$1,168,800						\$1,225,050		\$1,225,050		
H-EQ	Trucks/Heavy Equipment	\$729,000									\$729,000	\$729,000		
IT	Computer Capital Plan	\$106,300							\$106,300			\$106,300		
SHF	Vehicle Replacement	\$138,340							\$138,340			\$138,340		
	<b>Total:</b>	<b>\$5,177,040</b>	<b>\$0</b>	<b>\$1,194,448</b>		<b>\$267,949</b>	<b>\$22,000</b>	<b>\$0</b>	<b>\$1,720,593</b>	<b>\$1,225,050</b>	<b>\$729,000</b>	<b>\$3,674,643</b>		
* Total County Contribution includes GENERAL FUND, ROAD FUND & ROAD MACHINERY														

Capital Improvement Plan (FY2019)- FUNDING STREAMS												
2019	Project	Total Project Cost	Federal Aid	State Aid	Fees	Reserve for Facilities	Telephone Reserve	Airport Reserve	General Fund	Road Fund	Road Machinery	TOTAL COUNTY 2019 CONTRIBUTION
ADM	City Building & Courthouse Communication Project- Debt Service	\$1,408,200		\$19,668					\$1,388,532			\$1,388,532
ADM	Horizon Business Park- Debt Service	\$31,293							\$31,293			\$31,293
ADM	Reserve for Facilities	\$295,682				\$295,682						\$0
BLDG	Phone System Replacement	\$60,000			\$18,000		\$22,000		\$20,000			\$20,000
H-RD	Cap. Road Rehab/Construction 2019	\$2,460,960		\$1,168,800						\$1,292,160		\$1,292,160
H-EQ	Trucks/Heavy Equipment	\$454,000									\$454,000	\$454,000
IT	Computer Capital Plan	\$105,820							\$105,820			\$105,820
SHF	Vehicle Replacement	\$166,563		\$28,000					\$138,563			\$138,563
	<b>Total:</b>	<b>\$4,982,518</b>	<b>\$0</b>	<b>\$1,216,468</b>		<b>\$295,682</b>	<b>\$22,000</b>	<b>\$0</b>	<b>\$1,684,208</b>	<b>\$1,292,160</b>	<b>\$454,000</b>	<b>\$3,430,368</b>

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

Capital Improvement Plan (FY 2020)- FUNDING STREAMS												
2020	Project	Total Project Cost	Federal Aid	State Aid	Fees	Reserve for Facilities	Telephone Reserve	Airport Reserve	General Fund	Road Fund	Road Machinery	TOTAL COUNTY 2020 CONTRIBUTION
ADM	City Building & Courthouse Communication Project- Debt Service	\$1,346,400		\$11,890					\$1,334,510			\$1,334,510
ADM	Horizon Business Park- Debt Service	\$30,000							\$30,000			\$30,000
ADM	Reserve for Facilities	\$349,204				\$349,204						\$0
BLDG	Phone System Replacement	\$60,000			\$18,000		\$22,000		\$20,000			\$20,000
H-RD	Cap. Road Rehab/Construction 2020	\$2,332,800		\$1,168,800						\$1,164,000		\$1,164,000
H-EQ	Trucks/Heavy Equipment	\$268,000									\$268,000	\$268,000
IT	Computer Capital Plan	\$134,710							\$134,710			\$134,710
SHF	Vehicle Replacement	\$140,106							\$140,106			\$140,106
	<b>Total:</b>	<b>\$4,661,220</b>	<b>\$0</b>	<b>\$1,180,690</b>		<b>\$349,204</b>	<b>\$22,000</b>	<b>\$0</b>	<b>\$1,659,326</b>	<b>\$1,164,000</b>	<b>\$268,000</b>	<b>\$3,091,326</b>

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

VOTE: Unanimous

### RESOLUTION NO. 255-15

Mr. Paddock offered the following resolution with the following change to remove the first three transfers from the contingent fund, seconded by Mr. Montgomery.

### 2015 BUDGET TRANSFERS

BE IT RESOLVED, that the following transfers be made in the 2015 budget:

\$3,422.28 from A3110.54401 (Sheriff-Boat Maint. Repair) to A3110.52411 (Sheriff-Radios);

\$2,281.52 from A3150.52515 (Jail-Security Equipment) to A3110.52411 (Sheriff-Radios);

\$525.00 from A3645.54983 (Emergency Management – Technical Rescue) to A3645.52961 (Emergency Management – Technical Rescue);

\$79.00 from A6010.51301 (Social Services Administration-Employment and Training Program Supervisor) to A6010.54152 (Social Services Administration-Conferences);

\$111.16 from A6010.51301 (Social Services Administration-Employment and Training Program Supervisor) to A6010.54516 (Social Services Administration-Printing);

\$330.82 from A6010.51301 (Social Services Administration-Employment and Training Program Supervisor) to A6010.54660 (Social Services Administration-Travel Expenses);

\$72.38 from D5110.51505 (Road Fund-Maintenance of Roads and Bridges-Overtime) to D3310.51505 (Road Fund-Traffic-Overtime);

\$34.22 from D5110.51505 (Road Fund-Maintenance of Roads and Bridges-Overtime) to D5112.51505 (Road Fund-Capital Roads-Overtime);

\$5,358.75 from D5112.54602 (Road Fund-Capital Roads-Bituminous Materials) to D3310.54601 (Road Fund-Traffic-Application of Traffic Lines);

and be it further

RESOLVED, that copies of this resolution be given to the Sheriff, Emergency Management Director, Social Services Commissioner, Highway Superintendent and County Treasurer.

VOTE: Unanimous

### RESOLUTION NO. 256-15

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

Mr. Paddock explained this policy has been in effect for quite some time, however in the 5<sup>th</sup> paragraph next to the last line we changed it to add “the first” public tax sale of the property to be perfectly clear when someone can redeem their property.

Mr. Smith stated that he understands the desire here is to clarify that the existing owner is not able to make a bid if we do not accept the first round of bids and then put it up for sale. I believe that it is our goal is to maximize the revenue received and get this back on the tax rolls as soon as possible. It is also an established fact that many times we do not receive bids that actually equal the back taxes. So if an individual at the time of the first bid, was unable to make the tax payment but subsequently was, and we rejected the low bids that came in, then we would affectively not be achieving that goal with this clarification. Because, we prevent them from paying up prior to the second sale.

Mr. Paddock stated that they would then be able to bid on it like anybody else would. They are not prohibited from bidding on in the second round.

Mr. Smith stated that they would be in the position to pay us the full back taxes plus penalties and we are refusing that. We are going to then subsequently allow them to buy it at a cost significantly less than that. So I think the intent was good, I’m not sure this is going to achieve that.

Mr. Paddock stated that he considers the ability to redeem it a week before the bids come in as the “buy it now” price.

Mr. Morrison questioned, every owner has a chance to make these payments and secure his/her property. They don’t do it, can he/she bid on the first go around, for example if the total outstanding taxes were \$3,000 and the individual did not have it, he did have \$1,000 so now he bids on the property that he didn’t have the money to pay the penalties on.

Mr. Paddock stated he/she is welcome to take that chance. They would still have to be the top bidder and the legislature would have to accept the bids. So they are running a risk.

Chairman Dennis stated that one of the keys to this is we reserve the right to reject bids. Continuing to reject the bids would play into Mr. Smith’s comment of not getting the property back on the tax roll in a speedy manner.

### **ADOPTING A POLICY REGARDING THE SALE OF TAX ACQUIRED PROPERTIES BY PRIVATE SALE**

WHEREAS, the County takes title to tax delinquent properties each year through a tax foreclosure process pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, pursuant to Section 1166 of the Real Property Tax Law, the County is authorized to sell and convey said tax acquired properties as it sees fit; and

WHEREAS, the County wishes to articulate its policy concerning the allowance of the former owners of such properties at the time they were foreclosed upon by the County to reacquire their respective properties from the County by way of private sale;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature does hereby adopt a policy whereby prior to the County's first public tax sale of a tax acquired property, such property may be reacquired by the former owner(s) of such property at the time it was taken by the County through the tax foreclosure process, by way of a private sale between the County and said former owner(s), if the following conditions are met: 1) all of the said former owners makes such a request to reacquire the property no later than one week prior to the close of the bid date of the first public tax sale of the property and 2) the purchase price is paid in the amount, manner and timeframe set forth herein; and be it further

RESOLVED, that the purchase price for an aforementioned private sale property shall be the total dollar amount of i) the foreclosed delinquent tax lien and all other delinquent tax liens on the property, plus ii) interest, penalties and all other related delinquency expenses thereon plus iii) a processing fee of \$1,500; and that the payment of said purchase price shall be paid to the Yates County Treasurer in the form of cash or certified check made payable to the Yates County Treasurer, and said purchase price must be received by the Yates County Treasurer's Office no later than one week prior to the close of the bid date of the first public tax sale of the property; and be it further

RESOLVED, that any such private sale must be approved and confirmed by a majority vote of the Yates County Legislature, subject to any conditions to approval it may impose, before such sale shall become effective; and be it further

RESOLVED, that this resolution is hereby adopted by a majority of the members of the Yates County Legislature; and be it further

RESOLVED, that this resolution supersedes Resolution No. 229-04; and be it further

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

VOTE: Paddock, Montgomery, Dunn, Morrison, Multer, Holgate, Church, Sackett, Morris, Clark, Dennis voting "Yes" Smith voting "No" motion carried.

#### **RESOLUTION NO. 257-15**

Mr. Paddock offered resolutions 257 and 258-15 and moved their adoption, seconded by Mr. Sackett.

#### **APPROPRIATE ADDITIONAL STATE AID (YB)**

WHEREAS, the Youth Bureau has received additional State Aid, and

WHEREAS, these funds are not part of the 2015 budget,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$2,269.00:

Appropriation:

A7310.54352 (Youth – CFR/FLS)	\$1,250.00
A7310.54353 (Youth – CFR/Young Parents)	(\$1,000.00)
A7310.54354 (Youth – Dundee Youth Center)	\$ 100.00
A7310.54357 (Youth – ProAction Youth Services)	\$ 100.00
A7310.54365 (Youth – Safe Harbors)	\$ 189.00
A7310.54368 (Youth – Summer Recreation)	\$1,555.00
A7310.54371 (Youth – Big Brothers/Big Sisters)	(\$ 125.00)

A7310.54372 (Youth – Kinship) \$ 200.00

Revenue:  
A7310.43820 (State Aid-Youth)

and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 258-15**

#### **APPROPRIATE ADDITIONAL STATE AID (RPTS)**

WHEREAS, additional State Aid is available to the Real Property Tax Services Department, and

WHEREAS, these funds are not part of the 2015 budget,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$5,416.40:

Appropriation:  
A1355.51651 (Real Property Tax Services – Senior Account Clerk Typist Temp)

Revenue:  
A1355.43040 (State Aid – Real Property Tax Services)

and be it further

RESOLVED, the copies of this resolution be given to the Real Property Tax Services Director and the Treasurer.

VOTE: Unanimous

### **RESOLUTION NO. 259-15**

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

#### **APPROVAL OF CORRECTION OF ERROR – 2015 COUNTY/TOWN TAX ROLL**

WHEREAS, an application for corrected tax roll for the 2015 Yates County-Town of Barrington tax roll has been received by the Real Property Tax Director in accordance with RPTL s554, and

WHEREAS, the property owners are United States Department of Treasury, and the parcel is located on 820 East Lake Road. The tax map identification number is 103.75-1-13 and

WHEREAS, the Real Property Tax Director has completed an investigation pursuant to RPTL s554, and has filed a copy of the findings of that investigation , and

WHEREAS, due to a clerical error with the dates of the United States Department of Treasury taking title, but after the Penn Yan Central School District lien, the relieved school tax amount with penalties through July is owed, and not the county, town and fire tax, and



WHEREAS, the Real Property Tax Director has recommended approval of the application for correction of error, now therefore be it

RESOLVED, that the report of findings has been reviewed by this Legislature, and further

RESOLVED, that the application for Correction of Error is approved, and further

RESOLVED, that the 2015 County/Town tax bill shall be corrected by removing the county, town and fire tax, and keeping the school re-levy portion of \$4,797.62, And be it further

RESOLVED, that copies of this resolution be sent to the Yates County Treasurer, Barrington Town Tax Collector, the United States Department of Treasury, and the Yates County Real Property Tax Director.

	<u>Billed</u>	<u>Should be</u>	<u>Difference</u>
Town	\$1,820.64	\$0	\$1,820.64
County	\$2,771.56	\$0	\$2,771.56
Penn Yan F.D.	\$184.35	\$0	\$184.35
Penn Yan Central School	\$4,797.62	\$4,797.62	\$0
Total:	\$9,574.17	\$4,797.62	\$4,776.55

VOTE: Unanimous

#### **RESOLUTION NO. 260-15**

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

#### **APPOINT MEMBER TO THE YATES COUNTY PLANNING BOARD (Donald Sheive, Representing the Town of Middlesex)**

WHEREAS, Donald Sheive (1159 South Lake Road, Middlesex), has been recommended by the Town of Middlesex to be their representative to the Yates County Planning Board,

NOW, THEREFORE, BE IT RESOLVED, that Donald Sheive is hereby appointed as a member of the Yates County Planning Board, representing the Town of Middlesex, to a term to begin on December 1, 2015 and expire on December 1, 2017, and be it further

RESOLVED, that copies of this resolution be given Donald Sheive, the County Planner, the Town of Middlesex and a copy filed with the County Clerk.

VOTE: Unanimous

#### **RESOLUTION NO. 261-15**

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

#### **AUTHORIZE REPAIR WORK AT THE PENN YAN/YATES COUNTY AIRPORT**

WHEREAS, the Penn Yan/Yates County Airport sustained damage on May 3, 2015 as a result of an accident and needs to be repaired, and

WHEREAS, Marchionda Excavating, Inc. has submitted a quote in the amount of \$3,993.23 to do the repairs,

NOW, THEREFORE, BE IT RESOLVED, that this Legislature has approved Marchionda Excavating, Inc. to do the repairs, and be it

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

VOTE: Unanimous

**RESOLUTION NO. 262-15**

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

**AUTHORIZE THE CHAIRMAN TO SIGN RELEASE OF CLAIM  
(Old Republic Aerospace, Inc.)**

WHEREAS, Marchionda Excavating, Inc. has been authorized to make the necessary repairs to the Penn Yan/Yates County Airport which resulted from an accident on May 3, 2015, and

WHEREAS, Old Republic Aerospace, Inc. the individual's insurance company has agreed to pay for said repairs with the signing of a claim release,

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

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

VOTE: Roll Call – Paddock, Dunn, Multer, Holgate, Church, Sackett, Morris, Clark, Dennis voting “Yes” Montgomery, Morrison, Smith voting “No” motion carried.

**RESOLUTION NO. 263-15**

Mr. Holgate offered resolutions 263 thru 265-15 and moved their adoption, seconded by Mrs. Church.

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

WHEREAS, the New York State Department of Criminal Justice has awarded to Yates County the amount of \$43,800.00 for the eighteen (18) month period from April 1, 2015 through September 30, 2016 as the recurring Aid To Prosecution Grant; and

NOW, THEREFORE, BE IT RESOLVED, that District Attorney Valerie G. Gardner and 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.

VOTE: Unanimous

**RESOLUTION NO. 264-15**

**ACCEPT AND APPROPRIATE 2015 (SHSP) GRANT**

WHEREAS, the Yates County Office of Emergency Management has been awarded a non-matching FY2015 Division of Homeland Security and Emergency Services emergency management equipment grant award in the amount of \$30,000.00 to enhance regional preparedness, and

WHEREAS, these funds are not a part of the 2015 budget,

NOW, THEREFORE, BE IT RESOLVED, Chairman of the Legislature is authorized to accept this grant, and be it further

RESOLVED, that the Treasurer is authorized to make the following appropriations increasing the 2015 OEM expenses and revenue by \$30,000.00:

Revenue  
A3645.44304 (SHSP' 15 T974750)

Expenditure  
A3645.52964 (SHSP' 15 T974750)

RESOLVED, that a copy of this resolution be given to the Treasurer, Office of Emergency Management and the Budget Officer.

VOTE: Unanimous

**RESOLUTION NO. 265-15**

**ACCEPT FY2015 EMERGENCY MANAGEMENT PERFORMANCE GRANT  
(EMPG) (OEM)**

WHEREAS, the Yates County Office of Emergency Management has been awarded Project #EM15-1004-D00 in the amount of \$14,538.00 matching Federal Grant monies administered by New York State Division of Homeland Security and Emergency Services (DHSES) and:

NOW, THEREFORE, BE IT RESOLVED, the Chairman is authorized to accept the EMPG funding, and be it further

RESOLVED, that a copy of this resolution be given to the Emergency Preparedness Coordinator, Budget Officer and County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 266-15**

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

**AMEND 2015 HOURLY SALARY SCHEDULE (Resolution No. 58-15)**

RESOLVED, that the 2015 HOURLY Salary Schedule is hereby amended as follows:

Part-Time or Temporary

Correction Officer

(85% of Council 82 Non LE Contract "Start" rate)

\$17.34

(90% of Council 82 Non LE Contract "State" rate)

\$18.36 after *12 months*

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 267-15**

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

**AUTHORIZE SHERIFF TO FILL POSITION  
(Part-Time Account Clerk Typist)**

WHEREAS, the part-time Account Clerk Typist resigned from her position as she was hired by another department within the county,

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff is authorized to fill this position, and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 268-15 (Resolution lost)**

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

DISCUSSION:

Mr. Smith stated I appreciate the attempt to reduce overtime but it is my understanding that this has been a problem that has been going on for not just months but years. This board has not acted in the past directly on this issue. I appreciate during last week's public safety meeting there was rudimentary analysis demonstrating that there potentially could be savings of overtime by having two additional corrections officers but I do not believe it was a detailed analysis that took into account all of the various aspects associated with bringing on full time employees. Hiring two full time employees is obviously a big decision and I would like to see us take the time to do a full analysis taking into account that full time employees are entitled to sick time, personal time, vacation time and other time off and mitigate the amount of overtime that they could then reduce. Once we have established that it clearly is a savings, then we can determine what the correct number of additional officers would be. It may be 2 it may be 1 it may be 5, I don't know, but at this point I can't support this because I don't think we have done enough detailed analysis.

Mr. Montgomery stated we are about to enter into a budget process for 2016. We think we know lots of indicators that it is going to be a real challenge. I would agree that adding two additional people full time at this time is not the appropriate thing to do.

Mrs. Dunn, I have to disagree. We are in a situation where we've got correction officers who are being forced into overtime continually, they cannot take the time off that they are entitled to. It is going to lead to fatigue and when you have fatigue you have the potential of something happening that will be far more devastating to the county than hiring two full time correction officers that will be paid out of the overtime that we are paying out. I think it is something that we need to do. Ron has stated that he can't fill the part-time positions and have people who are willing to work part-time so that he can then let these correction officers have the time off. It is an important step that we take, not only for the security of our employees over there, but for moral and health and the potential of labor law situations if we don't let these people have the time off that they are entitled to.

Mr. Morrison stated we had a representative who addressed a subcommittee and I did ask the individual how the situation was 4 or 5 months ago. He indicated that largely it was a seasonal problem at least at the moment. They want to take vacation in the summer time, which is understandable and also we have 2 instances recently of hospitalized prisoners that required 2 officers around the clock which exacerbates the problem greatly. That's one aspect of it. At that

same meeting I suggested to do a study to take a closer look at the overtime budget problem. We budgeted this year, \$500,000 in overtime for Public Safety. If as a result of the study you save just 5% of that we certainly paid for the study. I agree with Jim that this is a premature thing. I think the study should look at the impact we board in federal prisoners, transport seems to be a big factor. We don't have specific data as to, hours and what days those transports take place. We are trying to get some part-timers and we've already increased the hourly rate. I hope that that will help. There is also the impact of the unscheduled absences among the correction officers themselves. Every time someone takes a sick day or a personnel day that of course results in more overtime. It would be nice to quantify that. Adding all that together, I really think we need to take a closer look and a broader look at this before we add full time staff.

Mr. Morris stated the part-time overtime money is really the answer. The type of overtime issues that we are having, I've spent some time reviewing this in the past several months with Ron. We just enabled the higher rate on this. We should go out and hire some more part-timers and use the part-time help for a while. We are going into a budget season, we are very tight. So let's take a few months and try the part-time help. Let's get the high paid part-time people in there and try that. The other thing that I brought up in the Public Safety Committee meeting is I'm concerned about our total cost of Public Safety in particular the jail, and adding more full time people is not going to help that situation either.

Mr. Sackett commented we have been advertising for part-time correction officers for about 3 weeks and he doesn't know what the result of that has been. I would like to know if there is any recent response. I would like to know what the response is before we add correction officers.

Mr. Clark commented I agree with Jim on a couple of his points. We need a little more in house analysis as to who we might need to hire, how many part-time and how many full time. I'm in agreement that the overtime situation in Public Safety has got to be addressed, but I would like a little more analysis on it.

Mr. Montgomery stated we did get from the Sheriff an indication that the \$13.95 was not hacking it and we did authorize an increase, not a specific amount, we talked about what it could be. I believe the answer was if we weren't having much success or any success at the \$13.95 rate increasing it to something more comparable to our neighboring counties, I think the Sheriff thought this might attract some part-time potential.

Mr. Paddock stated that the Sheriff's statistics show better than 1,000 hours of overtime for the past 6 months. So 2 people full time would bring that down by approximately 320 hours.

Mr. Holgate stated as you saw Ron has already had a number of studies and we have been talking about this for a long time. I think everyone has known what we need to do. There has been a tremendous amount of pressure of late. We have not been able to rely on part-time help at all. Even if we can get some part-time help that is still not going to solve all of our problems with overtime. The fact is this is something that we keep kicking down the road, but it is something that needs to be done. Mr. Holgate is in favor of going forward.

Chairman Dennis stated that this would be a net neutral budget wise.

Mr. Smith stated that he appreciates that there is an issue going on with overtime but he believes to some degree a seasonal issue. He does not feel, with this being August 10<sup>th</sup> that if we authorize the positions, the full time employees would come on in time to relieve summer related issues that by the time they get hired we would be in the Fall and perhaps some of the major challenges would be reduced at that time. In addition, we just raised the hourly salary schedule in

resolution 266-15 for these part-time workers, we should give that chance. We felt it was important to raise them. We didn't do that just because we like to pass resolutions, we did that because we felt that was necessary to attract more part-time people. Let's give that a chance. Hiring full time employees is a serious decision that can't be undone very easily. We are about to approach our budget process, we have a lot of pressure with respect to increased health care costs, we have increased costs related to the fiber project, we have a reduced tax cap this year and I think it would be inappropriate to take on what would amount to increased costs right now before we would see any reduced cost in overtime down the road by hiring full time people at this point.

Mrs. Dunn stated we have raised the rate for the part-time correction officers. The problem is that Ontario County still pays more and that is what we are running into. Ron can't get part-time people that are able to work when he needs them so the full time people have to work. Mrs. Dunn feels if we keep forcing the Sheriff to depend on part-time people when he can't fill the slots when he needs them is irresponsible. Yes, full time positions are hard to get rid of, but she believes as Bill said, this has been something that's been discussed for as long as I have been here. It's time we stop talking about it and we move forward and let him get the two full time positions and if it works out that he doesn't need the part-time then we don't hire part-time. We have to give the correction officers the assistance that they need in order to do their job and be able to have a life outside of the jail. We need to show the employees that we have their backs in this situation.

**AUTHORIZE CREATION AND FILLING OF POSITION  
(CORRECTIONS OFFICER)**

WHEREAS, due to overtime costs, the Sheriff has requested to create two additional Correction Officer positions to promote efficiencies and budget reductions,

NOW, THEREFORE, BE IT RESOLVED, that effective August 10, 2015 two Corrections Officer positions are hereby created in the Sheriff's Office, and be it further

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

VOTE: Roll Call – Paddock, Dunn, Multer, Holgate, Church, Dennis voting "Yes" Montgomery, Morrison, Sackett, Morris, Clark, Smith voting "No" motion lost due to tie.

**RESOLUTION NO. 269-15**

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

**CREATE TEMPORARY CONFIDENTIAL  
ASSISTANT TO THE SHERIFF POSITION**

WHEREAS, the Sheriff desires for administrative, training, and efficiency reasons to create a temporary Confidential Assistant to the Sheriff (CATS) noncompetitive position due to a vacancy,

WHEREAS, county policy states that temporary employees do not receive county benefits,

NOW, THEREFORE BE IT RESOLVED, that a temporary CATS position is hereby created and shall become effective August 10, 2015 after appointment by the Sheriff consistent

with budgetary limitations per Resolution 59-15 and with all employee benefits granted to full time employees per Resolution 56-15, until the appointment becomes permanent on August 24, 2015 and said hire date as shall become the anniversary date for this new employee for the purposes of leave accruals and benefits, and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 270-15**

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

#### **LOCALLY ADMINISTERED PROJECT FOR EMERGENCY REPAIRS**

#### **ON CR #24 AND CR #32**

WHEREAS, a Project for the ER: NY 14-01, Emergency Repairs on CR #24 and CR #32 in the Towns of Italy and Jerusalem in Yates County, P.I.N. 6E14.02 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, the County of Yates desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of ER: NY 14-01, Emergency Repairs on CR #24 and CR #32 in the Towns of Italy and Jerusalem in Yates County.

NOW, THEREFORE, the Yates County Legislature, duly convened does hereby

RESOLVE, that the Yates County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Yates County Legislature hereby authorizes the County of Yates to pay in the first instance 100% of the federal and non-federal share of the cost of Emergency Repair Construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$93,553 is hereby appropriated from the Yates County Road Fund budget and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Yates County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Chairperson of the Yates County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Yates with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State

Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately  
VOTE: Unanimous

**RESOLUTION NO. 271-15**

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

**RESOLUTION TO AMEND 2015 CONTRACT WITH LAKEVIEW HEALTH SERVICES, INC.**

WHEREAS, the Lakeview Health Services, Inc. agrees to provide outreach, psycho-social club, drop in center and supportive housing services, and funding is available for this program through the NYS Office of Alcoholism and Substance Abuse Services, and

WHEREAS, funding for this is 100% state funds, and

NOW THEREFORE, BE IT RESOLVED, that the contract with Lakeview Health Services, Inc. be amended to reflect an increase in funding available for this agency from \$137,001.00 to \$187,922.00, and be it further,

RESOLVED, that a copy of this resolution be given to the Director of Community Services, the Council on Addictions of the Finger lakes, Inc., and the Yates County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 272-15**

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

**AUTHORIZATION TO APPROPRIATE FUNDS**

WHEREAS, the Yates County Community Services Department has received additional state aid, and

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased \$50,921.00, A4320.43503 MH Supportive Housing revenue and A4320.54276 Supportive Housing and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 273-15**

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

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD  
(Tears)**

BE IT RESOLVED, that the Yates County Legislature appoint Becky Bennet Tears, residing at 10373 County Route 76, Hammondsport, New York, 14840 to the Yates County Community Services Board, to complete an unexpired term ending 12/31/17.

RESOLVED, that a copy of this resolution be provided to Becky Bennet Tears and to the Yates County Department of Community Services.

VOTE: Unanimous

**RESOLUTION NO. 274-15**



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

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD  
MENTAL HEALTH SUBCOMMITTEE (Tears)**

BE IT RESOLVED, that the Yates County Legislature appoint Becky Bennet Tears, residing at 10373 County Route 76, Hammondsport, New York, 14840 to the Yates County Community Services Board's Mental Health Subcommittee, to complete an unexpended term ending 12/31/17.

RESOLVED, that a copy of this resolution be provided to Becky Bennet Tears and to the Yates County Department of Community Services.

VOTE: Unanimous

**RESOLUTION NO. 275-15**

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

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD  
SUBSTANCE ABUSE SUBCOMMITTEE (Nelson)**

BE IT RESOLVED, that the Yates County legislature appoint Linda Nelson, residing at 14173 Keuka Village Road, Dundee, New York, 14837 to the Yates County Community Services Board's Substance Abuse Subcommittee, to complete an unexpended term ending 12/31/18.

RESOLVED, that a copy of this Resolution be provided to Linda Nelson and to the Yates County Department of Community Services.

VOTE: Unanimous

**RESOLUTION NO. 276-15**

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

**APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD  
DEVELOPMENTAL DISABILITIES SUBCOMMITTEE (Wilson)**

BE IT RESOLVED, that the Yates County Legislature appoint James E. Wilson, residing at 3073 Roenke Rd., Himrod, New York, 14842, to the Yates County Community Services Board's Developmental Disability Subcommittee, to complete an unexpended term ending 12/31/18.

RESOLVED, that a copy of this resolution be provided to James E. Wilson and to the Yates County Department of Community Services.

VOTE: Unanimous

**RESOLUTION NO. 277-15**

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

**ENTER INTO CONTRACT WITH SAFE HARBORS OF THE FINGER LAKES**

RESOLVED, that after review by the County Attorney, the Chairman of the Legislature and the Social Services Commissioner are authorized to sign a contract for the use of TANF Domestic Violence Funding with Safe Harbors of the Finger Lakes at an amount not to exceed \$24,999 for the period of 7/1/15-6/30/16.

RESOLVED, that copies of this resolution be given to the Department of Social Services.

VOTE: Unanimous

**RESOLUTION NO. 278-15**

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

**AMEND RESOLUTION 402-14 AUTHORIZE CONTRACT WITH KINSHIP FAMILY AND YOUTH SERVICES**

RESOLVED, that resolution 342-13 be amended to add that the contract with Kinship Family and Youth Services be amended to add parenting education.

RESOLVED, that copies of this resolution be given to the Department of Social Services  
VOTE: Unanimous

**RESOLUTION NO. 279-15**

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

**APPROPRIATE FUNDING FOR WORKFORCE DEVELOPMENT BUDGET**

WHEREAS, Workforce Development has funding available from Yates County Department of Social Services for the 2015 Budget year:

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

Appropriation:

CD6292.1G	DSS Works Staff Wage	\$4,625.00
CD6292.8G	DSS Works Staff Fringe	\$1,700.00
CD6292.4G	DSS Works Operating	<u>\$ 675.00</u>
		\$7,000.00

Revenue

CD6292.42802		\$7,000.00
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and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 280-15**

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

**ENTER INTO CONTRACT FOR POLYGRAPH SERVICES**

RESOLVED, that after review by the County Attorney, the Chairman of the Legislature and the Social Services Commissioner are authorized to sign a contract for polygraph Services with Michael Pliszka at \$275 per session for the period of 8/1/15-12/31/15.

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

VOTE: Unanimous

**RESOLUTION NO. 281-15**

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

**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, 2015 through August 31, 2016 at the following rates:

To and from Happiness House Geneva site \$183.03 per child per day  
To and from Happiness House Canandaigua \$183.03 per child per day  
To and from Keuka Lake School \$38.95 per child per day

and be it further

RESOLVED, that the County reserves the option to renew this contract for no more than two (2) one year periods, 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. 282-15**

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

#### **AMEND RESOLUTION 173-15 Renew Contractual agreements**

WHEREAS, Resolution 173-15 authorized the Legislative Chairman and the Youth Bureau Director to sign contractual agreements with various agencies and

WHEREAS, it is necessary to amend the contracts with the following agencies,

NOW, THEREFORE BE IT RESOLVED, the Youth Bureau Director and the Chairman of the Legislature are authorized to sign amended contracts with the following agencies for approved Youth Bureau funding for the period of January 1, 2015 through December 31, 2015:

	<u>From</u>	<u>TO</u>
Village of Dundee – Summer Recreation Program	\$2,300	\$2,425
Village of Penn Yan – Summer Recreation Program	\$2,300	\$2,425
Town of Jerusalem – Summer Recreation Program	\$2,300	\$2,425
Town of Torrey – Summer Recreation Program	\$800	\$1,400

VOTE: Unanimous

#### **RESOLUTION NO. 283-15**

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

DISCUSSION:

Sarah clarified this is not a new position. This is part of an ongoing effort on the part of the county to address findings that are being issued as the IRS analyzes our use of independent contractors. The individual who was doing this work for the county as an independent contractor was paid for fully by a grant and will continue to be paid for fully by a grant as a part-time employee.

Mr. Morris questioned in this particular case and in some of the other ones that came up as a result of this same audit. Is the total compensation of those individuals the same as a county employee as it was for them as a contractor? Are we paying the same or are we paying more.

Sarah explained on this particular one she does not know the answer to that. That was something the department head and the personnel department worked on so she does not know how the hourly rate was determined.

Mr. Paddock stated that he believes that question was asked at the Human Services Committee meeting and he thought it was the same amount from the county.

Sarah explained that if it turns out that the hourly rate needs to be adjusted, you can do that with an amendment to this resolution next month.

Mr. Morrison stated that he does not think there is a difference on this one but on some of others there probably will be. This one is covered by a grant.

### **CREATE PART-TIME POSITION OF PUBLIC HEALTH PROGRAM COORDINATOR**

WHEREAS, it has become necessary to switch an independent contractor to a position of employment,

NOW, THEREFORE, BE IT RESOLVED, that effective August 10, 2015 a part-time position of Public Health Coordinator is hereby created in the Public Health Department and be it further

RESOLVED, that Resolution No.431-14 Adopt 2015 Hourly Salary Schedule is hereby amended to add the following:

#### Part-time or Temporary

Public Health Program Coordinator	\$29.27
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and be it further

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

VOTE: Unanimous

### **RESOLUTION NO. 284-15**

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

### **RECOGNIZE YATES COUNTY DISTINGUISHED YOUTH AWARD RECIPIENT**

WHEREAS, the Yates County Youth Board selected Miriah Jefferson for recognition as a Yates County Distinguished Youth for the second quarter of 2015, acknowledging her outstanding service to her community,

NOW, THEREFORE, BE IT RESOLVED, that this Legislature take recognition of this honor bestowed upon Miriah Jefferson by the Yates County Youth Board on August 10, 2015 in Penn Yan, NY, and thank her for her dedicated service to the community of Dundee and to the citizens of Yates County, and

RESOLVED, that a copy of this resolution be provided Miriah Jefferson and the Youth Bureau Director.

VOTE: Unanimous

### **RESOLUTION NO. 285-15**

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

Mr. Paddock stated this is adding personnel to the county payroll however, it is anticipated that this person will handle some of the cases where there is a conflict in the public defender's office for whatever reason and it will avoid cost of assigned council.

**APPOINT CONFLICT DEFENDER  
(Gosper)**

RESOLVED, that Robert L. Gosper is hereby appointed to the part-time position of Conflict Defender, effective August 10, 2015 at an annual salary of \$45,000, and be it further

RESOLVED, that copies of this resolution be given to Mr. Gosper, the Public Defender, Assigned Counsel Administrator, County Administrator, County Attorney, Personnel Officer and Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 286-15**

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

DICUSSION:

Mr. Smith questioned if the adjustment for the county administrator is for just the remainder of this year or is it expected that it will be an ongoing thing.

Chairman Dennis stated it is his understanding that that is the 2015 non-union salary schedule. Which is how the resolution reads.

**AMEND 2015 NON-UNION SALARY SCHEDULE (Resolution No. 432-14)**

RESOLVED, that the 2015 Non-Union Salary Schedule is hereby amended as follows:

<b><u>Full-Time/Part-Time</u></b>	<b><u>Annual</u></b>	
Personnel Assistant	\$36,000	Effective July 22, 2015
County Administrator	\$108,595	Effective August 16, 2015

and be it further

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

VOTE: Roll Call – Paddock, Montgomery, Dunn, Morrison, Multer, Holgate, Church, Sackett, Morris, Clark, Dennis, voting “Yes” Smith voting “No” motion carried.

Mr. Paddock moved to enter executive session to discuss collective bargaining negotiations involving 2 unions of Council 82 and also to discuss the employment history of a particular person.

Meeting adjourned at 8:36p.m.