

FINANCE COMMITTEE Agenda
July 6, 2016 at 6:00 p.m.
Location: Legislative Chambers

Committee members: Doug Paddock, Jim Smith, Ed Bronson, Bill Holgate, Gary Montgomery, Mark Morris.

- Doug and Mark will do the audit this month
- Approve minutes of the June meeting
- Public Comment

Planning – Tim Cutler

- Yates County Planning Board updates
- Yates County Open Access Network update
- Penn Yan Marine update
- Transportation update
- Yates Cultural Recreational Resources and Yates Community Center

Real Property – Patricia Brede

- Final Rolls
- Fountain spatial update
- Overall full value tax rate chart

Treasurer – Nonie Flynn/Budget Officer

Discussion:

- 2016 Appropriations
- Sales Tax Report
- Occupancy Tax Report
- Treasurer's Office Report for June
- CIP Review

Resolutions:

- 2016 Budget Transfers
- Appropriate Road Machinery Revenue (HWY)
- Appropriate Community Health Grant (CS)

OTHER

Doug/Tim – Resolution: Authorize Chairman To Enter Into A Mutual Rescission And Release Concerning An Inter-municipal Lease Agreement With Yates County Soil & Water Conservation District For The Lease Of Certain County Real Property Located AT Penn Yan-Yates County Airport

Executive Session – if needed



YATES COUNTY PLANNING DEPARTMENT

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TO: Finance Committee Members
FROM: Timothy P. Cutler - County Planning Department
DATE: June 29, 2016
RE: June 2016- Monthly Departmental Report

Yates County Planning Board

The County Planning Board Meeting was held on June 23rd. The Board reviewed 5 Referrals. Four were from the Town of Starkey and one from the Village of Penn Yan. One referral from Starkey was disapproved with concerns about signs having an adverse effect on visibility and driver safety. Town of Potter, Town of Benton and one "at-large" seat remain open. The Planning Board will not be holding a meeting in September as the Planner will be unavailable to process referrals for the meeting.

A Training Workshop was held for Local Planning and Zoning Officials on June 22nd at Yates County. The workshop was sponsored by Yates and Ontario County Planning Departments was conducted by the NY Department of State Division of Local Government Services. The workshop was attended by 79 people and received a very positive response.

Yates County Open Access Network

We are expecting a quarterly review with STN, ECC and Yates County following the July Legislature Meeting. I have had no feedback yet from ECC regarding their agreement to the proposed terms of the contract for Engineering and Grant Disbursement support.

We have received funds from ESD for the Grant Reimbursement request submitted in January. We met with auditors, STN and Yates County to update the process for getting 2015 and 1Q2016 invoices and supporting documentation in order for the next Grant Disbursement submission. The next submission should move quickly once the auditors have reviewed the data.

Penn Yan Marine

Tim Dennis, Jim Smith, Scott Falvey and I met with Penn Yan Village and Keuka Outlet Development on June 10th. Keuka Outlet Development is proposing several changes to Appendices 5 and 12 of the Site Management Plan. I was assigned to meet with LaBella on estimated costs for environmental engineering support/testing and now have the basic data to estimate costs associated with proposed changes to the Site Management Plan by Keuka Outlet Development. We will need to meet in executive session to discuss these proposals and the terms of our negotiations.

Transportation

A meeting is being arranged between NYS DOT, Arc of Yates and the County to proceed with application for funding.

Yates Cultural Recreational Resources (YCRR) and Yates Community Center

I have been advising the Board and volunteers as they intend to submit a CFA to the NYS Office of Parks, Recreation and Historic Preservation to build several athletic field and recreational facilities on N. Main Street in PennYan.

Finance Committee Report

Meeting date: July 6, 2016

Report date: June 30, 2016

Real Property Tax Services

Department Update

Patricia Brede, Director

1. Final Rolls are complete. The file will be updated in SDG, in the next couple days, and the PDFs of the assessment rolls are already up on the Real property page of our County website.

2. Fountains Spatial are about half way through the conversion project for the ESRI update of the geodatabase.

3. I have attached a PDF copy of the overall full value tax rate chart that the state posts on their website. I copied it into excel to be able to sort it. I can send it out to the group, so you can do as you like with the information. It is unfortunate that 2015 is still not shown. I have not been able to get an answer as to why it takes so long.

Please let me know if you have any questions. Thank you, *Pat*

OVERALL FULL-VALUE TAX RATES BY COUNTY (All Taxing Purposes*): 2005-2014**Local Fiscal Years Ending In**

County	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Albany	30.70	29.60	26.00	24.70	26.00	26.00	27.70	29.00	29.60	30.80
Allegany	48.80	49.40	49.50	48.50	48.80	48.70	48.90	48.80	48.40	49.30
Broome	42.30	43.00	43.00	39.30	37.10	35.50	37.60	38.90	37.40	42.40
Cattaraugus	37.30	36.30	36.30	35.10	35.50	35.50	35.90	36.50	36.70	39.20
Cayuga	36.60	35.30	33.80	32.50	31.10	30.50	30.60	28.80	31.50	30.20
Chautauqua	37.00	36.10	34.20	34.80	33.30	32.10	33.50	34.10	33.70	34.60
Chemung	36.70	37.50	36.60	35.60	34.60	34.30	34.20	34.80	34.50	32.80
Chenango	44.50	43.30	41.20	37.20	34.80	33.10	34.80	35.70	35.80	38.00
Clinton	31.00	32.20	31.20	29.50	29.10	29.00	29.10	29.80	29.40	31.80
Columbia	26.00	23.40	20.40	18.80	18.70	19.40	20.70	22.20	22.90	23.50
Cortland	42.50	41.60	41.10	38.80	40.00	39.40	39.80	41.00	40.70	41.40
Delaware	29.50	26.90	24.80	21.60	20.90	21.10	22.60	22.60	23.20	22.50
Dutchess	22.80	20.90	19.60	18.30	19.70	21.40	24.40	26.00	26.90	28.70
Erie	35.00	34.80	34.10	33.40	32.90	32.30	33.00	33.50	31.50	31.80
Essex	25.20	23.10	20.40	17.80	16.70	16.50	17.10	17.90	18.00	18.00
Franklin	29.60	28.40	24.50	21.00	20.50	20.20	21.60	22.50	22.30	25.20
Fulton	39.90	33.80	31.10	27.50	26.50	27.30	29.80	31.30	31.80	31.70
Genesee	39.40	39.60	40.30	39.20	38.50	38.20	38.30	38.60	38.10	38.00
Greene	28.10	24.00	21.90	19.90	19.70	19.60	21.70	23.10	24.30	25.00
Hamilton	19.00	17.40	16.60	15.50	14.30	14.20	14.40	14.90	15.00	14.60
Herkimer	33.30	29.30	28.10	26.30	24.70	24.20	25.40	26.20	26.80	26.90
Jefferson	29.70	28.40	24.10	21.00	19.80	19.30	19.50	19.60	19.50	19.90
Lewis	33.00	33.60	32.60	28.90	26.30	24.50	25.20	26.00	26.00	26.00
Livingston	35.90	36.60	34.90	35.50	35.20	34.20	35.20	35.60	35.70	35.00
Madison	36.20	35.30	32.70	31.50	31.00	29.90	31.40	31.80	32.50	34.20

Monroe	39.60	40.10	39.90	39.70	39.60	39.40	39.70	40.10	39.90	40.60
Montgomery	48.80	47.50	42.50	38.60	35.30	33.90	35.80	38.50	36.60	37.90
Nassau**	26.20	25.10	23.60	21.40	24.10	24.20	28.90	29.60	29.60	31.60
Niagara	42.10	41.20	39.50	39.20	38.60	35.40	38.40	38.60	37.60	37.60
Oneida	38.00	35.10	33.30	32.10	31.00	30.40	31.50	31.50	33.10	33.70
Onondaga	38.50	38.10	37.00	36.00	35.50	35.40	36.80	37.40	36.70	37.00
Ontario	30.80	30.40	29.70	29.20	28.40	27.80	28.40	28.50	28.40	29.10
Orange	27.80	25.80	23.90	23.40	24.30	26.20	29.40	32.30	34.20	36.70
Orleans	43.20	43.00	42.60	43.10	42.10	40.60	41.40	42.00	41.10	41.40
Oswego	41.00	41.70	39.40	37.80	38.50	38.00	39.60	32.60	36.00	40.30
Otsego	29.40	28.60	25.80	22.10	20.50	19.60	20.90	22.00	23.00	23.30
Putnam	23.90	27.70	22.10	21.50	23.40	25.20	27.60	29.40	30.10	31.10
Rensselaer	37.80	36.40	33.70	30.70	29.00	29.10	30.20	30.80	31.00	32.10
Rockland	27.20	27.20	24.90	23.80	26.00	27.60	30.90	33.40	33.40	36.20
St. Lawrence	37.40	37.70	36.70	34.90	34.40	33.20	33.60	34.40	35.80	33.90
Saratoga	25.00	24.00	21.10	20.10	19.80	20.40	20.80	21.30	21.10	21.80
Schenectady	41.00	38.60	34.30	32.20	31.70	31.50	33.20	33.80	34.80	32.40
Schoharie	36.50	37.50	33.00	31.40	30.30	30.00	31.20	32.40	34.00	34.90
Schuyler	36.20	37.20	33.70	31.20	30.40	29.10	29.00	29.80	29.20	25.40
Seneca	39.10	39.20	36.90	37.40	36.00	34.10	33.70	34.40	32.00	31.70
Steuben	36.60	37.80	37.40	37.00	35.60	36.40	37.10	37.70	34.70	36.30
Suffolk	19.30	17.90	16.70	15.90	16.80	18.20	20.20	21.40	21.60	22.50
Sullivan	35.40	32.50	29.10	25.40	25.50	26.20	28.60	31.60	33.10	34.80
Tioga	37.70	38.00	36.60	34.00	33.20	30.80	32.90	34.70	35.00	33.50
Tompkins	34.00	33.10	30.60	29.60	30.30	30.40	31.70	32.50	32.30	33.50
Ulster	27.50	25.90	23.80	22.30	22.70	24.10	26.20	28.80	29.30	31.50
Warren	20.00	18.30	16.20	14.70	14.20	14.60	15.80	16.40	16.50	17.30
Washington	35.30	32.00	29.60	25.90	24.70	23.30	23.50	23.90	25.10	25.50
Wayne	40.60	40.40	39.40	37.60	36.80	36.30	36.20	36.70	36.60	37.60
Westchester	22.30	21.80	21.00	20.30	21.90	23.10	26.30	28.40	28.80	30.40
Wyoming	33.90	35.00	34.10	34.00	33.30	33.10	33.40	33.40	33.30	29.90
Yates	28.10	28.40	27.30	24.50	23.40	22.90	23.30	23.50	23.90	22.70

	A	B	C	D	E	F
1		County	2014			
2	1	Hamilton	14.60	43	Rockland	36.20
3	2	Warren	17.30	44	Steuben	36.30
4	3	Essex	18.00	45	Orange	36.70
5	4	Jefferson	19.90	46	Onondaga	37.00
6	5	Saratoga	21.80	47	Niagara	37.60
7	6	Delaware	22.50	48	Wayne	37.60
8	7	Suffolk	22.50	49	Montgomery	37.90
9	8	Yates	22.70	50	Chenango	38.00
10	9	Otsego	23.30	51	Genesee	38.00
11	10	Columbia	23.50	52	Cattaraugus	39.20
12	11	Greene	25.00	53	Oswego	40.30
13	12	Franklin	25.20	54	Monroe	40.60
14	13	Schuyler	25.40	55	Cortland	41.40
15	14	Washington	25.50	56	Orleans	41.40
16	15	Lewis	26.00	57	Broome	42.40
17	16	Herkimer	26.90	58	Allegany	49.30
18	17	Dutchess	28.70			
19	18	Ontario	29.10			
20	19	Wyoming	29.90			
21	20	Cayuga	30.20			
22	21	Westchester	30.40			
23	22	Albany	30.80			
24	23	Putnam	31.10			
25	24	Ulster	31.50			
26	25	Nassau**	31.60			
27	26	Fulton	31.70			
28	27	Seneca	31.70			
29	28	Clinton	31.80			
30	29	Erie	31.80			
31	30	Rensselaer	32.10			
32	31	Schenectady	32.40			
33	32	Chemung	32.80			
34	33	Tioga	33.50			
35	34	Tompkins	33.50			
36	35	Oneida	33.70			
37	36	St. Lawrence	33.90			
38	37	Madison	34.20			
39	38	Chautauqua	34.60			
40	39	Sullivan	34.80			
41	40	Schoharie	34.90			
42	41	Livingston	35.00			
43	42	Rockland	36.20			
44	43	Steuben	36.30			
45	44	Orange	36.70			
46		Onondaga	37.00			

	A	B	C	D	E	F
47		Niagara	37.60			
48		Wayne	37.60			
49		Montgomery	37.90			
50		Chenango	38.00			
51		Genesee	38.00			
52		Cattaraugus	39.20			
53		Oswego	40.30			
54		Monroe	40.60			
55		Cortland	41.40			
56		Orleans	41.40			
57		Broome	42.40			
58		Allegany	49.30			

2016 Appropriations:

General Fund:

Grants:

Department	Grant Name	Amount	Carryover	Res. #	Balance
Sheriff	Victim Services Grant	5,000.00		7-16	
Sheriff	GTSC Rural Traffic Enforcement Grant	3,150.00		9-16	
Community Services	Mental Health Grant	2,332.95	Yes	32-16	
OEM	Homeland Security - SHSP	566.01	Yes	50-16	
OEM	Homeland Security - SHSP	30,000.00	Yes	51-16	
OEM	Homeland Security - Local Emer. Planning	7,295.82	Yes	52-16	
Public Health	Medical Reserve Corp	5,950.08	Yes	53-16	
Public Health	Emergency Planning - Ebola	36,700.00	Yes	54-16	
Public Health	Health Systems Learning Grant	6,606.00	Yes	55-16	
Public Health	Rural Health Network	64,690.24	Yes	56-16	
Public Health	Disaster Planning	30,800.00	Yes	57-16	
Community Services	State Aid	505.00		58-16	
Real Property	State Aid	283.02		59-16	
Public Health	Immunization Action Plan Grant	2,406.00	Yes	95-16	
Sheriff	Governor's Traffic Safety Committee	6,965.00		101-16	
Sheriff	Public Safety Answering Point	170,021.00		102-16	
Sheriff	Public Safety Answering Point	25,161.31		103-16	
Sheriff	Drug Enforcement Grant	5,000.00		104-16	
Public Defender	Indigent Legal Services Grant	10,000.00	Yes	105-16	
OEM	Homeland Security - SHSP	30,000.00		107-16	
Public Health	Rabies Control	757.00		142-16	
Public Health	Rural Health Network	235,000.00		143-16	
Sheriff	Homeland Security - SLETPP	3,750.22		191-16	
Public Health	Disaster Planning	52,096.00		217-16	
Public Health	Health Systems Learning Grant	3,200.00		218-16	
Public Health	Summer Youth Employment	2,214.00		219-16	
Community Services	Suicide Prevention Coalition Grant	3,500.00		233-16	
Community Services	Supported Housing	4,242.00		235-16	
					748,191.65

Other Appropriations:

Department	Source	Amount	Resolution #	Balance
Various	Purchase Order Encumbrances	345,102.92		
Treasurer	Occupancy Tax Reserve	13,784.00	94-16	
Planner	Environmental Cleanup Reserve	30,000.00	144-116	
Sheriff	Stop DWI Reserve	28,000.00	216-16	
		<u>416,886.92</u>		1,165,078.57

Contingent Fund:

A1990 Beginning Balance:				507,850.00
Various	Medical Insurance - Non-Union	(23,591.00)	49-15	
Various	Salary, FICA, Medicare - Non-Union	<u>47,342.00</u>	49-15	
		23,751.00		484,099.00

Road:

Various	Purchase Order Encumbrances	827,237.43		827,237.43
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Road Machinery:

Various	Purchase Order Encumbrances	47,926.48		
Reserve	Snow plow truck	11,454.04	220.16	59,380.52

2014 Date	Sales Tax Amount	Month Total Year to Date	% Change Over Prior Year	2015 Date	Sales Tax Amount	Month Total Year to Date	% Change Over Prior Year	2016 Date	Sales Tax Amount	Month Total Year to Date	% Change Over Prior Year
2/6/2014	477,696.58	595,674.10	-1.79%	2/6/2015	510,027.61	645,917.03	8.43%	2/5/2016	473,307.90	613,652.42	-5.00%
2/13/2014	117,977.52	595,674.10	-1.79%	2/13/2015	135,889.42	645,917.03	8.43%	2/16/2016	140,344.52	613,652.42	-5.00%
3/6/2014	402,739.28	497,119.84	-5.68%	3/6/2015	421,627.35	541,667.96	8.96%	3/7/2016	412,540.83	525,980.81	-2.90%
3/13/2014	94,380.56	1,092,793.94	-3.60%	3/13/2015	120,040.61	1,187,584.99	8.67%	3/14/2016	113,439.98	1,139,633.23	-4.04%
4/7/2014	549,852.78	1,103,616.99	-8.86%	4/6/2015	544,036.01	976,183.18	-11.55%	4/7/2016	558,330.04	1,288,708.26	32.02%
4/14/2014	553,764.21	2,196,410.93	-6.32%	4/13/2015	432,147.17	2,163,768.17	-1.49%	4/13/2016	730,378.22	2,428,341.49	12.23%
5/6/2014	533,726.09	694,214.10	7.40%	5/6/2015	538,218.96	686,279.34	-1.14%	5/6/2016	565,024.31	701,486.15	2.22%
5/13/2014	160,488.01	2,890,625.03	-3.35%	5/13/2015	148,060.38	2,850,047.51	-1.40%	5/13/2016	136,461.84	3,129,827.64	9.82%
6/6/2014	532,465.56			6/8/2015	556,207.35			6/7/2016	557,187.00		
6/13/2014	467,846.32	1,232,311.88	41.16%	6/12/2015	174,367.06	964,574.41	-21.73%	6/13/2016	125,694.52	1,424,431.96	47.67%
6/30/2014	232,000.00	4,122,936.91	6.70%	6/30/2015	234,000.00	3,814,621.92	-7.48%	6/30/2016	741,550.44	4,554,259.60	19.39%
7/1/2014	384,003.79	773,833.91	-28.07%	7/1/2015	396,069.50	1,068,484.32	38.08%	7/1/2016	-	-	-100.00%
7/14/2014	389,830.12	4,896,770.82	-0.87%	7/13/2015	672,414.82	4,883,106.24	-0.28%	7/13/2016	-	4,554,259.60	-6.73%
8/6/2014	655,737.21	842,015.60	8.50%	8/6/2015	705,591.38	918,898.03	9.13%	8/5/2016	-	-	-100.00%
8/13/2014	186,278.39	5,738,786.42	0.40%	8/13/2015	213,306.65	5,802,004.27	1.10%	8/15/2016	-	4,554,259.60	-21.51%
9/8/2014	651,997.13	802,434.14	4.77%	9/8/2015	697,563.98	884,129.84	10.18%	9/7/2016	-	-	-100.00%
9/15/2014	150,437.01	6,541,220.56	0.92%	9/14/2015	186,565.86	6,686,134.11	2.22%	9/13/2016	-	4,554,259.60	-31.89%
10/6/2014	672,898.09	1,624,701.68	8.68%	10/6/2015	681,495.57	1,486,745.43	-8.49%	10/6/2016	-	-	-100.00%
10/14/2014	951,803.59	8,165,922.24	2.37%	10/13/2015	805,249.86	8,172,879.54	0.09%	10/13/2016	-	4,554,259.60	-44.28%
11/6/2014	597,682.07	730,514.43	6.91%	11/6/2015	604,494.97	723,384.04	-0.98%	11/7/2016	-	-	-100.00%
11/13/2014	132,832.36	8,896,436.67	2.73%	11/13/2015	118,889.07	8,896,263.58	0.00%	11/14/2016	-	4,554,259.60	-48.81%
12/8/2014	600,538.98	755,754.00	7.30%	12/7/2015	585,770.75	727,380.30	-3.75%	12/6/2016	-	-	-100.00%
12/15/2014	155,215.02	9,652,190.67	3.08%	12/14/2015	141,609.55	9,623,643.88	-0.30%	12/13/2016	-	4,554,259.60	-52.68%
12/31/2014	467,000.00			12/31/2015	472,000.00			12/30/2016	-		
1/2/2015	289,556.67	1,273,752.45	2.28%	1/4/2016	287,839.74	1,309,855.17	2.83%	1/3/2017	-	-	-100.00%
1/13/2015	517,195.78	10,925,943.12	2.98%	1/13/2016	550,015.43	10,933,499.05	0.07%	1/12/2017	-	4,554,259.60	-58.35%
Total		10,925,943.12		Total		10,933,499.05		Total		4,554,259.60	
Budget Estimate		10,300,000.00		Budget Estimate		10,800,000.00		Budget Estimate		11,000,000.00	
\$ Over/Under Budget		625,943.12		\$ Over/Under Budget		133,499.05		\$ Over/Under Budget		(6,445,740.40)	
\$ Over/Under 2013		316,325.79		\$ Over/Under 2014		7,555.93		\$ Over/Under 2014		(6,379,239.45)	



OFFICE OF THE
YATES COUNTY TREASURER

417 LIBERTY STREET, SUITE 1081
PENN YAN, NEW YORK 14527-1122
(315) 536-5192

Winona B. Flynn
TREASURER

Deborah S. Rogers
DEPUTY TREASURER

To: Finance Committee

From: Nonie Flynn

Re: Treasurer's Office Report for June 2016

Tax Enforcement – The court date for the three foreclosure parcels that were pulled by an Order to Show Cause was May 26, 2016. The Court has denied the petitioners' applications. The petitioners have until the end of July to appeal.

Cost Allocation Plan – Maximus has completed our Cost Allocation Plan. It is available in the Treasurer's office.

2017 Budget – The estimated property tax cap inflation factor is between .6 and .67%.

Website Additions – The requested additions of The Tax Levy & Fund Balance Report and Historical Comparison Report have been added to the Treasurer's page on the Yates County website.

Auditors – I have received proposals from five auditors for auditing services for the next five years. A handout will be available at the Finance meeting.

Treasurer's Conference – I will be at the Treasurer's Conference July 18-20.

2016 BUDGET TRANSFERS

BE IT RESOLVED, that the following transfers be made in the 2016 budget:

From:	To:	Amount:
A3140.54803 PROB-Elec.Monitor	A3140.51505 PROB-Overtime	1053.24
D5110.51450 HWY-P/R	D5120.51450 HWY-P/R	2,178.99
D5110.58100 HWY-FICA/Med	D5120.58100 HWY-FICA/Medicare	38.53
D5142.51500 HWY-Call back	D3310.51500 HWY-Call back	34.41

and be it further

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

**APPROPRIATE ROAD MACHINERY REVENUE
(Highway)**

WHEREAS, the Highway Department sold two trucks and this unanticipated revenue can be used to cover an unanticipated increase in insurance,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased in the 2016 budget:

DM5130.42665 RD.MACH-Sales of Equipment	\$6,802.36
DM5130.54911 RD.MACH-Insurance	\$6,802.36

And be it further

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

**APPROPRIATE COMMUNITY HEALTH GRANT
(Community Services)**

WHEREAS, the Community Services Department received a New York State Community Health Grant, and

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

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased in the 2016 budget:

Revenue:		
A4320.43491 CS-Community Health Grant		\$11,155.00
Appropriation:		
A4320.54253 CS-Community Health Grant		\$11,155.00

And be it further

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

**AUTHORIZE CHAIRMAN TO ENTER INTO A MUTUAL RESCISSION AND
RELEASE CONCERNING AN INTERMUNICIPAL LEASE AGREEMENT WITH
YATES COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE LEASE
OF CERTAIN COUNTY REAL PROPERTY LOCATED AT PENN YAN-YATES
COUNTY AIRPORT**

WHEREAS, pursuant to Resolution No. 100-16, the County of Yates entered into an intermunicipal lease agreement with Yates County Soil and Water Conservation District for the lease of certain real property of the County of Yates located at the Penn Yan-Yates County Airport, dated March 28, 2016 (hereinafter referred to as the "Agreement"); and

WHEREAS, the parties to said Agreement are desirous of rescinding the same and releasing each other from any performance obligations or liability pursuant thereto;

NOW, THEREFORE, BE IT RESOLVED, that upon approval by the County Attorney, the County of Yates hereby authorizes and the Chairman may enter into, a mutual rescission of the Agreement and release of any performance obligations or liability pursuant thereto; and be it further

RESOLVED, that a copy of this resolution be given to the County Treasurer, County Attorney and Yates County Soil and Water Conservation District

**RESCISSION OF YATES COUNTY-SOIL AND WATER
CONSERVATION DISTRICT INTERMUNICIPAL LEASE DATED
MARCH 28, 2016**

WHEREAS, the undersigned, COUNTY OF YATES, a New York municipal corporation, with an address of 417 Liberty Street, Penn Yan, New York 14527, hereinafter referred to as "Lessor", and YATES COUNTY SOIL AND WATER CONSERVATION DISTRICT, a New York soil and water conservation district, with an address of 417 Liberty Street, Penn Yan, New York 14527, hereinafter referred to as "Lessee", entered into an intermunicipal lease agreement for the lease of certain real property of the County of Yates located at the Penn Yan-Yates County Airport, dated March 28, 2016 (hereinafter referred to as the "Agreement"); and

WHEREAS, the Lessor and Lessee are desirous of rescinding the Agreement and releasing each other from any performance obligations or liability pursuant thereto;

NOW, THE LESSOR AND LESSEE HEREBY AGREE as follows: 1) The aforementioned Agreement is hereby rescinded, and 2) the Lessor and Lessee are each released from any of its respective performance obligations under the Agreement and 3) neither the Lessor nor the Lessee are liable to each other for any non-performance of its respective obligations under the Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands, as set forth below:

COUNTY OF YATES, Lessor

YATES COUNTY SOIL AND WATER
CONSERVATION DISTRICT, Lessee

By

By

Timothy Dennis, Legislative Chair

Dated: _____

Dated: _____