

## REGULAR SESSION – MONDAY, SEPTEMBER 14, 2015

The Yates County Legislature convened in regular session Monday, September 14, 2015 with Chairman Dennis presiding and Legislator Paddock absent.

Chairman Dennis introduced Keuka College President Dr. Jorge L. Diaz-Herrera who gave a presentation on the college's master Plan.

Chairman Dennis opened the public hearing on the Community Block Grant Application.

Minutes of the August 10<sup>th</sup> meeting were approved as presented.

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

Airport Fund	\$ 30,586.37
Finance	\$ 28,667.90
Flint Creek	\$ -0-
Government Operations	\$119,008.07
Human Services	\$271,360.18
Prior to Audit	\$ 55,044.42
Public Safety	\$ 99,771.27
Public Works	\$199,397.21

### COMMITTEE REPORTS

Mr. Montgomery reported last week Mr. Morris made a comment regarding total compensation and he believes that information has or will be shared with the public and feels that it was the appropriate thing to do. We did not support Mr. Morris in doing that from a total legislature position but the fact that he brought it was appropriate and thanked him for doing it.

Mr. Smith reminded everyone there will be a meeting of the SLAP5, Seneca Lake Area Partners 5 Counties and the inaugural meeting of the Seneca Watershed Inter-municipal Organization next Tuesday, September 22, 2015 from 7:00 to 8:30 here in the Yates County Auditorium and encouraged everyone to attend that has an interest in this new organization.

Chairman Dennis reported that Cornell Cooperative Extension provided a tour that was very educational this afternoon for the Legislative Board along with the County Administrator. Chairman Dennis thanked Cornell for putting this tour together.

Chairman Dennis reported that he will be attending the NYSAC conference next week in Lake Placid and will be sitting as a member of the newly formed Agricultural Committee.

Chairman Dennis thanked Michele Gee, the receptionist in Planning for putting together the reception with Keuka College.

County Administrator Purdy reported she will also be at the NYSAC conference and will be conducting two committee meetings and running the business meeting for NYSAC. She also expressed her regret in not being able to attend the SLAP 5 meeting.

### Public Comment

Robert Parnell, representing the Keuka Park Association addressed the Legislature regarding concerns with Keuka College's Master Plan.

**RESOLUTION NO. 289-15**

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

**2015 BUDGET TRANSFERS**

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

From:	To:	Amount:
A1355.51651 RP-Temp SACT	A1355.52115 RP-Computer Hardware	270.00
A4010.54938 PH-Disaster Planning	A4010.51340 PH-RN	9,220.00
D5110.51636 RD-Maint.-PT	D3310.51505 RD-Traffic-OT	19.43
D5110.54632 RD-Weed Spraying	D5120.54020 RD- Engineering Services	1,661.53
D5112.54602 RD-CHIPS-Bitum	D3310.54020 RD-Traffic-Engineering	1,101.00
D5112.54602 RD-CHIPS-Bitum	D5010.54156 RD-Admin-Training	70.00
D5112.54602 RD-CHIPS-Bitum	D5110.54638 RD-Maint-Misc	75.48
D5112.54602 RD-CHIPS-Bitum	D5112.51505 RD-CHIPS-OT	320.62
D5112.54602 RD-CHIPS-Bitum	D5120.54913 RD-Bridges-Misc.	3,017.12

and be it further

RESOLVED, that copies of this resolution be given to the Real Property Director, Public Health Director, Highway Superintendent and County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 290-15**

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

**APPROPRIATE ADDITIONAL STATE & FEDERAL AID (PH,RP)**

WHEREAS, Yates County has received additional State & Federal Aid, and

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

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

Revenue:	Expense:	Amount:
A1355.43040 NYS Grant	A1355.52115 RP-Computer Hardware	283.60
A4010.44401 PH Fed. Aid	A4010.54939 PH-Health Systems Learning	8,000.00

and be it further

RESOLVED, that copies of this resolution be given to the Real Property Director, Public Health Director and the County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 291-15**

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

**CHARGEBACK ELECTION EXPENSE**

RESOLVED, the following amounts be levied against the Towns of Yates County for election expense as set forth below:

Barrington	\$32,193.13
Benton	22,324.45
Italy	11,200.42
Jerusalem	82,363.03
Middlesex	20,033.92
Milo	59,120.04
Potter	10,285.37
Starkey	27,143.01
Torrey	19,409.63
Total	\$284,073.00

And be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 292-15**

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

#### **AUTHORIZE CONVEYANCE OF REAL PROPERTY**

WHEREAS, the Yates County Treasurer has conveyed the following 2013 delinquent tax parcels to the County of Yates:

Jerusalem: Tax Map No. 58.03-1-15, The Estate of Gary J. Ingram

pursuant to the provisions of the Real Property Tax Law by Deed recorded in the Yates County Clerk's Office on June 5, 2015 in Liber 686 of Deeds at Page 205, and

WHEREAS, the taxes due plus interest, penalties and all other related delinquency expenses heretofore, plus a \$1,500 processing fee, for the above tax parcel within the time parameters set forth in Resolution No. 229-04 of the Yates County Legislature and said former owners are requesting that the County of Yates sell said tax parcels back to them by way of private sale, and

WHEREAS, Resolution No. 229-04 of the Yates County Legislature has set forth its policies and procedures regarding the sale of properties it acquires by tax foreclosure back to its former owner;

NOW, THEREFORE, BE IT RESOLVED, that Yates County hereby authorizes the grant and delivery by way of Quit Claim Deed conveying title of each of the tax parcels described above to the respective former owner(s) for the respective purchase price as determined pursuant to said Resolution No. 229-04; with each respective title conveyance being contingent upon payment of said purchase price to the County and compliance with and being in accordance with all terms of sale and other provisions promulgated by the County Treasurer in its respective

written document entitled "Private Sale to Former Owners" and the former owner(s) execution of said written document; and be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute each respective aforementioned Quit Claim Deed and all other documentation to fully convey title of the same as outlined above; after and upon the review by the County Attorney; and be it further

RESOLVED, that all bids received by Yates County for the above listed tax parcels be rejected, and be it further,

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

VOTE: Unanimous

#### **RESOLUTION NO. 293-15**

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

#### **AUTHORIZE CHAIRMAN TO EXECUTE CONSULTANT AGREEMENTS WITH PASSERO ASSOCIATES**

##### **PROJECT: RUNWAY 10-28 LIGHTING REPLACEMENT AND PAPIs**

WHEREAS, Yates County wishes to retain a consultant to provide engineering design services and construction administration and inspection services for the Runway 10-28 Lighting Replacement and PAPIs project at Penn Yan-Yates County Airport,

WHEREAS, Passero Associates has agreed to provide engineering design services as outlined in a consultant agreement in the amount of \$40,900, and

WHEREAS, Passero Associates has agreed to provide construction administration and inspection services as outlined in a consultant agreement in the amount of \$50,000.

NOW, THEREFORE, BE IT RESOLVED, that the chairman of the Legislature is authorized to execute the aforementioned consultant agreements with Passero Associates, and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 294-15**

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

#### **ADOPT YATES COUNTY PLANNING BOARD BY-LAW AMENDMENTS**

WHEREAS, the Yates County Planning Board proposed amendments to their by-laws, last amended on May 23, 2013, to include the provision for alternate members to be recommended for appointment by their respective municipalities,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature officially approves these amendments, and be it further

RESOLVED, that copies of this resolution be given to the County Planner and the Chairman of the County Planning Board.

## **YATES COUNTY PLANNING BOARD BY-LAWS**

### **ARTICLE I**

#### **JURISDICTION and MISSION STATEMENT**

The Board shall have and exercise the powers, duties and functions conferred on it by Article 12-B, Section 239 (d) of the General Municipal Law and action of the Yates County Legislature.

*The Yates County Planning Board shall look beyond the benefits to the applicant and municipality of residence by encouraging positive and consistent development patterns within the County as a whole. The Board shall consider the inter-community and county-wide impact of referrals.*

### **ARTICLE II**

#### **PURPOSES**

(Whenever the male gender or pronoun appears in these by-laws, it shall be interpreted to mean both male and female).

#### **A. Mandatory Duties of the Planning Board**

The Planning Board may:

1. Review certain zoning and subdivision actions of towns and villages as provided in General Municipal Law 239 (l), (m), and (n).
  - a) Adoption or amendment of a comprehensive plan.
  - b) Adoption or amendment of a zoning ordinance or local law.
  - c) Issuance of Special Use Permits.
  - d) Approval of Site Plans.
  - e) Granting of Use or Area Variances.

\* The proposed actions to be referred apply to real property within five hundred feet of the following:

- a) The boundary of any city, village or town;
- b) The boundary of any existing county or state park or any other recreation area; or
- c) The right-of-way of an existing or proposed county or state parkway, thruway, expressway, road or highway or
- d) The existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines; or
- e) The existing or proposed boundary of any county or state owned land on which a public building or institution is situated; or
- f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five AA of the agriculture and markets law, except does not apply to the granting of an area variance.

*\*\* Note that the County Planning Board has entered into Minor Land Use Exemption Agreements with certain municipalities therefore the Board encourages review of the Agreement periodically by the municipal Code Enforcement Office and/or Planning Board officials to determine which referrals are necessary for County Planning Board review.*

2. The Board shall strive to review all referrals in a timely manner in order to return them to the respective municipalities for additional review by applicable boards.
3. Make an annual report to the Yates County Legislature during their March meeting.

#### **B. Authorized Powers and Duties of the Planning Board**

The Planning Board may:

1. Perform planning work, including but not limited to surveys, land use studies, technical services, and shall study the needs and conditions of municipal, county, and regional planning in Yates County.
2. The County Legislature may request the County Planning Board to assist in the preparation of a county

comprehensive plan pursuant to Section 239 (d) of General Municipal Law. If a comprehensive plan is developed, the County Planning Board will work with the County Highway Department on adopting an Official County Map(s).

3. Collect and distribute information on such matters as community planning and zoning.
4. Receive and expend grants from private foundations, State and Federal government agencies.
5. Act in an advisory capacity to the towns and villages of the County by assisting in review of referred actions.
6. Receive and work on projects referred by the County Legislature.
7. If a County Comprehensive Plan is adopted, encourage and assist public and private agencies and persons to undertake a coordinated comprehensive planning program and to undertake projects and activities in accordance with the Plan.
8. The Board or Board Chairperson may create and terminate Ad-Hoc committees. Such committees shall be created and activated when a project or need arises and terminated when the project ends or the need no longer exists

### **ARTICLE III** **MEMBERSHIP**

#### **A. Composition of Membership**

The members of the Yates County Planning Board are appointed by the Yates County Legislature. In accord with Yates County Resolution 86-92, the Planning Board is made up of representative members and at-large members. The whole number of members of the Board is the sum total of the number of members who have been appointed by the Legislature, who have not resigned and whose membership has not been terminated.

##### 1. Representative and Alternate Members –

- a) Representative members are residents of the towns and villages from which they are appointed. One such representative may be selected from each of the Towns of Barrington, Benton, Italy, Jerusalem, Middlesex, Milo, Potter, Starkey, Torrey and the Villages of Dresden, Dundee, Penn Yan and Rushville.
- b) Each municipality, as listed in 1. (a), shall have the option to appoint an alternate member to serve with all the duties and responsibilities as a representative member, in the absence of the representative member.

2. At-Large Members - At-large members may be appointed by the Legislature to the Board and its activities. No more than five members shall be appointed at-large.

3. Role - The roles of the County Planning Board members are as follows:

- a) A representative member shall serve as a liaison between the local municipality and the County Planning Board.
- b) Every member shall bring his or her expertise to the Board.

4. Diverse Representation - The Yates County Legislature, when appointing Board members, is encouraged to include as diverse a group as possible by including various occupations, interests, minorities, etc. The appointments should be made so as to afford equal opportunity to a broad social and cultural spectrum of County residents. No political consideration or any other type of favoritism should be shown when making such appointments.

5. Ex-officio Members – A designated representative from the County Legislature, the County Superintendent of Highways, the County Treasurer, and the Director of Real Property Tax Services shall be members ex-officio. The County Legislature may also designate the chief engineers of any special County improvement commission or bodies to serve as members ex-officio of the County Planning Board, including the Yates County Soil and Water Conservation District Manager. These members shall not be voting members or contribute to the establishment of quorum.

6. Appointments - The Yates County Legislature appoints new members per the recommendation of their municipal Supervisor or Mayor. Terms shall become effective January 1 of the year of appointment unless there is a resignation at which point the vacancy will be filled as soon as possible during the year. Appointments to fill vacancies shall become effective immediately per appointment by the Yates County Legislature. All members are to be sworn in by the Yates County Clerk.

#### **B. Terms of Membership**

The members are appointed for terms whose expiration is staggered to result in approximately one-third of them expiring each year. No term shall exceed three years. Members may be re-appointed by the County Legislature. In the event of a vacancy occurring in the office of a member, such vacancy shall be filled for the balance of the unexpired term in the same manner as originally appointed

### **C. Status of Compensation**

The members of the Board shall receive no salary or compensation for their services as members of such Board, except that they may be reimbursed for necessary and reasonable expenses, including training, incurred in the performance of their duties.

### **D. Absence**

Whenever an appointed member has an excused absence from a meeting, they should let the Planning Department know in advance of the meeting. If an appointed member is absent from three (3) consecutive meetings of the Board for any reason other than illness or where not excused by the Chairperson, the County Planner, after consultation with the Chairperson, shall notify the Chairman of the County Legislature and the chief elected official of the municipality that the member represents. The purpose is to provide information relative to the absences and to request that appropriate action be taken or another member appointed.

### **E. Training Requirements**

1. Per General Municipal Law 239-c (2) (d), each member of the County Planning Board shall complete, at a minimum, four hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four hours in any one year may be carried over by the member into succeeding years in order to meet the requirements and may include, but not be limited to, training provided by the County planning office, Regional Planning Commission, state agency, state municipal associate, college or other similar entity. Training may be provided in a variety of formats, including but not limited to, electronic media, video, distance learning and traditional classroom training.
2. To be eligible for reappointment to such board, such member shall have completed the training promoted by the County pursuant to this paragraph
3. If a member is appointed for a two-year term, they are required to demonstrate they have met their training obligations for year one by the end of the first quarter of their second year.
4. If a member is appointed for a three-year term, they are required to demonstrate they have met their training obligations for year one by the first quarter of their second year and for year two by the first quarter of the third year.

### **F. Code of Ethics**

1. The members of the Board, as sworn officers of Yates County shall be subject to and abide by the "Code of Ethics" adopted by Resolution 181-94 and found on Page 1-2.0 of the "Administrative Guide". Every officer or employee of the County of Yates shall be subject to and abide by the following standards of ethical conduct. This Code reads as follows:
  - a) He/she shall not directly or indirectly solicit any gift or accept or receive any gift or gifts having an aggregate annual value of twenty -five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him, or could reasonably be expected to influence him, in the performance of his official duties or was intended as a reward for any official action on his part.
  - b) He/she shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.
  - c) He/she shall not enter into any agreement for compensation, express or implied, for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.
  - d) He/she shall not enter into any agreement for compensation, expressed or implied, for services to be rendered in relation to any matter before any agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter.
  - e) To the extent that he/she knows thereof, a member of the County Legislature any officer or employee of the County of Yates, whether paid or unpaid, who participates in the discussion or gives official opinion to the Legislators on any legislation before the Legislators shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such legislation.
  - f) He/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict with his official duties.
  - g) He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties.
  - h) (h) He/she shall not, until one year after the termination of service or employment with such municipality, appear before any board or agency of the County of Yates in relation to any case for compensation,

proceeding or application in which he/she personally participated during the period of his service or employment or which was under his active consideration.

#### **G. Violation of the Code of Ethics**

Failure to comply with this County Code of Ethics would invoke the provisions of Article 18 of General Municipal Law concerning "Conflicts of Interest of Municipal Officers and Employees".

#### **H. Planning Principles**

Board members shall support the following principles endorsed by the American Planning Association. 1. The planning process must continuously pursue and faithfully serve the public interest.

- a) Recognize the right of citizens to participate in planning decisions;
- b) Provide citizenry full, clear and accurate information;
- c) Assist in the clarification of community goals and objectives;
- d) Strive to protect the integrity of the natural environment and the heritage of the built environment;
- e) Strive to expand choice and opportunities for all persons, recognize special needs of disadvantaged groups and persons;
- f) Pay special attention to the relation between present actions and long-range consequence

#### **I. Officers**

The officers of the Board shall be voting members of the Planning Board and shall consist of a Chairperson and Vice Chairperson, each of whom shall serve a term of one year. The officers of the Planning Board shall be elected for the ensuing year at the annual meeting of the planning Board. The Chairperson and Vice Chairperson shall not serve more than three consecutive terms in that office. The duties and powers of the officers of the Board shall be as follows:

##### 1. Chairperson:

- a) To preside at all meetings of the Planning Board.
- b) To organize the Planning Board meeting and restate the Agenda per the applicants in attendance. To call special meetings of the Planning Board in accordance with these by-laws.
- c) To sign, or cause to be signed by a designee, all official documents of this Planning Board in accordance with the requirements of these by-laws.
- d) To see that all reports, documents and actions of the Planning Board are properly made, executed, filed or taken, as the case may be, in accordance with law and the actions and regulations of the Planning Board.
- e) Appoint a member of the Planning Board to orient any newly appointed members. The orientation will include a short meeting where a checklist of materials is discussed with the new member/s.
- f) To appoint Ad-hoc Committee Chairs when necessary.

##### 2. Vice-Chairperson:

- (a) During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.

##### 3. Vacancies

Should any vacancy occur among the officers of the Planning Board, the vacancy shall be filled by the current members of the County Planning Board.

### **ARTICLE IV** **MEETINGS**

#### **A. Procedure**

All meetings of the Board shall be conducted in accordance with Robert's Rules of Order, unless otherwise specified.

#### **B. Regular Meetings**

All meetings shall be open to the public. Regular meetings of the Board shall be held as specified at the annual meeting, unless otherwise designated. This schedule shall be advertised in accordance with New York State Open Meeting Law. At such meetings, any and every matter properly brought to the attention of the Planning Board with regard to the regular order of business shall be considered. At any regular meeting of the Board, the following shall be the regular order of business:

1. Call to order
2. Roll call and report of the whole number of members and quorum
3. Approve minutes of the preceding meeting
4. Review 239 referrals
5. Communications
6. Reports and action on old business

7. Reports and action on new business
8. Adjournment

### **C. Annual Meetings**

The annual meeting of the Board shall be held at the first regular meeting of every year or at an adjournment of that meeting. Such meeting shall be devoted to the election of officers for the ensuing year, and such other business as shall be scheduled by the Board.

### **D. Special Meetings**

Special meetings of the Board may be called by a majority of the members present at any regular meeting, by the Chairperson or Vice-Chairperson, or by written request of the Chairperson and at least one-quarter of the total authorized representative members of the Board. Special meetings will be open public meetings.

### **E. Closed Meetings**

At any closed meeting or closed session the Board may designate or invite to be present any County official, any member of its technical staff, or such other persons as it deems necessary to carry on the business of such meeting. Such meetings shall be held at a time and place designated by the officer calling the same, and shall be in compliance with the New York State Open Meetings Law.

### **F. Notice**

Members of the Board shall be sent notice via e-mail of the time and place of each meeting, the meeting agenda, minutes from the last month's meeting, and a link to the County website where the pending referrals can be reviewed. If the member does not have access to e-mail, all relevant information will be mailed to the address of the member.

### **G. Minutes**

The Recording Secretary or their designee shall record the happenings of all record meetings. Written minutes of such meeting shall be prepared within two weeks of the meeting date, and when approved, copies shall be sent to the Clerk of the Yates County Legislature and the chair of the appropriate legislative committee. Additional copies of the minutes may be sent to individuals or groups as directed by the Board.

### **H. Quorum and Voting**

At any meeting of the Board, in accordance with resolution 86-92, a quorum shall consist of a majority of the whole number of members, as defined in Article III Section A. No transaction of business, exercise of power or any function shall be taken in the absence of a quorum, except that those members present shall be entitled to call a special meeting at a subsequent date. At any regular or special meeting of this Board, each member properly appointed and attending shall be entitled to cast one vote. The Chairperson shall be allowed to vote on all matters brought before the Board. Voting shall be by voice. A roll call vote may be taken with any negative vote. In the event that any member present shall have a conflict of interest in a matter then before the Board, they shall abstain from voting upon the matter, and the record shall show that the member abstained from voting. A majority vote of the whole number of members present shall be necessary for the adoption of any proposed action, resolution or other voting matter. For the purpose of voting, proxies shall not be recognized.

Each formal action of the Board required by law, rule, or regulation shall be embodied in a formal motion or resolution duly entered in full in the minutes after an affirmative vote as provided in Article VI of these by-laws. Each motion or resolution so adopted shall include, if necessary, the official signature of the Board.

Formal actions of the Board will be mailed or e-mailed to the appropriate representative for each referral reviewed by the Board within two working days of the date of the Board meeting.

## **ARTICLE V** **DUTIES OF THE PLANNER AS STAFF TO THE COUNTY PLANNING BOARD**

The duties of the Planner, in providing assistance to the Planning Board, shall include but are not limited to:

1. Reviewing all GML referrals submitted to the County Planning Department and ensuring they are complete for presentation to the Board which includes coordination with the referring municipalities.
2. Referring GML referrals to outside agencies and soliciting comments/review.
3. Editing the County Planning Board minutes prior to their draft review by the Board.
4. Preparing the County Planning Board agenda.
5. Coordinating the preparation of all materials to be submitted to the Board prior to their meeting.

6. Advising the County Planning Board on planning and land use issues.
7. Reporting to the Planning Board on requests received from local municipalities and organizations for assistance from the Planning Department.
8. Reporting and advising the Yates County Legislature, via the Finance Committee's monthly meetings, on planning and land use issues and the activities of the County Planning Board.
9. Representing the County Planning Board's interests to appropriate organizations and agencies.
10. Assist County Planning Board members in meeting their State mandated training requirements.
11. All other duties included under the Yates County work specifications for County Planner.

**ARTICLE VI**  
**REPORTS AND PLANS**

**A. Comprehensive Plan**

Before the County Planning Board can adopt any comprehensive plan affecting any area of community development (social, natural resources, transportation, etc.) or any substantial amendment thereof, upon affirmation by the Board such proposals shall be referred in writing to the chief elected officials of the governing bodies and chairperson of local Planning Boards or commissions of each of the affected municipalities (County, towns and villages). Such Boards shall comment thereon and report to the Board within thirty (30) days of such referral. Such reference period may be reasonably extended by mutual agreement between the Board and the municipality requesting such extension. Upon the expiration of said reference period, and any extension thereof, but before taking final action upon such proposal, the Board shall hold at least one public hearing thereon, notice of the time and place of which shall be given by one publication in a newspaper of general circulation in the participating municipalities not less than ten (10) days before such hearing. The resolution for adoption shall be made in writing and refer expressly to the maps, descriptive and other matter intended by the Board to form the whole, or part, of the plan or amendment. Affirmative action by the Board shall be recorded on the map, plan and descriptive matter, together with the identifying signatures of the Chairperson. Certified copies of such adopted plan or amendments thereto shall be sent to each affected municipality within ten (10) days of the date of adoption.

**ARTICLE VII**  
**FINANCING**

The fiscal year of the Board shall commence on January 1 and end on December 31. The Planning Department staff shall annually prepare and adopt a proposed operating budget to carry out the responsibilities and activities of the Board. This proposed budget shall be incorporated within the budget for the Yates County Planning Department which shall be submitted to the Yates County Legislature on the date designated by the County for the following fiscal year.

**ARTICLE VIII**  
**AMENDMENT**

These by-laws may be amended at any meeting of the Board provided that notice of said proposed amendment is mailed to each member in writing at least five days prior to said meeting. Said by-laws may also be amended at any special meeting called solely for that purpose. Notice of such a special meeting shall be in writing, shall contain a precise description of the change proposed in said by-laws and shall be given to each member at least five days prior to said meeting

**ARTICLE IX**  
**EFFECTIVE DATE**

These by-laws take effect immediately upon their adoption by the Yates County Planning Board.

VOTE: Unanimous

**RESOLUTION NO. 295-15**

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

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH RAYMOND F. WAGER,  
CPA, P.C., CERTIFIED PUBLIC ACCOUNTANTS**

WHEREAS, Raymond F. WAGER, CPA, P.C., 1020 Lehigh Station Road, Suites 2 & 3, Henrietta, New York 14467, will assist the County with audit review requirements, per the Grant Disbursement Agreement for Project #Y586 (Yates County Open Access Fiber Network), associated with each reimbursement submission request,

WHEREAS, each review will be up to \$850 with an estimated eight (8) reviews therefore the contract will not exceed \$6,800.00,

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be authorized to sign the agreement with Raymond F. Wager, CPA, P.C., after the approval of the County Attorney, and be it further

RESOLVED, that copies of this resolution be given to the County Planner, Tom Zuber (Raymond Wager, CPA, P.C.), and the County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 296-15**

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

**AUTHORIZE AMENDMENT TO DARK FIBER IRU AGREEMENT WITH SOUTHERN TIER NETWORK, INC. CONCERNING THE YATES COUNTY OPEN ACCESS FIBER NETWORK**

WHEREAS, Yates County, per Resolution No. 152-15, entered into a Dark Fiber IRU Agreement with Southern Tier Network, Inc.,

WHEREAS, Exhibits T1 and T2 of the Dark Fiber IRU Agreement were intentionally left blank and have since been amended to include the appropriate contact information,

NOW, THEREFORE, BE IT RESOLVED, that Exhibits T1 and T2 are approved, and be it further

RESOLVED, that copies of this resolution be given to the County Planner, Steven Manning (STN), and the County Administrator.

VOTE: Unanimous

**RESOLUTION NO. 297-15**

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

**AUTHORIZE CHAIRMAN AND COORDINATOR TO SIGN APPROVED 2016 STOP-DWI BUDGET AND PLAN**

WHEREAS, the 2016 Stop-DWI budget and plan shows appropriations of \$90,350 and an anticipated revenue of \$90,350 or more with a reserve fund of \$124,163 and,

WHEREAS, the budget and plan has been discussed by the Coordinator and Public Safety Committee noting that the NYS Governors Traffic Safety Committee requires this plan be submitted before or by October 1, 2015;

NOW, THEREFORE, BE IT RESOLVED, that this 2016 Stop-DWI budget and plan is approved and the Board Chairman and Coordinator are authorize to sign it, and further

RESOLVED, that a copy of this resolution be provided to the Treasurer-Budget Officer and Sheriff for attachment to the plan being submitted.

VOTE: Unanimous

#### **RESOLUTION NO. 298-15**

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

#### **AUTHORIZE SHERIFF TO INCREASE VEHICLE IMPOUND FEES**

WHEREAS, resolution 190-96 some nineteen years ago established a reasonable storage fee per day of eight dollars for vehicles impounded by Sheriff's Office that from time to time requires storage at the YCPSB premises security yard for evidentiary, seizure, civil, and impoundment purposes, and the county is entitled to certain fees as the "local authority" and,

NOW, THEREFORE, BE IT RESOLVED, that the rate of fifteen dollars (\$15.00) a day fee is a contemporary reasonable per vehicle per day, and that if the vehicle be oversized wherein it occupies more than one normal passenger vehicle spacing that the fee is twenty-five dollars (\$25.00) a day per vehicle, and

RESOLVED, that said fees collected by the Sheriff shall be submitted to the Treasurer for deposit and accounting, and that copies of this resolution be provided the Sheriff, and the Treasurer/Budget Officer.

VOTE: Unanimous

#### **RESOLUTION NO. 299-15**

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

#### **DISCUSSION:**

County Administrator Purdy explained this is not that the Sheriff's office and those who work in the jail do not wish to have any requirement placed upon them, it's just that the particular ones here are rather oppress.

Chairman Dennis stated that if this legislation does go through it will increase our cost of doing business and will also be an unfunded mandate.

#### **CALLING FOR GOVERNOR TO VETO MANDATORY NON RESTRAINT LEGISLATION FOR THOSE IN PREGNANCY**

WHEREAS, in 2009 the State Legislature amended section 611 of the NYS Correction Law to specify that women prison and jail inmates who are in labor cannot be restrained by handcuffs during transport to the place where they will give birth or during labor, delivery and recovery absent extraordinary circumstances; and

WHEREAS, a bill, S983A Montgomery/A6430A Perry, which passed the legislature and is awaiting delivery to the Governor for his action, adds substantial restrictions to the restraint of any pregnant inmate, requires approval by the sheriff or jail superintendent for any such restraints of pregnant inmates, requires detailed reports from the Sheriff to the Governor and other Senate and Assembly leadership entities and extends the restrictions on the use of restraints against not only pregnant inmates but also to those inmates for eight weeks postpartum, and requires certain written notifications to these pregnant and postpartum inmates, yet no notifications to the NYS SCOC; and finally prevents the Sheriff responsible by law for the safety

and security of the inmate to have a female officer present in the delivery room when the child is born;

WHEREAS, these restrictions will create many security threats and reduce efforts to provide officer safety and medical professionals safety because all inmates, regardless of their health status, have to be appropriately restrained to protect themselves, the public, and the correction officers responsible for safety and security; and

WHEREAS, sheriffs and jail administrators are the subject matter experts who have been entrusted with the care and custody of these inmates, and they, and not the State Legislature, should determine in each case the appropriate level of restraint needed for inmates, if any; and

WHEREAS, the extension of such restrictions to all pregnant and postpartum inmates (up to eight weeks) will greatly diminish the ability of the Sheriff to maintain safety and security, and will be very costly to county taxpayers since other security measures, including added personnel, may be needed to properly transport these inmates.

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Yates County Sheriff that this legislature opposes this legislation as a security concern and as an unfunded mandate and ask the Governor to veto this bill when it is delivered to him for his executive action, and

RESOLVED, that a copy of this resolution be provided Governor Andrew Cuomo, and our local Senator and Assemblyman representatives, and the Sheriff.

VOTE: Unanimous

#### **RESOLUTION NO. 300-15**

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

#### **PROMOTE LEGISLATION FOR THE USE OF VIDEO CONFERENCING FOR JAILED INMATE COURT APPEARANCES**

WHEREAS, under current law, video conferencing of inmates for arraignment or other court appearances is permitted in several counties, but is actually not in practice because the law requires the inmate to agree to such an appearance; and

WHEREAS, many counties have video conferencing systems which are not used for inmate court appearances, simply because inmates routinely chose to be transported to court rather than make an appearance by video conference; and

WHEREAS, expanded use of video conferencing for court appearances would save much time and county taxpayer expense by avoiding transporting inmates to court for minor or routine matters, make courtrooms safer, and avoid problems which might happen when inmates are transported by auto or van to a court miles away from the jail,

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Yates County Sheriff that this Legislature supports NYS legislation to promote the full and expanded use of video conferencing for court appearances for inmates held at the county jail; and that the applicable judge in the presiding court, and not the inmate, should make the determination as to whether video conferencing is appropriate for the court appearance to be made; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to Governor Andrew Cuomo, and the leaders of both the Senate and the Assembly, Inter-County, as well as our own representative Senator and Assemblyman, and the Sheriff.

VOTE: Unanimous

### **RESOLUTION NO. 301-15**

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

#### **DISCUSSION:**

Mr. Morrison stated he believes there are other options that are probably better at the moment which includes part-time help and also some of this problem is seasonal and we are getting past that season. Mr. Morrison feels we should not pass this particular resolution at that is time.

Mr. Morrison moved to table this resolution, seconded by Mr. Montgomery.

#### **DISCUSSION:**

Mr. Smith stated he believes this resolution is the same as the resolution that failed last month and last month we did pass a resolution to increase the rate of pay for part-time correction officers. We have put out ads for part-time correction officers with the new rate of pay and feels that this needs to be given some amount of time to see if that effectively addresses the issues.

Mr. Smith feels everyone is concerned about the large amount of overtime that is being incurred as a result of demands placed on correction officers, but this is not a steady state demand that precipitates the need for full time officers and it would be better addressed with part-time help.

Mr. Smith supports the motion to table this until we determine if the increased rate of pay for part-time officers is effective.

Mr. Sackett stated that he voted against this resolution, however, our response with the new rate of pay has been very poor. We have been advertising this position for over a month or so now and for a couple of weeks at the new rate and the response has been very anemic and he is not in favor of tabling this.

Mr. Montgomery stated we encourage the public to attend our meetings both committee meetings and legislative meetings and we don't get a lot of response, and thanked those in the audience for coming. Mr. Montgomery went on to explained that last week we held a meeting and an individual from the public addressed the legislature regarding the total cost of public safety and a letter was also sent by another constituent which should not be ignored. The points that have been brought up, we owe it to the public to give this a little more time to work.

Mrs. Percy stated you have to look at what the overtime has been from the beginning of year. If you take these two officers on for 40 hours a week you are only gaining 320 hours. The overtime hours far exceed the 320 hours. You have correction officer's that are supposed to be working part-time that are apparently working full time because they get overtime hours. Mrs. Percy feels we need to put these correction officers on to elevate the stress on the current staff.

Mr. Holgate stated that we have correction officers in here pleading their case and the fact is this is not going to fix all of our situation but it is a start. We certainly have the opportunity to make adjustments as we go along, but one of the things that we all have been saying for a long time is we need more correction officers.

Mr. Banach stated that if we table this and put it off for a month or two you are putting yourself behind the 8 ball of getting somebody in the classes and getting experience and reducing the overtime.

Mr. Morris stated that not everyone has been saying more correction officers are needed. We have been talking about correction officers for 6 months, we haven't hired correction officers because we weren't all convinced. Mr. Morris does not think anything has changed from last month when we had a pretty extensive discussion on this. Mr. Morris looks at this in the context of the Open Book NY that he shared with the Legislature. Mr. Morris stated that it is not his information, it's the Comptroller's information that we have the second most expensive Public Safety system per capita in this county. If you break this down we have the 3<sup>rd</sup> most expensive jail in NYS. We have to do more analysis of what we have.

Mr. Holgate stated that we have had this conversation many times. The Sheriff has continually pointed out that the design of our jail is one of the reasons why we are having so many issues as far as expense with overtime. This is a way to actually address overtime situations.

Mr. Clark stated if we do need more correction officers, do we need 2, do we need 1, or do we need 3. Mr. Clark feels we need to give this a little bit more time to hire some part-time people. He is not saying down the road we are not going to need more correction officers, but once we hire full time they are not going to part-time.

Mr. Morrison stated he would rather attack the root cause, and the root cause is existence of the overtime in the first place. If we would spend some effort attacking the root cause, and we have also have not done a financial analysis of this either to see what the long term impact of hiring these two will be. There are suggestions out there on how to attack the root cause of this overtime problem as opposed to accommodating the overtime problem.

Chairman Dennis stated the root cause and some of the solutions look to him to be 5 to 10 years down the road. Are we going to continue 1,000 to 1,200 hours of overtime a month until that is solved? The other issue is if we hire them they are on the books however, as others retire or leave those positions are reviewed and not necessarily filled. It's not like we are filling these forever and there will always be this many.

VOTE on the motion to table: Roll call: Montgomery, Morrison, Morris, Smith voting "Yes" Dunn, Percy, Multer, Holgate, Banach, Church, Sackett, Clark, Dennis voting "No" motion lost.

Mr. Smith stated that this resolution was presented as a solution to reduce overtime and while hiring to full time employees may indeed reduce overtime, you have to remember the reason why we wanted to reduce overtime is to reduce county cost. So while this may reduce overtime it will not necessarily reduce our costs. So all we have done is swapping overtime for additional correction officers. As Legislator Clark commented, once they are hired they are full time employees. Mr. Smith urged that a proper analysis be done, and should this resolution pass what is the plan to analyze down the road whether indeed it accomplished what we set out to do.

Mrs. Percy stated if you understand that the overtime is offered to the highest paying correction officers first, if they want it they take it. Actually you have more money spent in the front if those people take it rather than bringing on correction officers that are at the starting salary. You will be saving right off the bat there and you also save on retirement.

Chairman Dennis recognized Mr. Smith's question on analyzing the overtime and stated that he feels it is up to the legislature periodically to analyze this and follow through on this. This responsibility would fall with the Finance Committee and the Public Safety Committee.

**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 September 14, 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: on motion, Roll call: Dunn, Percy, Multer, Holgate, Banach, Church, Sackett, Clark, Dennis, voting "Yes" Montgomery, Morrison, Morris, Smith voting "No" motion carried.

#### **RESOLUTION NO. 302-15**

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

DISCUSSION:

Chairman Dennis explained this is not a new position, this is a result of an IRS audit and does not add additional staff.

#### **CREATE PART-TIME POSITION OF CRIME ANALYST**

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

NOW, THEREFORE, BE IT RESOLVED, that effective September 28, 2015 a part-time position of Crime Analyst is hereby created in the Jail 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

Crime Analyst	\$40.68
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and be it further

RESOLVED, that the Crime Analyst's hourly rate is to be \$40.68 per hour for a total of 55.55 hours annually and that the net wage is not to exceed \$2,260 annually.

and be it further

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

VOTE: Unanimous

#### **RESOLUTION NO. 303-15**

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

#### **APPOINT MEMBER TO THE YATES COUNTY COMMUNITY SERVICES BOARD**

BE IT RESOLVED, that the Yates County Legislature appoint John H. Cooley M.D. residing at 4798 Dundee-Himrod Rd. Dundee, New York 14837 to the Yates County Community Services Board, to a term ending, 12/31/2018.

RESOLVED, that a copy of this resolution be provided to John H. Cooley M.D. and to the Yates County Department of Community Services.

VOTE: Unanimous

**RESOLUTION NO. 304-15**

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

**AMEND RESOLUTION 171-15  
(AUTHORIZE CONTRACT WITH PATHWAYS INC.)**

RESOLVED, that resolution 171-15 be amended to adjust the childcare rates as listed.

Rate/Age	Weekly Care provided for 30 or more hours over a week	Daily Care is provided for at least 6 hours but fewer than 12 hours per day	Part-Day care is provided for at least 3 but fewer than 6 hours per day	Hourly Care is provided for less than 3 hours per day
Age: Under 1 ½	166.00	33.20	18.60	N/A
Age: 1 ½	161.00	32.20	18.00	N/A
Age: 3-5	140.00	28.00	15.60	N/A
Age: 6-12	140.00	28.00	15.60	N/A

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

VOTE: Unanimous

**RESOLUTION NO. 305-15**

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

**RESCIND RESOLUTION 278-15  
(AMEND RESOLUTION 402-14 AUTHORIZE CONTRACT WITH KINSHIP FAMILY AND YOUTH SERVICES)**

WHEREAS Resolution 278-15 contained incorrect information regarding the resolution that it was amending and a new resolution will replace the erroneous resolution

NOW THEREFORE BE IT RESOLVED, that resolution 278-15 be rescinded.

VOTE: Unanimous

**RESOLUTION NO. 306-15**

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

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

RESOLVED, that resolution 402-14 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. 307-15**

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

**RENEW RESIDENTIAL SERVICES CONTRACTS  
FROM July1, 2015- June 30, 2016**

RESOLVED, That contingent on the approval of the County Attorney, the Chairman of the Legislature and the Social Services Commissioner be authorized to sign contracts for residential services for eligible youth at the rates as shown below, or as adjusted by OCFS (New York State), and at the following institutions as listed below for the time frame July 1, 2015- June 30, 2016.

Cayuga Home for Children	HTP Institution	\$236.16
	Group Home	\$376.53
	FBH	\$99.74
Children's Home of Wyoming	Institution	\$272.64
	Emergency	\$306.08
	Group Home	\$266.58/234.53
	FBH	\$32.36
	Therapeutic Foster	\$55.26
William George Agency	Institution	\$206.43
	HTP (Sex Off.)	\$353.92
	HTP Special	\$313.25
Glove House	Group Home	\$251.30
	Therapeutic	\$78.12
	FBH	\$29.15
Hillside Children's Center	Institution	\$331.04
	HTP (Horton) Institution	\$310.91
	HTP (Varick) Institution	\$397.74
	HTP (X Systems-Varick)	\$560.43
	Foster Boarding Home	\$34.14
	Therapeutic Foster Bd. Home	\$84.59
Kinship Family and Youth Services	Therapeutic Foster Bd Home	\$42.90
New Life Homes-Snell Farms	Institution	\$366.02
	Institution	\$302.30
Villa of Hope	HTP Institution	\$397.00
	Group Home	\$282.54
	Reg Institution	\$316.18
VanDerHyden Hall	HTP Institution	\$293.58
	Group Home	\$208.02
	Special Group Home	\$208.69
	Group Home	\$242.86
St. Catherines	Group Home	\$242.86
	FBH	\$37.99

And, be it further

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

VOTE: Unanimous

**RESOLUTION NO. 308-15**

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

**RENEW CONTRACT WITH PROACTION OF STEUBEN AND YATES COUNTIES  
INC. FOR THE ADMINISTRATION OF THE HEATING ENERGY ASSISTANCE  
PROGRAM (HEAP) PROGRAM FOR 2015-2016**

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 administration of the HEAP program with ProAction of Steuben and Yates Counties, Inc. at an amount not to exceed \$21,208 for the period of 10/1/15-9/30/16.

VOTE: Unanimous

**RESOLUTION NO. 309-15**

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

**GRANT UNPAID LEAVE OF ABSENCE  
(Dunn)**

RESOLVED, that during the period August 18, 2015 through September 4, 2015 Typist Linda Dunn is hereby granted 39 hours of unpaid leave, and be it further

RESOLVED, that copies of this resolution be given to Ms. Dunn, the Commissioner of Social Services, the Treasurer and the Personnel Officer.

VOTE: Unanimous

**RESOLUTION NO. 310-15**

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

DISCUSSION:

Mrs. Church stated this is also because of the IRS audit and does not add additional staff.

**CREATE PART-TIME POSITION(S) IN COMMUNITY SERVICES**

WHEREAS, it has become necessary to switch three independent contractors to a position of employment,

NOW, THEREFORE, BE IT RESOLVED, that effective September 28, 2015 a part-time position of Director of Community Services, Single Point of Access (SPOA) Coordinator and Fiscal Administrative Officer are hereby created in the Community Services 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

Director of Community Services	\$70,000 (annually)
SPOA Coordinator	\$ 51.13
Fiscal Administrative Officer	\$ 76.83

and be it further

RESOLVED, that the Director of Community Services net wage is not to exceed \$70,000 annually, the SPOA Coordinators net wage is not to exceed \$46,705.53 annually and the Fiscal Administrative Officers net wage is not to exceed \$15,744.76 and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 311-15**

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

**AUTHORIZE AGREEMENT WITH FINGER LAKES COMMUNITY COLLEGE**

RESOLVED, that the Chairman of the Yates County Legislature is hereby authorized to sign an agreement with the Ontario County Board of Supervisors and the Finger Lakes Community College for the offering of courses in Yates County for the 2015 – 2016 academic year, and be it further

RESOLVED, that copies of this resolution be sent to the Finger Lakes Community College, the Ontario County Board of Supervisors and the Yates County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 312-15**

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

**CHANGE DATE OF OCTOBER LEGISLATIVE MEETING**

WHEREAS, Columbus Day falls on October 12, 2015 which is the date slated for the October Legislative meetings, be it

RESOLVED, that the October Legislative Board meetings will be held on October 13, 2015 at 1:00 p.m. in the Legislative Chambers and be it further

RESOLVED, that all departments receive a copy of this resolution.

VOTE: Unanimous

**RESOLUTION NO. 313-15**

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

DISCUSSION:

Mr. Morris explained this is not a new tax, this is renewing one that is in place.

**RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF YATES, INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.**

Be it enacted by the Legislature of the County of Yates, as follows:

SECTION 1. Section 4-A of Resolution No. 112-67, enacted by the Yates County Legislature on November 20, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning September 1, 2003, and ending November 30, 2017. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes.

All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (B) of subdivision (1) of section 11 of Resolution No. 112-67, enacted by the Yates County Legislature on November 20, 1967, imposing sales and use taxes, as amended, is amended to read as follows:

(B)With respect to the additional tax of one percent imposed for the period beginning September 1, 2003, and ending November 30, 2017, in respect to the use of property used by the purchaser in this county prior to September 1, 2003.

SECTION 3. This enactment shall take effect December 1, 2015.

VOTE: Unanimous

Mr. Morris withdrew the following resolution.

**RESOLUTION NO. 314-15 (WITHDRAWN)  
2016 WORKERS' COMPENSATION BUDGET**

WHEREAS, the Workers' Compensation Committee, pursuant to Article 5 of the Workers' Compensation Law, has submitted its proposed budget for the fiscal year beginning January 1, 2016, dated September 14, 2015, which budget shows the amount chargeable to the several municipalities participating in the Yates County Workers' Compensation Self-Insurance Fund,

NOW, THEREFORE, BE IT RESOLVED, that said budget be and hereby is filed and approved, and be it further

RESOLVED, that the Yates County Treasurer collect from each participating village and town the amount chargeable to each, as provided by law, and be it further

RESOLVED, that the sum of \$340,434.94 be apportioned to the County of Yates as its share of said budget and be included in the County's 2016 budget, and be it further

RESOLVED, that a copy of this resolution and the budget be given to each of the Town Clerks, Village Clerks, the County Administrator and the County Treasurer.

WORKERS' COMPENSATION BUDGET  
 Fiscal Year - January 1, 2016 through December 31, 2016  
 TO THE HONORABLE, THE YATES COUNTY LEGISLATURE, NEW YORK

We, the undersigned members of the Workers' Compensation Committee on Mutual Self Insurance, do hereby submit the following budget for the fiscal period of January 1, 2016 through December 31, 2016.

Appropriations:

Administration Charges

S1710.54011	Consultants	2,300.00	
S1710.54152	Conferences	0.00	
S1710.54156	Training	0.00	
S1710.54191	TPA Contract	36,240.00	
S1710.54192	NYS Workers' Comp Board	70,000.00	
S1710.54193	Insurance		
	Excess Workers' Comp	121,301.00	
S1710.54194	Physicals	4,132.00	
S1710.54195	Supplies: Office	0.00	
S1710.54196	Public Goods Pool	11,000.00	
S1710.54507	Copier Charges	0.00	
S1710.54515	Postage	0.00	
S1710.54654	Mileage	0.00	
S1710.54660	Travel Expenses	0.00	
S1710.54682	Utilities: Telephone/Fax	0.00	
S1710.54907	Dues	55.00	
			245,028.00
S1720.54197	Benefits & Awards		<u>441,000.00</u>
	Total		686,028.00

686,028.00

*WORKERS' COMPENSATION APPORTIONMENT SCHEDULE*

MUNICIPALITY	50% EXP SHARE	50% EQ SHARE	ADM SHARE	TOTAL
Barrington	142.09	11,866.58	13,186.60	25,195.27
Benton	351.01	8,228.93	9,144.30	17,724.24
Italy	3,437.65	4,128.54	4,587.79	12,153.98
Jerusalem	3,673.30	30,359.51	33,736.64	67,769.45
Middlesex	1,378.16	7,384.62	8,206.07	16,968.85
Milo	181.97	21,792.00	24,216.10	46,190.07
Potter	130.38	3,791.25	4,212.98	8,134.61
Starkey	10,924.21	10,005.08	11,118.02	32,047.31
Torrey	37.88	7,154.51	7,950.38	15,142.77
Yates County	119,365.02	104,711.03	116,358.89	340,434.94
Dresden	385.18	614.19	682.51	1,681.88
Dundee	1,111.09	1,979.01	2,199.15	5,289.25
Penn Yan	<u>79,382.06</u>	<u>8,484.75</u>	<u>9,428.57</u>	<u>97,295.38</u>
	220,500.00	220,500.00	245,028.00	686,028.00

**RESOLUTION NO. 315-15**

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

DISCUSSION:

Mrs. Dunn stated that in a work place and being adults, if someone sits there and says someone bullies me, she struggles to get her mind around this. This is something that a 5 year old or a 10 year old does. With a group of adults saying that someone bullied me, she feels this is silly.

**PROCLAMATION OF THE MUNICIPALITY OF  
YATES COUNTY  
DECLARING OCTOBER 18 - 24, 2015  
“FREEDOM FROM WORKPLACE BULLIES WEEK”**

WHEREAS, the County of Yates has an interest in promoting the social and economic well-being of its employees and citizens; and

WHEREAS, that well-being depends upon the existence of healthy and productive employees working in safe and abuse-free environments; and

WHEREAS, surveys and studies have documented the stress-related health consequences for individuals caused by exposure to abusive work environments; and

WHEREAS, abusive work environments can create costly consequences for employers, including reduced productivity, absenteeism, turnover, employee health-related expenses and if left unchecked, costly litigation; and

WHEREAS, protection from abusive work environments should apply to every worker, and not limited to legally protected class status based only on race, color, gender, national origin, age, or disability;

NOW, THEREFORE, the County of Yates hereby proclaims October 18 – 24, 2015 “Freedom from Workplace Bullies Week”.

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

**RESOLUTION NO. 316-15**

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

**AUTHORIZE COUNTY CLERK TO SIGN (MEMORANDUM OF UNDERSTANDING  
(MOU) FOR E-RECORDING**

WHEREAS, the Yates County Clerk desires to offer voluntary recording of real property documents by electronic transmission in substitution for conventional paper based documents, and

WHEREAS, electronic recording (e-recording) requires the services of one or more third party providers for the submission of real property records for the purpose of electronic recording, and

WHEREAS, the County Clerk has received MOUs from three different companies offering to submit documents via electronic transmission,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Clerk pending approval by the County Attorney, is authorized to sign MOU agreements with the following vendors:

Simplifile LC, 4844 North 300 West, Provo, Utah

eRecording Partners Network, LLC (ePN), 400 Second Ave. S., Minneapolis, MN

Corporation Service Company (CSC), 2711 Centerville Road, Wilmington, DE

RESOLVED, that a copy of this resolution be provided to the County Clerk and the County Attorney.

VOTE: Unanimous

**RESOLUTION NO. 317-15**

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT RENEWAL WITH ACS  
ENTERPRISE SOLUTIONS, INC. (XEROX)**

WHEREAS, ACS Government Records Management and Yates County entered into a five-year contract for professional services authorized by Resolution 354-10 and upgraded by Resolutions 484-10 and 363-11, and

WHEREAS, the above referenced contract expires on September, 25, 2015,

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is authorized to sign a Contract renewing the services between ACS Enterprise Solutions, Inc. (Xerox) and Yates County for the amount of \$3822.50 per month for the next five years expiring September 25, 2020.

RESOLVED, that a copies of this resolution be provided to the County Clerk and County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 318-15**

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

DISCUSSION:

Mr. Smith stated that it is unclear to him why the legislature would want to advocate their responsibility or their procedure in reviewing position and enable a department head to automatically fill a position. We are the budget authority for the County. This is one of the few tools that we have to exercise relative control over the budget should things be not so financial rosy. We could get into a situation where there is a sudden down turn, and we have this policy where we have allowed people to automatically refill positions when our financial situation would dictate that perhaps it would be better to allow that attrition to occur which could then lead us into a situation where we would have to do layoffs. Mr. Smith does not understand why we would want to advocate that responsibility so he does not support this resolution.

Mr. Morris stated that there was a similar discussion at the Committee and 40% of the Committee felt the same way Mr. Smith does.

Mrs. Dunn stated she believes this goes back to a situation in the County Clerk's office where we gave permission to fill the position, a situation happened with the testing, so a different body came in and they had to go through the process of getting permission to fill that. This is trying to defeat that rule and Mrs. Dunn looked at it at the time and still feels that it was unnecessary involvement of the legislature when we had already given the department the approval to fill the position. If this is what this is representing are those cases then she is in support of the resolution.

Mr. Holgate stated that he believe that is one of the situations but also believes another situation is actually dispatch, where we pretty much know what our minimum dispatchers are and we had two vacancies come due at the same time and it forced the Sheriff to have to wait a full month in order to come back to get those positions in front of the vacancy review. The fact is it is quite a burden. We have gone back and forth over the dispatch situation a lot of times.

Mr. Smith stated if he understands Mr. Holgate correctly, that because there was an issue in dispatch, where do to some situation there was a delay of 4 weeks that the only option was to wait, and there was no ability to request a special legislative meeting when we regularly do have those if there was an emergency. So in essence you are saying that because of that one particular incident we should advocate our responsibility and provide and hand that responsibility to the Sheriff.

Mr. Holgate stated it is situation where we are talking about a 6 month period and we do have open dialogue with our department heads. Mr. Holgate stated he did go to the Chairman and request from him a way to take care of the situation because we have to deal with the dispatcher situation. At that time Mr. Holgate was told he had to follow procedure.

Chairman Dennis stated that he will take some responsibility. This occurred in the middle of August and at the time Chairman Dennis thought there was going to be a special meeting and it was going to be brought up at that point. But it turns out we did not have that special meeting until later so it was a judgment call on his part.

Mr. Smith stated so the justification for this is there is a potential of up to one month delay, couldn't we amend this or state that if the position review had occurred within the past 2 months, rather than the past 6 months, it would seem that would sufficiently address the concern.

Mr. Smith moved to amend resolution 318-15 to read Resolved that if a position occurs in a job title for which position review has occurred within the 2 months, seconded by Mr. Clark.  
VOTE on the amendment: Roll call: Montgomery, Dunn, Morrison, Banach, Church, Sackett, Morris, Clark, Smith, Dennis voting "Yes" Percy, Multer, Holgate voting "No" motion carried.

### **REVISE POSITION REVIEW PROCEDURE**

RESOLVED, that if a vacancy occurs in a job title for which position review has occurred within the past 2 months the department head is authorized to refill the position and be it further

RESOLVED, that copies of this resolution be given to the County Administrator and all Department Heads.

VOTE: Unanimous

### **RESOLUTION NO. 319-15**

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

### **ADOPT THE YATES COUNTY STANDARDS OF CONDUCT FOR YATES COUNTY**

## **EMPLOYEES**

WHEREAS, the Yates County Management Team has developed a Yates County Standards of Conduct for Yates County Employees, and

WHEREAS, the Yates County Legislature has reviewed this policy along with the County Attorney,

NOW, THEREFORE BE IT RESOLVED, that the following Yates County Standards of Conduct for Yates County Employees, and be it further

RESOLVED, that copies of this resolution be given to all Department Heads.

### **Standards of Conduct for Yates County Employees**

#### **Statement of Purpose and Goals**

The Standards of Conduct for Yates County Employees are behavioral expectations supportive of a safe, comfortable, and productive work environment. The dissemination of this policy ensures that each employee is informed of their responsibilities for accountability and ethical conduct, and that any potential violation is reviewed and reported in accordance with County procedures.

Yates County Employees, as providers of public service, should be mindful that the County is a tax-supported entity and its citizens should receive the best quality and highest standard of service possible. Yates County Employees are agents of the county and their individual behaviors are reflective of the county government as a whole.

The success of County operations is dependent on the trust and confidence among the Leadership. We gain credibility by adhering to our commitments, displaying honesty and integrity, and reaching County goals through honorable conduct.

The following describe workplace behaviors and the expectations for the Yates County Leadership workforce and governing body. Failure to adhere to these standards may lead to corrective action, up to and including disciplinary action.

#### **Respectful Engagement**

Yates County commits itself to ensuring that all employees work in an environment where s/he is treated with dignity and respect. Such an environment enables individuals to work to their full potential, which inevitably benefits the community.

Respectful behavior is exhibited in various ways. Examples include but are not limited to showing up on time for work or meetings, following through on work assignments, sharing information needed by others to perform their job, accepting differences, treating everyone with decency, etc.

#### **Professionalism in the Workplace**

Yates County Employees are expected to behave in a courteous, respectful and mature manner. Disorderly conduct (including but not limited to fighting, arguing, and negative non-verbal behavior and swearing at work) should not occur.

Undignified behaviors can discredit not only the individual employee, but the Department and/or County. Employees should be mindful that expressing oneself in a courteous and respectful manner is an important factor in building and maintaining a professional work environment. Employees should

recognize that they may be known in the community and that their actions outside the office can impact their effectiveness in interactions with the public we serve.

### **Service Excellence**

Yates County Employees wish to provide the highest quality of service to residents and visitors. This is accomplished by being responsive to the needs of the community. There will be times when we are not able to meet all requests; nonetheless, those making the request should always feel respected and heard.

### **Health and Safety Adherence**

The Leadership Team is dedicated to maintaining a healthy and safe environment. Information regarding safety can be accessed in the Personnel Department, Buildings and Grounds Department, and the Highway Department.

Yates County Employees are expected to adhere to the County's safety guidelines as well as state and federal laws regarding health and safety.

### **Avoidance of Conflicts of Interest**

Yates County Employees must exercise their official duties solely in the public interest and must avoid actual conflicts of interest to the greatest extent possible.

Yates County Employees should avoid circumstances which compromise their ability to make impartial judgments solely in the public interest and should, to the greatest extent possible, avoid even the appearance of conflict of interest. No Employee shall knowingly take any action or incur any obligation of any nature which is in conflict with or might reasonably tend to conflict with the proper discharge of his or her duties. (Resolution 181-94 Policy of Ethics)

### **Drugs/Alcohol Free**

Reporting to work under the influence of alcohol, illegal drugs, or any legal drugs which could endanger one's well-being or the well-being of others is strictly prohibited. The unlawful manufacture, distribution, dispensing, possession, or use of controlled substances in the workplace is also prohibited. (Resolution 181-94 Drug Free Workplace Policy.)

### **Responsible Use of County Property**

County resources, including time, materials, equipment and information, are provided for County business use. Yates County Employees are expected to behave responsibly and use good judgment to conserve County's resources.

The County reserves the right to monitor or examine any County-issued property. The County will not tolerate the use of County's resources to create, access, store, print, solicit or send any materials that are harassing, threatening, abusive, sexually explicit or otherwise offensive or inappropriate.

### **Appropriate Attire**

Yates County Employees are expected to present a professional image appropriate to the type of work performed. Members should never wear anything that will knowingly offend another employee or the public, in accordance with a reasonable person's standards.

### **Protect Confidentiality and Privacy**

Each employee is entitled to have his/her personal and confidential information held by the County protected. We must treat confidentiality and individual privacy as an unconditional right.

### **Effective Communications**

The County is striving to create an organization where employees are well informed and understand the philosophy that drives the County of Yates operations. The goal is to have a County that solves problems, shares information, works collaboratively and improves the County's performance.

Yates County Employees expect consistency and timeliness of shared information, the use of proper communication tools, and participation in learning sessions.

### **Accountability and Enforcement**

Ultimate accountability for compliance and enforcement lies with the Department Heads, County Administrator and Legislature. Managers and legislators have the added responsibility for demonstrating, through their actions, the importance of these standards of conduct. Leadership is also governed by a set of rules developed by the Federal and State agencies, to specifically assist them in upholding these standards and perform our duties as assigned.

Managers must be responsible for promptly addressing actions that violate Yates County's Standards of Conduct. Leadership will be held accountable for exhibiting and enforcing expected behaviors in the performance of our jobs.

### **Reporting of Concerns**

Actions taken should a variance from this policy be witnessed, will be dependent upon the nature of the variance and may include one or a combination of the following: (1) report the situation to the appropriate supervisor or Department Head, (2) report the situation to the Personnel Officer and (3) report the situation to the County Administrator.

In order to make the work environment better for all employees, each of us must act as a steward of these Standards of Conduct.

Related Policies:

- Sexual Harassment
- E-Mail
- No-Smoking
- Vehicle Usage
- Alcohol and Drug Abuse
- Work Rules and Regulations (Highway Department)
- Yates County Code of Ethics
- Workplace Violence Prevention
- Flexible Work Schedule Policy
- Administrator Notification

VOTE: Unanimous

### **RESOLUTION NO. 320-15**

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

### **ADOPT THE YATES COUNTY FLEXIBLE WORK SCHEDULE POLICY FOR NON-UNION EMPLOYEES**

WHEREAS, the Yates County Management Team has developed a Yates County

## Flexible Work Schedule Policy for Non-Union Employees, and

WHEREAS, the Yates County Legislature has reviewed this policy along with the County Attorney,

NOW, THEREFORE BE IT RESOLVED, that the following Yates County Flexible Work Schedule Policy For Non-Union Employees, and be it further

RESOLVED, that copies of this resolution be given to all Department Heads.

### **Yates County Flexible Work Schedule Policy for Non-Union Employees**

Yates County offers flexible work schedules to all non-union employees in order to assist them in meeting family, education, medical, transportation, or similar individual needs.

#### **Eligibility**

It is understood that the nature of some departments does not allow for flexible scheduling. Similarly, the nature of some jobs may not allow for flexible scheduling. Therefore, departments are not compelled to adopt flexible work schedules, but are encouraged to do so if operational and personnel needs can be balanced. All flexible work schedules will be approved by the supervising authority (if applicable). Any approved flexible work schedule will be memorialized in writing and will be reviewed at least annually. The agreed upon flexible work schedule can be canceled at any time by the employee or the supervising authority.

#### **Definition**

A flexible work schedule is an established work schedule that varies somewhat from the traditional work hours with a department or job. A flexible work schedule establishes a predicted pattern and is does not pertain to occasional flexing one's workday. The schedule is established by mutual agreement of the employee and supervisor. It is a regular schedule from week to week; it can be established for an extended period of time or be intermittent.

Examples of flexible work schedules where approval is indicated:

Compressed Work Week –employee works a full time job in less than 5 working dates (i.e.: four days at ten hours a day).

Core Hours Flextime- The County defines core hours at which time employees must be at work. Each employee may then choose an arrival and departure time around the core hours as long as there is coverage at all times for the time that the department is open.

Individualized Flex Time- Arrangements are made to accommodate recurring appointments or commitments, such as educational coursework, counseling etc.

Example of flexing on an occasional basis for which written agreement is not indicated:

Adjusted Lunch Period- An employee may choose to take time off in the middle of the day for personal errands and then adjust the start or departure time accordingly

Adjusted start time- An employee may choose to alter starting or ending time on an occasional basis to accommodate personal needs or job duties such as attendance at meetings, conferences, events.

#### **Expectations**

Employees with established flexible schedules are required to meet the same attendance standards that exist for employees working traditional schedules.

Coordination will take place with the IT Director whenever a flexible work schedule agreement includes work done remotely from the employee's primary office location.

VOTE: Unanimous

**RESOLUTION NO. 321-15**

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

**AUTHORIZE SHERIFF TO FILL TWO POSITIONS  
(Emergency Services Dispatcher)**

WHEREAS, two Emergency Services Dispatcher (ESD) positions are vacant due to two resignations,

NOW, THEREFORE, BE IT RESOLVED, that effective September 14<sup>th</sup>, 2015 the Sheriff is authorized to fill these two vacant positions, 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. 322-15**

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

**AUTHORIZE HIGHWAY SUPERINTENDENT TO FILL VACANCY  
(Working Supervisor)**

WHEREAS, a vacancy exists in the position of Working Supervisor due to a retirement,

NOW, THEREFORE, BE IT RESOLVED, that effective September 14<sup>th</sup>, 2015 the Highway Superintendent is authorized to fill this vacancy, and be it further

RESOLVED, that the Highway Superintendent is also authorized to fill any vacancies that occur through promotion of an employee into the vacant position of Working Supervisor, and be it further

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

VOTE: Unanimous

Chairman Dennis closed the public hearing on the Community Block Grant at 7:58 with no comments being made.

**RESOLUTION NO. 323-15**

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

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

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

WHEREAS, a Public Hearing was held by the Yates County Legislature, at 6 p.m. on September 14, 2015, soliciting public comment related to the proposed application, and

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

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

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

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

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

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

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

VOTE: Unanimous

**RESOLUTION NO. 324-15**

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

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

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

<u>Full-Time/Part-Time</u>	<u>Annual</u>	
Supervising Public Health Nurse	\$58,912	Effective September 28, 2015

and be it further

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

VOTE: Unanimous

**RESOLUTION NO. 325-15**

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

**AUTHORIZE TREASURER TO MAKE IRS PAYMENT PRIOR TO AUDIT**

WHEREAS, the IRS has completed their employment tax examination of 2012, and an assessment of additional tax of \$35,317.16 is the result of this examination, and the last date to pay this additional tax is September 18, 2015, and

WHEREAS, the County desires to avoid interest and penalties,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Treasurer be authorized to process such payment and write appropriate check prior to the monthly audit, and be it further

RESOLVED, that copies of this resolution be sent to the Yates County Treasurer.

VOTE: Unanimous

Meeting adjourned at 8:00p.m.