



YATES COUNTY LEGISLATURE
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Leslie Church
Chairwoman

Emilee D. Miller
Clerk

REGULAR SESSION MINUTES-MONDAY, JANUARY 12, 2026
LESLIE CHURCH, LEGISLATIVE CHAIR

MEMBERS PRESENT: Bill Holgate, Dick Harper, Terry Button, Rick Willson, Leslie Church, Pat Killen, Sarah Purdy, Ed Bronson, Doug Paddock, Leigh MacKerchar, Nonie Flynn, Dan Banach

MEMBERS ABSENT: Jesse Jayne, George Lawson

Chairwoman Church called the meeting to order at 1:00 p.m.

Chairwoman Church asked for a Moment of Silence for former legislator Pat Flynn.

EMPLOYEE RECOGNITION CEREMONY:

YATES COUNTY
EMPLOYEE RECOGNITION CEREMONY

JANUARY 12, 2026

5 YEARS

LEIGH BATTIN - DIRECTOR OF FINANCE
LANE BLANKENBERG - PRINCIPAL ACCOUNT CLERK TYPIST - HIGHWAY
JAMES FERRATELLA - ASSISTANT PUBLIC DEFENDER
SUE JACOBSON - CONFIDENTIAL SECRETARY TO THE PUBLIC DEFENDER
CAITLIN MIDDLEBROOK - DEPUTY SHERIFF - SHERIFF
CLAUDIA MILROY - TAX MAP TECHNICIAN - REAL PROPERTY
KENNETH RUMSEY - BUILDING MAINTENANCE MECHANIC - BUILDINGS & GROUNDS
CHRISTOPHER SPAULDING - CORRECTIONS SERGEANT - JAIL
SCOTT WALKER - DEPUTY SHERIFF - SHERIFF
KYLE WELKER - CORRECTIONS OFFICER - JAIL

10 YEARS

FRANK ADAMS - SENIOR NETWORK ADMINISTRATOR - IT
ROBERT BERRY - SENIOR COMPUTER TECHNICAL SPECIALIST - IT
DEREK CHISOM - DEPUTY SHERIFF SERGEANT - SHERIFF
CHRISTOPHER CRAMER - CORRECTIONS OFFICER PT - SHERIFF
CHAD DAGGETT - DEPUTY SHERIFF SERGEANT - SHERIFF
JOSE GRACIOSO - MOTOR EQUIPMENT OPERATOR - HIGHWAY
LINDA WRIGHT - CLERK PT - SHERIFF

15 YEARS

SHEILA BURT - ELECTIONS COMMISSIONER - ELECTIONS
TIM GROTH - IT DIRECTOR - IT
JEREMY PANZIK - CORRECTION OFFICER/COURT SECURITY - SHERIFF
CHRISTINE YONGE - SENIOR EMPLOYMENT & TRAINING COUNSELOR - SOCIAL SERVICES

20 YEARS

SARA CHRISTENSEN - DEPUTY DIRECTOR OF PUBLIC HEALTH - PUBLIC HEALTH
JEFFREY RIDER - DEPUTY SHERIFF SERGEANT - SHERIFF

25 YEARS

KAREN BATES - CORRECTIONS OFFICER PT - SHERIFF
BRIAN HAWLEY - HIGHWAY MAINTENANCE SUPERVISOR - HIGHWAY
BRANDON JENSEN - UNDERSHERIFF - SHERIFF
LISA WILLIAMS - SENIOR DISPATCHER - SHERIFF

30 YEARS

AMY GELDER - PROBATION OFFICER - PROBATION
PATRICK MANAHAN - DEPUTY SHERIFF PT - SHERIFF

35 YEARS

ANN MURPHY - LICENSED PRACTICAL NURSE - PUBLIC HEALTH

EMPLOYEE OF THE QUARTER RECOGNITION:

YATES COUNTY EMPLOYEE OF THE QUARTER



SEAN MCDONALD

FOURTH QUARTER 2025

Thank you for your exceptional work and commitment. You set an amazing example for everyone around you, and we're so lucky to have you as part of our team.

PUBLIC COMMENT: None

MINUTES: Minutes from the December 8th Legislative Meeting, December 16th Special Legislative Meeting, December 22nd End of Year Special Legislative Meeting, & January 5th, 2026 Organizational Legislative Meeting were approved as submitted.

CHAIRWOMAN APPOINTMENTS: Chairwoman Church moved Sarah Purdy from Public Safety to Government Operations and moved Bill Holgate from Government Operations to Public Safety.

AUDIT: Ms. Purdy made a motion to approve/pay the following audit, seconded by Mr. Bronson.
VOTE: Unanimous

	January 2026	Prior	Total
Airport	\$51,216.30	\$1,217.12	\$52,433.42
Finance & Administration	\$4,030,381.41	\$98,020.50	\$4,128,401.91
Flint Creek	\$646.35	\$0.00	\$646.35
Government Operations	\$165,075.90	\$11,959.97	\$177,035.87
Human Services	\$775,004.84	\$7,313.93	\$782,318.77
Public Safety	\$205,853.10	\$45,082.88	\$250,935.98
Public Works	\$303,995.26	\$28,419.02	\$332,414.28
Grand Total:	\$5,532,173.16	\$192,013.42	\$5,724,186.58

COMMITTEE REPORTS:

Mr. Banach

- DEC Emails
 - Ice fishing
 - Ice needs to be 4 inches thick before it can be stepped on
 - Saplings from the DEC for sale
 - Naples Creek holding pool improvements for trout

Ms. Flynn

- Audit Committee met with Drescher & Malecki prior to Legislative Meeting
 - Working in the Finance Office starting February 2nd
 - Follow-up scheduled for April 13th at 12:00 p.m.

Mr. Paddock

- Presentation from consultant regarding the Public Safety Facility at the end

Mr. Button

- Flint Creek Meeting
 - Went well
 - Thanked Mrs. Battin and Mrs. Mullins for their help

RESOLUTIONS:

RESOLUTION NO. 10-26

Mr. Willson offered the following resolution and moved its adoption, seconded by Mr. MacKerchar.

APPOINT MEMBERS TO THE YATES COUNTY EMS ADVISORY BOARD

BE IT RESOLVED, that the following people be appointed to the Yates County EMS Advisory Board for the term 01/01/2026 – 12/31/2026;

Christy Buono	Edward Allen	Dundee Fire Department Emergency Squad
Jason Johnson	Jonathan Wood	Middlesex Valley Vol Ambulance Corps
Mary Starkweather	Laura Moore	Penn Yan Area Volunteer Ambulance Corps
Amy Vargeson	Jeremy Hares	Yates County Emergency Medical Services

Jeremy Martin Bellona Vol Fire Company

Melody Huttar

Matthew Kelly

Jonathan Granger

Kevin Zimmerman

Sergei Mays

Vacant

Angela Laffler

Dawsen Christensen

Vacant

Joseph Axtell

Benton Fire Department

Branchport/Keuka Park

Dresden Fire Department

Himrod Fire Department

Middlesex Hose Company

Penn Yan Fire Department

Potter Fire Department

Rushville Fire Department

West Lake Road Fireman's Association

At Large Delegate

Brian Winslow

Jason Bassett

David Dowdle

Vacant

Rick Willson

Fire Coordinator

Chief Dispatcher

EMS Coordinator

SSMH

Legislature

Yates County

Yates County

Yates County

Finger Lakes Health

Yates County Legislature

And be it further

RESOLVED, that copies of this resolution be provided to Yates County Office of Emergency Services Director.

VOTE: Unanimous

RESOLUTION NO. 11-26

Mr. Willson offered the following resolution and moved its adoption, seconded by Mr. Harper.

**AUTHORIZE CHAIR TO SIGN MEMORANDUM OF UNDERSTANDING FOR
AMBULANCE HOUSING**

WHEREAS, Yates County Emergency Medical Services operates an ambulance in the Dundee area; and

WHEREAS, The Village of Dundee is willing to allow Yates County to house an ambulance and applicable staff within their Ambulance building at no cost to the County, subject to terms mutually agreed upon within a Memorandum of Understanding between the Village of Dundee and Yates County;

NOW, THEREFORE, BE IT RESOLVED, that after approval from the County Attorney, the Chair is authorized to sign the Memorandum of Understanding between the Village of Dundee and Yates County; and be it further

RESOLVED, That a copy of this resolution be sent to the Director of Emergency Services, County Attorney, and the County Administrator.

VOTE: Unanimous

RESOLUTION NO. 12-26

Mr. Killen offered the following resolution and moved its adoption, seconded by Mr. MacKerchar.

ADOPT RULES OF PROCEDURE OF THE YATES COUNTY LEGISLATURE

WHEREAS, the Yates County Legislature may determine the rules of its own proceedings pursuant to Section 153 of the County Law of New York State; and

WHEREAS, to this end, the Yates County Legislature wishes to set forth its rules of procedure in this regard; and

WHEREAS, the attached rules of procedure entitled “2026 Rules of Procedure of the Legislature of the County of Yates” (the attached hereinafter referred to as the “Rules of Procedure”) have been so offered for consideration and the Yates County Legislature wishes to implement the same;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby determines and adopts the Rules of Procedure as the rules of its proceedings; and be it further

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

VOTE: Unanimous

2026

RULES OF PROCEDURE

OF THE LEGISLATURE

OF THE

COUNTY OF YATES

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1. **ORGANIZATIONAL MEETING:** The Legislature shall meet for organization on or before the 8th day of January of an applicable calendar year, as required by NYS County Law or as permitted to be modified by local law.
2. **MONTHLY MEETINGS:** The Legislature shall meet for the transaction of such business as may be brought before it at 1:00 p.m. on the second Monday of each month. Upon a majority vote of the full voting strength of the Legislature, the regular monthly meeting may be held at a different day and/or time, provided that such vote occurs at least four (4) weeks prior to the proposed different day and time.
3. **SPECIAL MEETINGS:** Special meetings may be called by the Chair when they deem necessary and upon three (3) days' notice to each legislator.
4. **EXECUTIVE SESSION:** A motion for Executive Session of the entire Legislature must state the reason for the Executive Session and must pass by a majority vote of the full strength of the Legislature. Attendance at such Executive Session shall be limited to any member of the Legislature, as well as any other persons authorized by a majority of Legislature members present.

A motion for Executive Session of a Committee must state the reason for the Executive Session and must pass by a majority vote of the full strength of the Committee. Attendance at such Executive Session shall be limited to any member of the Committee, as well as any other persons authorized by a majority of the Committee members present. Inclusion of members of the Legislature that are not members of the Committee is encouraged.

Any discussion conducted during any Executive Session may be revealed to any member of the Legislature who was not in attendance, but shall not be revealed to any other person not in attendance unless agreed upon during the Session by a majority of Legislature members present. If information is to be revealed to persons not in attendance, it is preferred that said information be clearly defined and that a spokesperson be appointed during the Session.

Persons who violate this rule shall be subject to discipline by the Legislature, in the manner it determines, as permitted by law.

5. **AUDITS:** No claims shall be audited at the regular monthly meeting unless they have been filed with the Department of Finance on the first Monday of the month. Should the first Monday fall on a holiday, the claims must be filed with the Department of Finance on the Friday preceding the first Monday.

All auditing committees shall complete the audit of all claims prior to 12:00 p.m. of the second Monday of the month and shall so indicate by the initials of two (2) committee members on each claim.

6. **STANDING COMMITTEES:** The following Standing Committees shall be appointed by the Chair and shall consist of a minimum of five (5), but no more than six (6) members each.

STANDING COMMITTEES

Finance

Real Property	Finance
Budget/Capital Planning	Treasurer
Tobacco Asset Securitization Corp.	Planning
Audit	
Economic Development (including F. L. Economic Development Center and Y. C. Capital Resource Corp.)	

Government Operations

Administrator	County Clerk
Legislature	Elections
Personnel	County Attorney
Insurance	Information Technology (IT)
Historian	Records Management
Cornell Cooperative Extension (CCE)	Soil & Water Conservation District

Human Services

Community Services	ProAction
Social Services/Workforce Dev/Youth Bureau	Public Health/S ² AY

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Public Defender

Veterans Services

Public Safety

District Attorney
Justices
Jail
Animal Control
Communications

Emergency Services
Sheriff
Coroners
Probation
Stop DWI

Public Works

Highway
Buildings & Grounds
Airport Council

Weights & Measures
Solid Waste

7. **APPOINTMENTS:** The following appointments shall also be made by the Chair of the Legislature and shall consist of one (1) Legislator, except as otherwise indicated.

APPOINTMENTS

Cornell Cooperative Extension Board
Airport Council
Inter-County Association of Western New York
Planning Board
Region 8 Fish & Wildlife Management Board
SWIO
Audit Committee
Soil & Water Board
Farmland Protection
Marcellus Shale

Flint Creek Board
S²AY-Pivitol Rural Health Board
ProAction Board
Jury Board
Youth Board
Finger Lakes Economic Development-IDA
Law Library
Workforce Investment Board
INSYGHT
Ad Hoc Committees as needed

8. The Legislature shall elect a Chair at the biennial Organization Meeting. A majority of the full voting strength shall be required to elect the Chair.

9. Such special or select committees may be appointed as the Legislature may deem necessary, all of which shall be appointed by the Chair and consist of three (3) members, unless otherwise ordered by the Legislature. The Chair of the Legislature shall be an ex-officio member of each of the Committees of the Board.

10. An agenda for each Legislature meeting shall be prepared by the Chair and the Clerk and be provided to each Legislator at least three (3) days prior to the meeting. Information concerning any topic that calls for discussion by the Legislature must be provided to members at least three (3) days prior to the meeting. Items not listed upon the agenda may be postponed until the following meeting by a vote of 1/3 of the Legislators present.

11. At each meeting, the order of business shall include:

- 1) Pledge of Allegiance
- 2) Attendance
- 3) Public Comment
- 4) Outside Presentations (if any)
- 5) Approval of minutes
- 6) Presentation of the audits
- 7) Presentation of petitions and communications
- 8) Report of Special Committees
- 9) Report of Standing Committees
- 10) Resolutions, motions, and notices
- 11) Public Comment
- 12) Unfinished business
- 13) Special order of the day

12. The Chair shall preserve order and decorum and shall decide upon all questions of order, subject to an appeal to the Legislature. A member called to order shall immediately come to order. If a Legislator appeals a decision of the Chair, the Legislature, by majority vote of those members present, shall decide the case without debate.
13. The Chair shall, in all cases, have the right to vote, and when the vote is equally divided, including their vote, the question shall be lost. For approval, resolutions must receive a simple majority vote of the full voting strength of the Legislature, unless otherwise required by law.
14. Every member, previous to speaking, shall be recognized by the Chair. When two or more members wish to speak at once, the Chair shall name the member to speak first.
15. Persons not members of the Legislature may, by consent of the Chair, be permitted to speak in regard to matters pending before the Legislature.
16. After a motion is stated, it shall be in the possession of the Legislature, but may be withdrawn at any time before the decision or amendment.
17. A roll call vote shall be taken and entered in the minutes
 - (1) when required by law,
 - (2) if requested by any Legislator,
 - (3) whenever there is a spoken “no” vote.
18. Reconsideration, at the same meeting, of a motion shall be in order only if presented by a member of the majority previously deciding the issue and a second by any member of the Legislature. The same motion may be introduced and seconded at a subsequent meeting of the Legislature by any member.
19. The report of the Finance Committee presenting the proposed annual budget shall be laid on the table at least one day before being offered for adoption.
20. A motion to adjourn is non-debatable and shall be approved upon a majority vote of those members present.
21. These Standing Rules may be changed only by unanimous consent of those members present during the meeting where first proposed. Such changes may be made by majority vote of the full voting strength of the Legislature at a regular meeting subsequent to the one where first proposed.
22. The current edition of “Roberts Rule of Order, Newly Revised”, shall be the parliamentary guide and authority in matters not contained in these rules.

RESOLUTION NO. 13-26

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

APPOINT MEMBERS TO THE YATES COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS

BE IT RESOLVED, that the following individuals are hereby appointed to the Yates County Soil and Water Conservation District Board of Directors commencing January 1, 2026 for a term ending December 31, 2028:

- Jeff Eckert, 2630 Ferguson Corners Road, Penn Yan, NY 14527
- Klaas Martens, 1443 Ridge Road, Penn Yan, NY 14527

And be it further

RESOLVED, that copies of this resolution be forwarded to Jeff Eckert, Klaas Martens and to the Yates County Soil and Water Conservation District.

VOTE: Unanimous

RESOLUTION NO. 14-26

Mr. Killen offered the following resolution and moved its adoption, seconded by Mr. Harper.

APPOINT LEGISLATIVE REPRESENTATIVE MEMBERS TO THE YATES COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS

BE IT RESOLVED, that the following individuals are hereby appointed to the Yates County Soil and Water Conservation District Board of Directors commencing January 1, 2026 for a term ending December 31, 2026:

- Edward Bronson, 5879 N Vine Valley Road, Rushville, NY 14544
- Doug Paddock, 2812 Wager Hill Road, Penn Yan, NY 14527

And be it further

RESOLVED, that copies of this resolution be forwarded to Edward Bronson, Doug Paddock, and to the Yates County Soil and Water Conservation District.

VOTE: Unanimous, with Mr. Paddock and Mr. Bronson abstaining

RESOLUTION NO. 15-26

Mr. Killen offered the following resolution and moved its adoption, seconded by Ms. Purdy.

REAPPOINT MEMBERS TO THE REGION 8 FISH AND WILDLIFE MANAGEMENT BOARD

WHEREAS, pursuant to Article 11, Section 11-0501 of the Environmental Conservation Law of the State of New York, the Chair of the Legislature shall appoint members to the Region 8 Fish and Wildlife Management Board, subject to confirmation by the County Legislature;

NOW, THEREFORE, BE IT RESOLVED, the following reappointments to the Region 8 Fish and Wildlife Management Board are hereby confirmed by this Legislature for the term of 01/01/2026 through 12/31/2027;

Daniel Banach (Legislative Representative)
200 South Ave., Apt. 7
Penn Yan, NY 14527

C. George Hullings (Sportsmen's Representative)
4069 Skyline Drive
Keuka Park, NY 14478

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And be it further

RESOLVED, that copies of this resolution be provided to NYSDEC and each member listed above.

VOTE: Unanimous

RESOLUTION NO. 16-26

Mr. Killen offered the following resolution and moved its adoption, seconded by Mr. MacKerchar.

AUTHORIZE SHERIFF TO CREATE AND FILL FULL-TIME DEPUTY SHERIFF POSITION

WHEREAS, the Sheriff has identified an operational need within the Law Enforcement Division requiring additional staffing to maintain effective coverage and operational efficiency; and

WHEREAS, the estimated annual cost to fill the Deputy Sheriff position, including fringe benefits, is \$83,567 to \$110,407, depending on health insurance selection;

NOW, THEREFORE, BE IT RESOLVED, that effective January 12, 2026, the Sheriff is hereby authorized to create and fill a full-time Deputy Sheriff position; and be it further

RESOLVED, that the compensation for the individual appointed to this position shall be in accordance with the applicable salary schedule and collective bargaining agreement, as may be applicable; and be it further

RESOLVED, that copies of this resolution be provided to the Sheriff, Director of Human Resources, County Administrator, and Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 17-26

Mr. Killen offered the following resolution and moved its adoption, seconded by Mr. MacKerchar.

RATIFYING TENTATIVE AGREEMENT WITH CO 82 CORRECTIONS-OTHER AND AUTHORIZING EXECUTION OF THE SUCCESSOR COLLECTIVE BARGAINING AGREEMENT

WHEREAS, the collective bargaining teams for the County of Yates and Council 82 Corrections-Other have concluded negotiations and reached a tentative agreement for a successor collective bargaining agreement covering the period of January 1, 2026 – December 31, 2030 for the CO 82 Corrections-Other unit;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby ratifies said tentative agreement for a January 1, 2026 – December 31, 2030 successor collective

bargaining agreement and authorizes the expenditure of the necessary funds therefor; and be it further

RESOLVED, that the Chair of the Yates County Legislature is hereby authorized to execute the successor collective bargaining agreement on behalf of the County; and be it further

RESOLVED, that copies of this resolution be given to the CO 82 Corrections-Other Unit President, the CO 82 Corrections-Other Unit Representative, the County Administrator, the County's Labor Attorney, the Director of Human Resources and the Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 18-26

Mr. Killen offered the following resolution and moved its adoption, seconded by Ms. Purdy.

DISCUSSION:

Mr. Button stated that he is going to vote "no" at this time. He hasn't seen or heard any feedback from the Department Heads or employees on this.

ADOPTION OF YATES COUNTY ARTIFICIAL INTELLIGENCE USE POLICY

WHEREAS, the application and ability to use artificial intelligence to create efficiencies in business grows exponentially every day; and

WHEREAS, responsible use of artificial intelligence requires guidelines to ensure artificial intelligence is used in a manner that aligns with legal and ethical standards of Yates County, promotes transparency, and safeguards against the misuse of protected or confidential data; and

WHEREAS, The Yates County Legislature has reviewed the "Yates County Artificial Intelligence Use Policy" and recommend its adoption;

NOW, THEREFORE, BE IT RESOLVED, that the Legislature does hereby approve the "Yates County Artificial Intelligence Use Policy" attached hereto and filed with the Clerk of the Legislature; and be it further

RESOLVED, That the "Yates County Artificial Intelligence Use Policy" is adopted and shall be effective on the date of this adoption; and further

RESOLVED, That copies of this resolution and attached policy be sent by the Human Resources Department to all county employees.

VOTE: Roll Call –Purdy, Bronson, Paddock, MacKerchar, Flynn, Banach, Holgate, Harper, Willson, Killen, Church voting "Yes"; Button voting "No". Motion carried.

YATES COUNTY ARTIFICIAL INTELLIGENCE USE POLICY

Purpose: The purpose of this Artificial Intelligence (AI) Use Policy is to recognize the efficiencies that may be obtained through the ethical, appropriate, and responsible use of AI and to establish guidelines for such use of AI technologies by Yates County employees

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and elected officials. This policy aims to ensure that AI applications are deployed in a manner that aligns with legal and ethical standards, promotes transparency, and safeguards against the misuse of protected or confidential data.

It is known and understood that Artificial Intelligence applications and websites are tools to provide assistance to the Users but does not replace human tone, insight, personal knowledge, and comprehensive human review of a generated product. As AI may not be completely reliable and accurate in the content generated, Affected Individuals must thoroughly review any generative AI and accept responsibility for its use and dissemination.

Policy: This policy applies to every department in Yates County. The Affected Individuals are all Elected Officials, Department Heads, employees, and interns. The Policy is applicable to all use that actively engages AI to generate content for distribution to others, including for internal or public dissemination, or for another County business purpose. It does not apply to AI embedded within common commercial products such as software systems and navigation programs, which is not actively engaged by the user, such as mapping programs, language translators, autocorrection, and smart devices. The Policy is also not applicable to supervised Machine Learning that is used to identify patterns and issues in large data sets to solve specific problems or predict potential issues. (Ex. Information Technology uses specific tools to manage and analyze large data sets.)

Prohibition of Using Protected or Confidential Data: AI applications within Yates County shall not be utilized by any Affected Individual for processing or generating content that involves Protected or Confidential Data, including but not limited to Personal Identifiable Information (PII) such as social security numbers, home addresses, and birth dates, or medical records, financial information, and any data protected by applicable privacy laws, including HIPAA. Any violation of this prohibition will result in disciplinary action, legal consequences, or both.

Definitions:

1. **Artificial Intelligence (AI):** A broad area of computer science that refers to the development and implementation of algorithms, machine learning models, graphic designs, and other computational techniques, which enable the performance of tasks typically requiring human intelligence, including but not limited to visual perception, speech recognition, decision-making, and language translation.
2. **Machine Learning** – is a subset of AI and refers to a field of study that gives computers the ability to learn and improve from experience with and without explicit programming. This subset is centered around developing algorithms that process, analyze, and learn from data to find patterns and make accurate predictions.
3. **Generative AI:** Refers to a class of unsupervised Machine Learning AI that attempts to mimic the human brain and generates new data content in the form of text, images, sounds, or video, using both the data on which it was trained as a model, and an external input (such as a question from the user) as a prompt.
4. **Protected or Confidential Data:** Any information that is deemed classified as sensitive, private, or confidential, including but not limited to personal identifiable information (PII), medical records, financial data, and any information protected by applicable federal or state laws and regulations.

Procedure for Acceptable Use of Generative AI:

1. Public Document Generation:

- Generative AI technologies may be used by Affected Individuals to create content or documents that are intended to be generally available to the public or disseminated to other departments and agencies. (ex. Press Release, Memo, announcement, letters, legal documents, advertisement, graphic design, policy, etc.)
- The content generated by AI must be verified to ensure accuracy, ethical soundness, and compliance with legal standards and County policies.
- Transparency in the use of AI-generated content must be maintained, and it should be clearly communicated by the person who uses AI to generate a product that the content is AI-generated.

2. Verification of Content Created:

- The AI user must assess tone and context, verify accuracy, correct biased or culturally nuanced content (if applicable), and minimize potential ethical concerns that AI may not fully comprehend.
- Before distribution and use, AI-generated content must undergo a thorough verification process by the User to ensure it is accurate and does not promote discrimination, bias, or harm to any individual or group.
- Before public release outside of each department, the AI-generated content must be reviewed by the Department Head, or designee to ensure it is accurate, reflects the intended purpose or message of the department and does not promote discrimination, bias, or harm to any individual or group.

3. Protection of Privacy:

- AI applications must not be used by Affected Individuals to process or generate content that involves Protected or Confidential Data. This includes but is not limited to PII, medical records, financial information, and any data protected by applicable federal or state laws and regulations.
- Adequate measures must be implemented to prevent the inadvertent inclusion of protected or confidential data in AI-generated documents.

Employee Responsibilities:

1. Compliance:

- Affected Individuals must comply with all applicable laws, regulations, the County's Acceptable Use Policy and this AI Use Policy when utilizing AI technologies.
- Any concerns about the ethical implications of AI-generated content should be reported promptly to the Information Security Manager (Information Technology Director).
- Employees shall not install, register for, or use AI sources, and/or software outside the below list of software applications/websites without prior permission from Information Technology.

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- Current preferred applications include: ChatGPT, Microsoft CoPilot, Canva
- Permission to use other applications may be given and this list may be amended periodically by the Information Technology Director, as needed.

2. Data Security:

- Affected Individuals are responsible for ensuring that AI technologies are not used with Protected or Confidential Data, and will be held responsible for any breach of such information.
- Affected Individuals are required to report any potential security vulnerabilities or risks associated with the use of AI technologies, applications, sites promptly to the Information Security Manager as soon as they become aware of such risk.
- Information Technology may, without any notice, block the use of applications or sites that use AI they deem unreliable, unsafe or unsecure.

3. Transparency:

- Affected Individuals involved in the use of AI technologies must ensure transparency in the dissemination of AI-generated content. This includes clearly indicating within the content that it was AI-generated.

4. Training and Awareness:

- Regular awareness campaigns will be conducted by Information Technology to keep Affected Individuals updated on changes in AI policies, best practices, and guidelines.
- Affected Individuals must undergo training and otherwise participate in awareness campaigns regarding the appropriate and ethical use of AI technologies and best practices in AI ethics.

5. Artificial Intelligence Review Committee: The Information Technology Director shall develop a review Committee of senior level staff and other personnel that shall meet periodically to review any issues that arise with the use of Artificial Intelligence and monitor the rapid development of changing AI technologies. The Committee shall make recommendations for changes to this Policy as needed.

Sanction Statement:

Non-compliance with this policy may result in disciplinary action, up to and including termination.

Compliance Statement:

As part of its ongoing auditing and monitoring process in its Compliance Program, the County AI Review Committee will periodically review and revise this policy to ensure its effectiveness and alignment with evolving standards, best practices, regulations and legal requirements and as Yates County's practices change. Additionally, this policy will be tested for effectiveness on an annual basis or more frequently as identified in accordance with County's AI Review Committee Program. Testing will include but is not limited to ensuring that the policy is appropriately followed; the policy is effective; and the policy and any amendments thereof have been disseminated to all affected individuals.

Tracking of the criteria above and results of this testing will be completed by the Information Technology Director, or designee. Additionally, results will be reported to the AI Review Committee and Governing Body on a regular basis.

Record Retention Statement:

County will retain this policy and all subsequent revisions, and any related documentation will be retained for a period of, at minimum, six years.

RESOLUTION NO. 19-26

Mr. Killen offered the following resolution and moved its adoption, seconded by Ms. Purdy.

**AUTHORIZE CHAIR TO SIGN WEBSITE RENEWAL CONTRACT
(CivicPlus – Manhattan, KS)**

BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to sign a (5) year renewal contract with CivicPlus of Manhattan, KS for the Hosting, Maintenance & Support of the County Website for an amount for year 1 not to exceed \$13,000.03 and a 5% annual increase as follows;

- Year 1 (2026) - \$13,000.03 (additional discount for renewing in year 1)
- Year 2 (2027) - \$14,702.82
- Year 3 (2028) - \$15,437.97
- Year 4 (2029) - \$16,209.86
- Year 5 (2030) - \$17,020.35

And be it further

RESOLVED, that a copy of this resolution be given to the IT Director and the Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 20-26

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

**AUTHORIZE CHAIR TO SIGN CONTRACT WITH ESI EMPLOYEE ASSISTANCE
GROUP FOR CSEA AND NON-UNION EAP SERVICES**

WHEREAS, the Chair of the Legislature is authorized to sign an agreement with ESI Employee Assistance Group for the provision of Employee Assistance Program (EAP) services for CSEA and non-union employees for the period of January 1, 2026 through December 31, 2026; and

WHEREAS, the County agrees to pay \$4,972.33 for EAP services;

NOW, THEREFORE, BE IT RESOLVED, that effective January 12, 2026, and contingent upon approval by the County Attorney, the Chair of the Yates County Legislature is hereby

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authorized to sign an agreement with ESI Employee Assistance Group for the period of January 1, 2026 through December 31, 2026; and be it further

RESOLVED, that copies of this resolution be provided to ESI Employee Assistance Group, County Department Heads, the Director of Human Resources, the County Administrator, and the Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 21-26

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

DESIGNATE NEWSPAPERS (2026)

BE IT RESOLVED, pursuant to Section 214, subdivision 2, of the County Law, the two newspapers listed below are hereby designated as the official newspapers of the County of Yates for the publication of all local news, notices and other matters required by law to be published;

The Chronicle Express
The Observer

And be it further

RESOLVED, that the newspaper listed below is hereby designated as an official newspaper of the County of Yates for the publication of local news, notices, and other matters required by law to be published in the rare occasion that the above referenced newspapers publishing deadlines cannot be met or in emergency situations;

The Finger Lakes Times

And be it further

RESOLVED, that a copy of this resolution be distributed to anyone deemed necessary.

VOTE: Unanimous

RESOLUTION NO. 22-26

Mr. Killen offered the following resolution and moved its adoption, seconded by Ms. Flynn.

CHANGE DATE OF 2026 OCTOBER LEGISLATIVE MEETING

WHEREAS, the Yates County Legislature holds its regular monthly meeting the second Monday of every month at 1:00 p.m.; and

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WHEREAS, the October 12, 2026 Legislative meeting falls on Columbus Day;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature will hold its October 12, 2026 monthly meeting on October 13, 2026 at 1:00 p.m. in the Legislative Chambers; and be it further

RESOLVED, that copies of this resolution be provided to all Department Heads, Legislators, and Press.

VOTE: Unanimous

RESOLUTION NO. 23-26

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

AUTHORIZE CONTRACT WITH CHILD AND FAMILY RESOURCES

BE IT RESOLVED, that after review by the County Attorney, the Commissioner of Social Services, and the Chair of the Legislature be authorized to sign contracts with the following agency for approved funding for the time frame 1/1/2026-12/31/2026;

<u>Agency/Organization</u>	<u>Program</u>	<u>Amount</u>
Child and Family Resources –	Childcare Registration	\$37,741

And be it further

RESOLVED, that copies of this resolution shall be provided the Commissioner of Social Services, Yates County Treasurer, and Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 24-26

Mr. Bronson offered resolutions 23-26, 25-26, & 26-26 and moved their adoption, seconded by Mr. MacKerchar.

APPOINTMENT TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD (Young)

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

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

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

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NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby reappoint the following representative to the Finger Lakes Workforce Investment Board, fulfilling the unexpired term of Michael Kaufman, to a term from December 1, 2025- June 30, 2028;

Robert Young
Distribution Manager
Seneca Foods

And be it further

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

RESOLUTION NO. 26-26

**APPOINTMENT TO THE FINGER LAKES
WORKFORCE INVESTMENT BOARD
(Meade)**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby reappoint the following representative to the Finger Lakes Workforce Investment Board, fulfilling the unexpired term of Lynne Rutnik, to a term from December 1, 2025- June 30, 2028;

Lisa Meade
Assistant Superintendent of Teaching and Learning
Wayne Finger Lakes BOCES

And be it further

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

RESOLUTION NO. 27-26

**APPOINTMENT TO THE FINGER LAKES
WORKFORCE INVESTMENT BOARD
(Humbert & Sykes)**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby reappoint the following representatives to the Finger Lakes Workforce Investment Board to a term from December 1, 2025- June 30, 2028;

Dr. Mark Humbert
County Administrator (Interim)
Wayne County

Michael Sykes
Deputy Commissioner
Ontario County Department of Social Services

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 25-26

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

APPOINTMENT TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD (Turner)

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that this Legislature does hereby reappoint the following representative to the Finger Lakes Workforce Investment Board, fulfilling the unexpired term of Robert Coyne, to a term from April 1, 2026- June 30, 2026;

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Rich Turner
Executive Director
Rochester Technology and Manufacturing Association

And be it further

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

VOTE: Unanimous

RESOLUTION NO. 28-26

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

**AMENDMENT TO RESOLUTION NO. 443-25
(MARK REYNOLDS, PHD)**

WHEREAS, Resolution 443-25 authorized signature of agreements for Mark Reynolds, PhD; and

WHEREAS, revised fees have been provided;

NOW, THEREFORE, BE IT RESOLVED, that Resolution 443-25 be amended as follows:

Mark Reynolds, PhD <i>* Certificate of Liability Insurance Waived</i>	Psychological Consultation Services	\$150/hour
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And be it further

RESOLVED, that a copy of this resolution be sent to Community Services, the Public Health Office, the Finance Director, and Mark Reynolds, PhD.

VOTE: Unanimous

RESOLUTION NO. 29-26

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

**AUTHORIZE CHAIR TO SIGN CONTRACT WITH FINGER LAKES ADDICTIONS
COUNSELING AND REFERRAL AGENCY (FLACRA) (DROP-IN)**

WHEREAS, Yates County Community Services wishes to enter into a contract with Finger Lakes Addictions Counseling and Referral Agency to provide engagement and support services for individuals with mental health needs within their recovery center program; and

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WHEREAS, the cost for such services are 100% OMH funded;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chair of the Legislature is authorized to enter into an agreement with Finger Lakes Addictions Counseling and Referral Agency; and be it further

RESOLVED, that said contract will run from January 1, 2026 through December 31, 2026 for an amount of \$30,000, however, such Agreement will contain recitations that the initial consideration amount is subject to change by the applicable state funding agency, and that consequently in such instance where said agency changes the ultimate funding amount for the time period covered by an Agreement the amount of consideration to be paid pursuant to such Agreement shall be adjusted accordingly; and further that the payment of the consideration therein is contingent on Yates County receiving the New York State agency funding for such purpose and in the amount of such consideration; and be it further

RESOLVED, that a copy of this resolution be sent to Community Services, the Public Health Office and the Finance Director.

VOTE: Unanimous

RESOLUTION NO. 30-26

Mr. Bronson offered resolutions 30-26 through 32-26 and moved their adoption, seconded by Mr. Killen.

DISCUSSION:

Mr. Button stated that he is glad to see that they're finally spending some of this that was supposedly coming back to them, hopefully it helps the community.

AUTHORIZE CHAIR OF THE LEGISLATURE TO SIGN CONTRACT WITH THE FINGER LAKES ADDICTION COUNSELING AND REFERRAL AGENCY (OPIOID SETTLEMENT-HOUSING SERVICES)

WHEREAS, Yates County Community Services wishes to enter into a contract with the Finger Lakes Addiction Counseling and Referral Agency to provide housing services for people who are recovering from a substance abuse disorder; and

WHEREAS, the funds of \$65,000 were received from various Opioid Settlements; and

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chair of the Legislature is authorized to enter into an agreement with the Finger Lakes Addiction Counseling and Referral Agency; and be it further

RESOLVED, that said contract will run from 1/1/2026 to 12/31/2026 for an amount not to exceed \$65,000; and be it further

RESOLVED, that a copy of this resolution be sent to Community Services, the Public Health office, Finger Lakes Addiction Counseling and Referral Agency, and the Finance Director.

RESOLUTION NO. 31-26

AUTHORIZE LEGISLATURE CHAIR TO SIGN CONTRACT WITH OUR TOWN ROCKS (OPIOID SETTLEMENT-HARM REDUCTION, EDUCATIONAL MATERIALS, AND LINKAGE)

WHEREAS, Yates County Community Services wishes to enter into a contract with the Our Town Rocks to support continued harm reduction efforts, provide safe 24-hour access to Naloxone and testing strips, and provide health related educational materials for people in Dundee who are recovering from a substance abuse disorder; and

WHEREAS, the funds of \$10,000 were received from various Opioid Settlements;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chair of the Legislature is authorized to enter into an agreement with Our Town Rocks; and be it further

RESOLVED, that said contract will run from 1/1/2026 to 12/31/2026 for an amount not to exceed \$10,000; and be it further

RESOLVED, that a copy of this resolution be sent to Community Services, the Public Health office, Our Town Rocks, and the Finance Director.

RESOLUTION NO. 32-26

AUTHORIZE LEGISLATURE CHAIR TO SIGN CONTRACT WITH THE YATES COUNTY PUBLIC HEALTH DEPARTMENT (OPIOID SETTLEMENT-CREDIBLE MIND WEBSITE)

WHEREAS, Yates County Community Services wishes to enter into a contract with the Yates County Public Health Department to support the Credible Mind website for the County that provides assessment, education, and resources for individual wellness to the community; and

WHEREAS, the funds of \$8,710 were received from various Opioid Settlements;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chair of the Legislature is authorized to enter into an agreement with the Yates County Public Health Department; and be it further

RESOLVED, that said contract will run from 1/1/2026 to 12/31/2026 for an amount not to exceed \$8,710; and be it further

RESOLVED, that a copy of this resolution be sent to Community Services, the Public Health office, and the Finance Director.

VOTE: Unanimous

RESOLUTION NO. 33-26

Mr. Bronson offered the following resolution and moved its adoption, seconded by Ms. Flynn. Agendas, Minutes, Audio, and more at <https://www.yatescountyny.gov/AgendaCenter/Yates-County-Legislature-3>

**AUTHORIZE CHAIR TO SIGN CONTRACT WITH CATHOLIC CHARITIES
STEBEN/LIVINGSTON (MENTORING)**

WHEREAS, Yates County Community Services wishes to enter into a contract with Catholic Charities Steuben/Livingston to provide one-on-one mentoring services for Yates County Youth; and

WHEREAS, the cost for such services are 100% OMH funded;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chair of the Legislature is authorized to enter into an agreement with Catholic Charities Steuben/Livingston; and be it further

RESOLVED, that said contract will run from January 1, 2026 through December 31, 2026 for an amount of \$66,166, however, such Agreement will contain recitations that the initial consideration amount is subject to change by the applicable state funding agency, and that consequently in such instance where said agency changes the ultimate funding amount for the time period covered by an Agreement the amount of consideration to be paid pursuant to such Agreement shall be adjusted accordingly; and further that the payment of the consideration therein is contingent on Yates County receiving the New York State agency funding for such purpose and in the amount of such consideration; and be it further

RESOLVED, that a copy of this resolution be sent to Catholic Charities Steuben/Livingston, the Community Services Department, the Public Health Office and the Finance Director.

VOTE: Unanimous

RESOLUTION NO. 34-26

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

DECLARE SURPLUS EQUIPMENT

WHEREAS, the Yates County Highway Department has equipment that is or has been replaced and is no longer being used and should be sold, as is by the county; and

WHEREAS, the following equipment shall be declared surplus property;

<u>Unit:</u>	<u>Year/Make/Model:</u>	<u>Miles:</u>	<u>VIN #:</u>
Truck #61	1998 Ford LS9513	115,926	1FDYS92P0WVA33650
Truck #66	2002 Sterling LT9511	257,908	2FZHAZBDX2AK44009
Truck #68	2006 Sterling LT9511	192,524	2FZHAZDE86AV47303

NOW, THEREFORE, BE IT RESOLVED, to authorize the Yates County Highway Superintendent to sell the above equipment at auction or by any other appropriate method; and be it further

RESOLVED, that a copy of this resolution be provided to the Highway Superintendent, the County Administrator and the Director of Finance.

VOTE: Unanimous

RESOLUTION NO. 35-26

Ms. Purdy offered the following resolution and moved its adoption, seconded by Mr. Killen.

AUTHORIZE THE CHAIR OF THE LEGISLATURE TO SIGN A CONTRACT AMENDMENT / EXTENSION WITH PETROLEUM TRADERS CORPORATION FOR THE SUPPLY OF GASOLINE & DIESEL

WHEREAS, pursuant to Resolution No. 153-25, the County entered into an Agreement with Petroleum Traders Corporation for the supply of Gasoline & Diesel for a period of one (1) year commencing on March 10, 2025; and

WHEREAS, the current agreement expires on March 8, 2026; and

WHEREAS, the associated bid document allows multiple one (1) year extensions of such agreement, should such extensions be mutually approved by the County and Petroleum Traders Corporation; and

WHEREAS, the Highway Superintendent is requesting the agreement be extended for a period of one (1) year whereby such term shall commence on March 9, 2026 through and including March 8, 2027; and

WHEREAS, Petroleum Traders Corporation has agreed to extend such agreement for an additional one (1) year term; and

WHEREAS, Petroleum Traders Corporation has requested authorization to add one (1) additional delivery vendor for the supply of these services;

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Yates County Legislature is hereby authorized on behalf of the County, and upon approval of the County Attorney, to execute an extension to the Agreement for a one (1) year term ending March 8, 2027; and be it further

RESOLVED, that all other terms and conditions of the Agreement, not otherwise amended herein, are hereby ratified and remain the same and in full force and effect; and be it further

RESOLVED, that copies of this resolution be provided to Petroleum Traders Corporation, the County Administrator, the Director of Finance and the Highway Superintendent.

RESOLUTION NO. 36-26

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

**AUTHORIZE CHAIR OF THE LEGISLATURE TO SIGN ACCEPTANCE OF THE
PENN YAN – YATES COUNTY AIRPORT CONSULTANT AGREEMENT FOR**

**PROJECT: RUNWAY 1-19 REIL REPLACEMENT (CONSTRUCTION)
FAA GRANT PEO-EAG-3-36-0094-TBD-2026
NYS DOT PIN NO: 6906.TBD**

WHEREAS, Yates County had applied for a grant from the Federal Aviation Agency (\$136,350 = FAA 90%) and the New York State Department of Transportation (\$7,580 = NYS DOT 5%) to pay 95% combined of the allowable costs incurred for Runway 1-19 REIL Replacement (Construction) for the Penn Yan – Yates County Airport with a \$7,580 (5%) County share; and

WHEREAS, C&S has submitted a consultant agreement for the project construction oversight, administration and testing work in the amount of \$64,000;

NOW, THEREFORE, BE IT RESOLVED, the Yates County Legislature accepts the C&S consultant agreement for the design work in the amount of \$64,000 as being reasonable and no IFE is required; and be it further

RESOLVED, the Legislature authorizes the Chair of the Legislature, after review and signature by the County Attorney, to sign and execute the C&S consultant agreement for this project and sign associated IFE reasonableness letter; and be it further

RESOLVED, that copies of this resolution be furnished to the Yates County Treasurer, Finance Director, Airport Council, and C&S Companies.

VOTE: Unanimous

RESOLUTION NO. 37-26

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

**AUTHORIZE CHAIR TO SIGN CONTRACT
(VHB – Tech Support)**

WHEREAS, the Tax Map Technician requires occasional technical support for her tax mapping efforts; and

WHEREAS, VHB Engineering, Surveying and Landscape Architecture, P.C. “VHB” will provide the needed technical support over the telephone or virtually, to be invoiced monthly at VHB’s standard tech support rates at the time the service is rendered;

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the County Attorney, the Chair of the Legislature is hereby authorized to enter into the Yates County Tax Parcel Tech Support 2026 contract with VHB for tax mapping technical support, modifications, and upgrades of the Geodatabase (ESRI) software; and be it further

RESOLVED, that said contract will run from January 1, 2026 to December 31, 2027 for an amount not to exceed \$1,000; and be it further

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

VOTE: Unanimous

RESOLUTION NO. 38-26

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

DISCUSSION:

Mr. Button stated that he will vote no on 38-26 and 39-26. People need to pay attention.

AUTHORIZE THE CHAIR TO SIGN A CONTRACT FOR YATES ENGINEERING SERVICES (YES) DESIGN ASSISTANCE ON BROADBAND GRANTS

WHEREAS, the Yates County Legislature has required engineering services to complete mileages and budget figures for grant applications for USDA ReConnect 5, NYS MIP grant, and NYS Broadband ConnectALL Deployment Program (BEAD funding); and

WHEREAS, Yates Engineering Services (YES) possesses the specialized knowledge, experience, and professional qualifications necessary to provide such engineering services; and

WHEREAS, the County Legislature finds that the services provided by Yates Engineering Services constitute a professional service pursuant to applicable procurement laws and County policies; and

WHEREAS, the County desires to authorize a contract with Yates Engineering Services to provide up to 200 hours of engineering services at a combined hourly rate of \$85.00; and

WHEREAS, the total cost of such services shall not exceed \$17,000;

NOW, THEREFORE, BE IT RESOLVED by the Yates County Legislature that:

1. The services to be provided by Yates Engineering Services (YES) are hereby declared to be professional services.
2. The Chair of the Yates County Legislature is hereby authorized to execute a contract or contract modification with Yates Engineering Services for up to 200 hours of engineering services at a combined rate of \$85.00 per hour, for a total amount not to exceed 17,000.
3. The Chair of the Yates County Legislature is hereby authorized to sign such a contract.
4. This resolution shall take effect immediately.

VOTE: Roll Call –Bronson, Paddock, MacKerchar, Flynn, Banach, Holgate, Harper, Willson, Killen, Purdy, Church voting “Yes”; Button voting “No”. Motion carried.

RESOLUTION NO. 39-26

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

AUTHORIZE THE CHAIR TO SIGN A CONTRACT MODIFICATION FOR SERVICES PERFORMED BY YATES ENGINEERING SERVICES (YES) DESIGN ON THE RECONNECT BROADBAND PROJECT

WHEREAS, the Yates County Legislature requires engineering services to complete mileages and budget figures for grant applications; and

WHEREAS, Yates Engineering Services (YES) possesses the specialized knowledge, experience, and professional qualifications necessary to provide such engineering services; and

WHEREAS, the County Legislature finds that the services provided by Yates Engineering Services constitute a professional service pursuant to applicable procurement laws and County policies; and

WHEREAS, the County desires to authorize a contract or contract modification with Yates Engineering Services to provide up to 250 hours of engineering services at a combined hourly rate of \$85.00; and

WHEREAS, the total cost of such services shall not exceed \$22,000;

NOW, THEREFORE, BE IT RESOLVED by the Yates County Legislature that:

1. The services to be provided by Yates Engineering Services (YES) are hereby declared to be professional services.
2. The Chair of the Yates County Legislature is hereby authorized to execute a contract or contract modification with Yates Engineering Services for up to 250 hours of engineering services at a combined rate of \$85.00 per hour, for a total amount not to exceed \$21,250, subject to approval by the County Attorney.
3. The Chair of the Yates County Legislature is hereby authorized to sign whatever RUS documentation is required.
4. This resolution shall take effect immediately.

VOTE: Roll Call –Paddock, MacKerchar, Flynn, Banach, Holgate, Harper, Willson, Killen, Purdy, Bronson, Church voting “Yes”; Button voting “No”. Motion carried.

RESOLUTION NO. 40-26

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

DISCUSSION:

Mr. Button thanked Mr. Ayers and Mr. Willson for helping as they move forward and have discussion of where they are going in the future.

A RESOLUTION TO HOLD A PUBLIC HEARING ON THE YATES COUNTY LOCAL SOLID WASTE MANAGEMENT PLAN AND DIRECTING PUBLIC NOTICE THEREOF

WHEREAS, Yates County, along with its partners at the Genesee/Finger Lakes Regional Planning Council and the New York State Pollution Prevention Institute, have created a draft version of the Local Solid Waste Management Plan (LSWMP); and

WHEREAS, the Draft Yates County LSWMP, in accordance with the New York State's Solid Waste Management Policy, identifies a path to manage and reduce the amount of solid waste generated within the county within a 10 year period; and

WHEREAS, the Yates County Legislature is required to provide an opportunity for public review and comment on the draft Yates County LSWMP; and

WHEREAS, the Yates County Legislature desires to hold a public hearing to receive public input regarding the proposed Yates County LSWMP;

NOW, THEREFORE, BE IT RESOLVED by the Yates County Legislature that a public hearing shall be held on February 9, 2025, at 1:00 p.m. in the Legislative Chambers, Yates County Office Building, Penn Yan, New York, for the purpose of receiving public comment on the Yates County LSWMP; and be it further

RESOLVED that the Yates County Planning Department is hereby directed to cause a notice of said public hearing to be printed in the official newspaper(s) of Yates County, in accordance with applicable law; and be it further

RESOLVED that the Yates County Planning Department will open the public comment period on the 2nd of February; and be it further

RESOLVED that this resolution shall take effect immediately.

VOTE: Unanimous

RESOLUTION NO. 41-26

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

2025 BUDGET TRANSFERS

BE IT RESOLVED, that the following transfer shall be made in the 2025 budget;

From:	To:	Amount:
A8020.54011 Consultants	A8020.51660 Ins. Buyout Non-Un	\$ 1,911.12
A3021.51716 Dispatcher	A3021.54771 W911	\$ 1,131.78
A3110.51995 Marine Patrol Off.	A3350.51942 OT CO 82 LE	\$ 30.00
A3110.51995 Marine Patrol Off.	A3350.58100 FICA/Medicare	\$ 25.00
A3510.54653 Gasoline	A3510.58100 FICA/Medicare	\$ 100.00
A3510.54653 Gasoline	A3510.58304 Medical Ins CO 82 Oth	\$ 200.00
A3150.51826 Corrections Officer	A9080.51507 Sick Bank	\$ 674.33
A3150.51826 Corrections Officer	A9080.58100 FICA/Medicare	\$ 49.59

And be it further

RESOLVED, that copies of this resolution be provided to the Director of Planning, Sheriff, Director of Finance, County Administrator/Budget Officer, and County Treasurer.

VOTE: Unanimous

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RESOLUTION NO. 42-26

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

AMEND RES NO. 570-25 2025 BUDGET TRANSFERS

BE IT RESOLVED, that the following transfer shall be made in the 2025 budget;

From:	To:	Amount:
A1450.51050 Commissioner	A9080.51671 Sick Bank Non-Union	\$ 3,800.50
A1450.58100 FICA/Medicare	A9080.58100 FICA/Medicare	\$ 290.73
A1625.54402 W&M	A1620.54453 B&G Supplies	\$ 4,800.00
A1625.54416 Parking Lot Maint.	A1620.54677 Utilities: Electric	\$ 10,000.00
A1625.52314 Truck	A1620.54678 Utilities: Gas	\$ 3,400.00
A1625.54416 Parking Lot Maint.	A1620.54678 Utilities: Gas	\$ 4,500.00
A1625.54416 Parking Lot Maint.	A1624.54677 Utilities: Electric	\$ 10,000.00
D9060.58306 Retiree Med. Ins.	D5110.58100 FICA/Medicare	\$ 2,500.00
D5112.54602 Bituminous Mat.	D5142.54032 Personal Svc-Other	\$ 2,700.00
D5112.54602 Bituminous Mat.	D5142.54625 Salt & Abr. Mix-Other	\$ 11,300.00
D5112.54602 Bituminous Mat.	D5142.54691 Leases: Equip-Other	\$ 22,400.00
A4010.51340 Registered Nurse	A4042.54855 Rabies Control	\$ 3,000.00
A3020.54066 Pest Control	A3020.51953 Call Back CO 82 Other	\$ 177.03
A3110.51942 OT CO 83 LE	A3350.51942 OT CO 82 LE	\$ 1,149.58
A3110.51942 OT CO 83 LE	A3350.58100 FICA/Medicare	\$ 130.00
A3510.54653 Gasoline	A3510.51551 ACO	\$ 1,637.69
A3510.54653 Gasoline	A3510.51951 Holiday OT CO 82 Ot.	\$ 470.75
A3510.54653 Gasoline	A3510.51953 Call Back CO 82 Oth.	\$ 47.35
A1680.54156 Training	A1680.51076 IT Director	\$ 2,085.00
A1680.54156 Training	A1680.51077 Sr Network Admin.	\$ 4,610.00
A1680.54156 Training	A1680.51078 System Admin.	\$ 2,690.00
A1680.54571 Computer Software	A1680.51309 Computer Tech. Spec.	\$ 4,170.00
A1680.54571 Computer Software	A1680.51504 On Call	\$ 2,350.00
A1680.54571 Computer Software	A1680.51508 35-40 Hours	\$ 2,000.00
A1680.54571 Computer Software	A1680.58100 FICA/Medicare	\$ 750.00
A1680.54571 Computer Software	A1680.58303 Medical Ins CSEA	\$ 550.00
A1310.54576 Comp. Soft. Maint.	A1310.51660 Ins. Buy-Out Non-Un.	\$ 323.28

And be it further

RESOLVED, that copies of this resolution be provided to the Elections Commissioners, Buildings and Grounds Supervisor, Highway Superintendent, Director of Public Health, Sheriff, IT Director, Director of Finance, County Administrator/Budget Officer, and County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 43-26

Agendas, Minutes, Audio, and more at <https://www.yatescountyny.gov/AgendaCenter/Yates-County-Legislature-3>

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

**APPROPRIATE AID
(RECORDS MANAGEMENT)**

WHEREAS, the Record's Management Department has received revenue over the 2025 budget amount with corresponding expenditures; and

WHEREAS, these funds are not part of the 2025 budget;

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

Revenue:	
A1460.43089 RM- Other State Aid	\$11,662.00
Appropriation:	
A1460.54001 RM- Laserfiche	\$11,662.00

And be it further

RESOLVED, that copies of this resolution be provided to the County Clerk, County Treasurer, Director of Finance, and the Budget Officer.

VOTE: Unanimous

RESOLUTION NO. 44-26

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

DISCUSSION:

Mr. Button asked Mrs. Mullins, where this will bring them up to, roughly. Would she know about where the total would be on this balance?

Mrs. Mullins answered that it would be about \$4.5 to \$5 million.

APPROPRIATE ASSIGNED FUND BALANCE

WHEREAS, Resolution 581-23 authorized the assignment of \$2,000,000 from the Unassigned Fund Balance to the Assigned Fund Balance for the Yates Community Center's construction of their Field House; and

WHEREAS, Yates County and the Community Center Board have agreed upon a pre-set draw schedule to begin November 2025 and end April 2026; and

WHEREAS, the third draw will commence in January 2026 per the amended contract with the County;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased as Agendas, Minutes, Audio, and more at <https://www.yatescountyny.gov/AgendaCenter/Yates-County-Legislature-3>

tabulated below:

Budgetary Account:		
A915.100 - Assigned Fund Balance: YC Community Center		\$400,000.00
Appropriation:		
A7120.54369 - Parks & Recreation: Yates Community Center		\$400,000.00

And be it further

RESOLVED, that a copy of this resolution be provided to the YCRR Board, County Attorney, County Administrator/Budget Officer, Director of Finance, and the County Treasurer.
VOTE: Unanimous

RESOLUTION NO. 45-26

Mr. Holgate offered the following resolution and moved its adoption, seconded by Ms. Flynn.
DISCUSSION:

Mr. Holgate mentioned that the total tax collected has been \$10.18 and Yates County gets to keep \$2.55 of that. Obviously, there isn't much cannabis use in Yates County.

APPROPRIATE CANNABIS TAX REVENUE (FINANCE)

WHEREAS, all New York State Counties and New York City are eligible to receive adult-use cannabis (AUC) tax revenue from the sale of AUC products sold within their jurisdiction as of 2025; and

WHEREAS, New York State created a 13% retail tax on adult-use cannabis sales, which is now legal, which includes a 4% local excise tax that is distributed to counties and municipalities where the sale occurs; and

WHEREAS, the tax structure for counties is consistent statewide, though revenue amounts vary based on sales within their jurisdiction; and

WHEREAS, the total tax on adult-use cannabis products at the retail level is 13%: 9% State Tax: This revenue is directed to the New York State Cannabis Revenue Fund to cover administration costs, with remaining funds split between education (40%), community grants reinvestment (40%), and drug treatment/public education programs (20%). 4% Local Tax: This portion stays within the local jurisdiction where the dispensary is located and 1% is distributed to the County and 3% to the City, Town, and/or Village; and

WHEREAS, Counties are responsible for retaining their 25% share (the 1%) and distributing the remaining 75% (the 3%) to the specific cities, towns, and villages that host a retail dispensary; and

Agendas, Minutes, Audio, and more at <https://www.yatescountyny.gov/AgendaCenter/Yates-County-Legislature-3>

WHEREAS, the County has received Cannabis Tax revenue for the 2025 year in the amount of \$10.18 (ten dollars and eighteen cents). 75% of that amount listed will be allocated to the Town of Milo and Village of Penn Yan in even amounts and Yates County will keep the remaining 25%, or \$2.55;

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

Revenue:	
A1116.43790 CANNABIS- Tax on Adult Use Cannabis	\$7.64
Appropriation:	
A1116.54910 CANNABIS- Cannabis Revenue Sharing	\$7.64

And be it further

RESOLVED, that copies of this resolution be provided to the County Treasurer, Director of Finance, and the Budget Officer.

VOTE: Unanimous

RESOLUTION NO. 46-26

Mr. Killen offered the following resolution and moved its adoption, seconded by Ms. Purdy.

DISCUSSION:

Mr. Button stated that he is glad the information kept being presented, they discussed it, and it came to a good outlook.

AMEND RESOLUTION #580-25 ADOPT 2026 NON-UNION NON-EXEMPT EMPLOYEE WAGE SCHEDULE

WHEREAS, the Yates County Legislature recognizes and appreciates the contributions of the employees covered under this resolution; and

WHEREAS, the Legislature has determined that an adjustment to the hourly wage rates for these employees is appropriate;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby adopts the 2026 Non-Union Non-Exempt Employee Wage Schedule, effective January 1, 2026; and be it further

RESOLVED, that copies of this resolution shall be provided to all Department Heads, affected employees, the Director of Human Resources, the County Administrator, and the Director of Finance.

VOTE: Unanimous

Agendas, Minutes, Audio, and more at <https://www.yatescountyny.gov/AgendaCenter/Yates-County-Legislature-3>

Chief Equipment Custodian	\$22.56
Deputy Election Commissioner (2)	\$31.59
Assistant District Attorney (Temporary Part-Time)	\$60.00
Assistant Public Defender (Part-Time)	\$62.10
Elections Machine Technician I	\$27.19
Electronic Machine Technician II	\$29.32
Election Operations Assistant	\$23.35
Election Auditor	\$18.95
Equipment Custodian	\$21.17
Election Coordinator	\$23.35
Election Inspector	\$17.85
Election Inspector (Traveling)	\$18.95
Election Inspector Chairperson (EPB/SAW)	\$20.61
Election Inspector Chairperson (Traveling) (EPB/SAW)	\$21.70
Voting Machine Inspector	\$17.56
Voting Machine Inspector (Traveling)	\$18.67

	<u>START RATE</u> <u>(YEAR 1)</u>	<u>AFTER 12</u> <u>MONTHS</u>
Correction Officer (Part-Time)	\$23.99	\$25.32
Correction Officer/ Court Security (Part-Time)	\$23.99	\$25.32
Emergency Services Dispatcher (Part-Time)	\$18.77	\$20.11
Marine Patrol Officer (Seasonal-Sheriff)	\$23.99	\$25.32

Account Clerk Typist (Veterans)	\$20.40
Animal Control Officer (Part-Time)	\$20.49
Caseworker Assistant (Part-Time)	\$28.85
Civil Service and Human Resources Manager	\$31.90
Clerk Part-Time (Sheriff)	\$27.51
Clerk Part-Time (Sheriff)	\$18.38
Confidential Administrative Assistant	\$27.90
Communications Support Specialist	\$41.16
Coroner	\$200/case
Corrections and Community Resource Officer	\$25.32
County Historian (Part-Time)	\$31.24
Deputy Sheriff (Part-Time)	
<i>(Experience 80% CO82 LE contract for appropriate step)</i>	TBD
Deputy Sheriff (Part-Time)	
<i>(Experience 90%, if duty requires special instructor/certification)</i>	TBD
District Attorney Investigator	\$43.95
Emergency Medical Technician (Part-Time)	\$22.75

Agendas, Minutes, Audio, and more at <https://www.yatescountyny.gov/AgendaCenter/Yates-County-Legislature-3>

Examination Monitor	\$18.83
Jail Nurse Practitioner (Part Time)	\$43.14
Jail Physician (Part Time)	\$43.14
Laborer (Seasonal- HWY)	\$16.97
Law Enforcement Liaison	\$29.01
Motor Vehicle Cashier (Part-Time)	\$23.12
Motor Vehicle Supervisor	\$34.42
Paramedic (Part Time)	\$30.35
Payroll Specialist	\$36.05
Planner Assistant	\$27.30
Records Management Coordinator (Part-Time)	\$30.33
Secretary to County Attorney (Part-Time)	\$41.04
Secretary to District Attorney	\$27.80
Secretary to Public Defender	\$34.57
Secretary to Sheriff	\$27.23
Special Patrol Officer (Part-Time)	TBD
<i>(Experience 90% CO82 LE contract for appropriate step)</i>	
Veteran Engagement Specialist (Part-Time)	\$22.38

RESOLUTION NO. 47-26

Mr. Killen offered the following resolution and moved its adoption, seconded by Ms. Purdy.

**AMEND RESOLUTION #579-25
ADOPT 2026 NON-UNION EXEMPT EMPLOYEE SALARY SCHEDULE**

WHEREAS, the Yates County Legislature recognizes and appreciates the contributions of the employees covered under this resolution; and

WHEREAS, the Legislature has determined that an adjustment to the salaries for these employees is appropriate;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby adopts the 2026 Non-Union Exempt Employee Salary Schedule, effective January 1, 2026; and be it further

RESOLVED, that copies of this resolution shall be provided to all Department Heads, affected employees, the Director of Human Resources, the County Administrator, and the Director of Finance.

VOTE: Unanimous

<u>Elected Officials</u>	<u>Annual</u>
County Clerk	\$84,154
County Clerk - Records Management Officer Add-On	\$5,000
County Treasurer	\$31,982

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District Attorney	\$221,100
Legislators (14 at \$9,713 each)	\$135,982
Legislature Chair	\$9,713
Sheriff	\$131,456

Exempt Employees

	<u>Annual</u>
Assistant District Attorney (First)	\$107,335
Assistant District Attorney	\$100,416
Assistant District Attorney	\$93,150
Assistant District Attorney	\$90,384
Assistant Public Defender (1 st)	\$109,710
Assistant Public Defender (2 nd)	\$106,968
Assistant Public Defender (3 rd)	\$106,605
Assistant Public Defender (4 th)	\$104,224
Assistant Public Defender (5 th)	\$103,500
Budget Officer	\$10,971
Building and Grounds Superintendent	\$98,841
Chief Corrections Officer	\$90,369
Clerk, County Legislature	\$70,611
Commissioner of Social Services	\$113,785
Confidential Assistant to Sheriff	\$66,546
County Administrator	\$127,645
County Attorney	\$124,251
Deputy County Clerk	\$58,622
Deputy Director for Emergency Medical Services	\$77,521
Deputy Director of Emergency Services	\$77,521
Deputy Director of Information Technology	\$85,000
Deputy Director of Public Health	\$95,404
<i>Deputy Director of Public Health – Add-On</i>	<i>\$10,000</i>
Deputy Director of Finance	\$67,492
Deputy Highway Superintendent	\$86,453
Director of Child and Family Services	\$98,841
Director of Community Services	\$97,237
Director of Emergency Services	\$98,841
Director of Finance	\$90,435
Director of Income Maintenance & Child Support	\$84,891
Director of Human Resources	\$104,779
Director of Public Health	\$87,000
Director of Real Property Tax Services	\$95,941
Director of Veterans’ Services Agency	\$65,496
Election Commissioner (D)	\$65,630
Election Commissioner (R)	\$65,630
Highway Superintendent	\$103,383
Information Technology Director	\$108,719




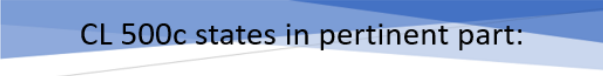


Agendas, Minutes, Audio, and more at <https://www.yatescountyny.gov/AgendaCenter/Yates-County-Legislature-3>

Director of Planning	\$93,922
Probation Director	\$87,661
Public Defender	\$121,950
Social Services Attorney	\$107,335
Undersheriff	\$106,225

PUBLIC COMMENT:

Cynthia Gorham Creveling, resident, thanked the legislators for all the work they do and the research. She thanked all of them for being ever mindful of ICE's behavior in communities across their country. She thanked the legislators as leaders in Yates County for keeping all of their community members safe and protected.

JAIL CLASSIFICATION PRESENTATION: Robert Cuttita, SMRT Consultant

 <p>Yates County Jail Classification Presentation: January 2026</p>	 <p>Originally constructed in 1975 – 1977 40 beds</p> <p>Individual Occupancy Housing Units: 40 Individual Cells</p> <p>Multiple Occupancy Housing Units: Dormitory 1: Capacity of 16; Trustee Dorm 4</p> <p>Total Facility Capacity: 60 incarcerated individuals Individual occupancy: 40 Multiple occupancy: 20</p>
 <p>What is Classification?</p>	 <p>“The chief administrative officer shall receive and safely keep in the county jail of his county each person lawfully committed to his custody”</p> <p>CL 500c = Security + Supervision (Safely Keep) = (Physical Plant) + (Policies and Procedures)</p> <p>(Appropriate Classification)</p>
 <p>CL 500b</p> <p>CL 500b states in pertinent part:</p> <p>“The chief administrative officer shall exercise good judgment and discretion and shall take all reasonable steps to ensure that the assignment of persons to facility housing units:</p> <ol style="list-style-type: none"> 1. fosters the safety, security and good order of the jail; and 2. Affords appropriate precautions for the personal safety and welfare of persons in custody with particular attention to those who are known to be vulnerable to assault or any physical or mental abuse” 	 <p>Correction Law 500 B</p>

New York Consolidated Laws, Correction Law - CDR § 500-b, Housing of prisoners and other persons in custody
 Current as of January 01, 2024 | Updated by L3984, c. 807, § 12-b
 (Deemed repealed Sept. 1, 2025, pursuant to L3984, c. 807, § 12-b)

1. As used in this section, the term "chief administrative officer" shall mean the person responsible pursuant to [section five hundred-c](#) of this article for receiving and safely keeping persons committed to a county jail.

2. In any case in which the chief administrative officer has more than one jail under his jurisdiction, he may confine a civil or criminal prisoner in any such jail and may remove the prisoner from one jail to another, within the county, whenever he deems it necessary for his safekeeping, or for the prisoner's appearance at court.

3. **No female confined in a county jail shall be assigned to or housed in a facility housing unit with a male, and if detained on civil process, or for contempt, or as a witness, she shall not be put or kept in the same room with a man, except her husband.**

4. **No person under eighteen years of age shall be placed or kept or allowed to be at any time with any prisoner or prisoners eighteen years of age or older, in any room, dormitory, cell or tier of the buildings of such institution unless separately grouped to prevent access to persons under eighteen years of age by prisoners eighteen years of age or older.**

5. **Repealed by L 1987, c. 754 § 3, eff. Aug. 5, 1987.**

6. **The commission shall promulgate rules and regulations** in accordance with subdivisions seven and eight of this section to assure that persons in custody in local correctional facilities will be afforded appropriate precautions for their personal safety and welfare in assignment to housing.

7. (a) Consistent with the commission's rules and regulations regarding the assignment of incarcerated individuals to housing units, the chief administrative officer shall exercise good judgment and discretion and shall take all reasonable steps to ensure that the assignment of persons to facility housing units:

- fosters the safety, security and good order of the jail; and
- affords appropriate precautions for the personal safety and welfare of persons in custody with particular attention to those who are known to be vulnerable to assault or any physical or mental abuse.

8. **The chief administrative officer shall consider the following in complying with this subdivision:**

- prior victimization in jail or prison;
- prior history of mental illness;
- prior history of sex offenses;
- prior history of a hostile relationship with another incarcerated individual;
- prior attempts at self-injury or suicide;
- prior attempted escapes;
- any mental or physical handicapping condition; and
- any other information concerning the safety or welfare of the incarcerated individual.

9. In considering the above information, the chief administrative officer shall examine the following:

- records made available to such officer at the time of the commitment by the court or law enforcement agency;
- determinations made upon an interview with an incarcerated individual at the time of classification;
- records, to the extent relevant and known to the chief administrative officer, maintained by the department of corrections and community supervision and/or any local correctional facility in this state and which are accessible and available to the chief administrative officer; and
- any other relevant information brought to the attention of the chief administrative officer by any person with knowledge of the conditions of the defendant.

Continued: Correction Law 500 B

8. Where the commission finds substantial noncompliance with commission rules and regulations with regard to (a) minimum staffing requirements; or (b) maximum jail capacity and security requirements; or (c) where it is determined that the county does not have an approved service plan in effect pursuant to article thirteen-A of the executive law or is found to be in non-compliance therewith, as provided in section two hundred sixty-three of such law, it shall prohibit the commingling of any of the following categories of incarcerated individuals:

- persons in custody on civil process, or committed for contempt, or detained as witnesses with persons detained for trial or examination upon a criminal charge with convicts under sentence;
- persons detained for trial or examination upon a criminal charge with convicts under sentence;
- persons under eighteen years of age with persons eighteen years of age or older; or
- a woman detained in any county jail or penitentiary upon a criminal charge or as a convict under sentence with a man, and if detained on civil process, or for contempt, or as a witness in a room in which there are no other prisoners with a man, except with her husband.

Such prohibition shall continue until such time as the commission finds that the county is no longer in substantial noncompliance with paragraphs (a), (b) and (c) of this subdivision.

Notwithstanding the provisions of this subdivision to the contrary, classification as authorized pursuant to this section may occur without compliance with paragraphs (b) and (c) of this subdivision for a period not to exceed six months immediately following the submission of a plan to the division pursuant to [section two hundred sixty-two of the executive law](#). During such six month period the commission shall undertake to review, observe and assess the classification of incarcerated individuals in local correctional facilities as authorized under this section to thereby ascertain safeguards which should be incorporated in its rules and regulations. Further, during such six month period in which such classification shall be permitted pursuant to this subdivision, the commission shall evaluate whether a local correctional facility is in substantial noncompliance with rules and regulations regarding the requirements specified in paragraph (a), (b) and (c) of this subdivision and shall determine at the end of such six month period whether substantial noncompliance exists. At the expiration of the six month period if the commission finds a local facility in substantial noncompliance, the commission shall order that the prohibition set forth in this subdivision immediately take effect. The commissioner shall advise the chief administrative officer of such facility of the specific nature of the noncompliance and the specific measures which should be undertaken to remedy the noncompliance. When such measures have been implemented, the chief administrative officer shall certify same to the commissioner and upon the verification thereof by the commissioner, shall permit the chief administrative officer to classify incarcerated individuals as provided under this section. In the event substantial noncompliance is not found at the expiration of the six month period, then the local correctional facility may continue to classify incarcerated individuals as authorized in this section.

Continued: Correction Law 500 B

9. **The chief administrative officer shall forward to the commission a quarterly report relative to the housing of incarcerated individuals.** The report shall include, but not be limited to:

- all unusual incidents or assaults occurring in a housing unit;
- staffing;
- daily prisoner population counts;
- verification that the locality is maintaining security and supervision records as mandated pursuant to the commission's rules and regulations;
- court orders which have been issued and which relate to staffing, jail capacity or security requirements; and
- any other information requested by the commission and available to the chief administrative officer with respect to this section.

10. The commission shall conduct on-site inspections and review reports required by this section to monitor the assignment of persons to facility housing units as governed by this section.

11. The commission shall submit to the governor, the temporary president of the senate, the speaker of the assembly, the chairman of the senate crime and correction committee and the chairman of the assembly committee on codes, by March first of each year, its evaluation and assessment of housing in county jails, together with any recommendations with respect to the proper operation or improvement of housing in county jails.

12. The provisions of this section shall govern only the assignment of persons to facility housing units and shall not be construed to prohibit the commingling of persons during their participation in any facility program or activity, including meals and visitations.

Continued: Correction Law 500 B

13. Where in the opinion of the chief administrative officer an emergency overcrowding condition exists in a local correctional facility caused in part by the prohibition against the commingling of persons under eighteen years of age with persons eighteen years of age or older or the commingling of persons eighteen years of age or older with persons under eighteen years of age, the chief administrative officer may apply to the commission for permission to commingle the aforementioned categories of incarcerated individuals for a period not to exceed thirty days as provided herein. The commission shall acknowledge to the chief administrative officer the receipt of such application upon its receipt. The chief administrative officer shall be permitted to commingle such incarcerated individuals upon acknowledgment of receipt of the application by the commission. The commission shall assess the application within seven days of receipt. The commission shall deny any such application and shall prohibit the continued commingling of such incarcerated individuals where it has found that the local correctional facility does not meet the criteria set forth in this subdivision and further is in substantial noncompliance with minimum staffing requirements as provided in commission rules and regulations. In addition, the commission shall determine whether the commingling of such incarcerated individuals presents a danger to the health, safety or welfare of any such incarcerated individual. If no such danger exists the chief administrative officer may continue the commingling until the expiration of the aforementioned thirty day period or until such time as he or she determines that the overcrowding which necessitated the commingling no longer exists, whichever occurs first. In the event the commission determines that such danger exists, it shall immediately notify the chief administrative officer, and the commingling of such incarcerated individuals shall cease. Such notification shall include specific measures which should be undertaken by the chief administrative officer, to correct such dangers. The chief administrative officer may correct such dangers and reply to the commission for permission to commingle; however, no commingling may take place until such time as the commission certifies that the facility is now in compliance with the measures set forth in the notification under this subdivision. When such certification has been received by the chief administrative officer, the commingling may continue for thirty days, less any time during which the chief administrative officer commingled such incarcerated individuals following his or her application to the commission, or until such time as he determines that the overcrowding which necessitated the commingling no longer exists, whichever occurs first. The chief administrative officer may apply for permission to commingle such incarcerated individuals for up to two additional thirty day periods, in conformity with the provisions and the requirements of this subdivision, in a given calendar year. For the period ending December thirtieth, nineteen hundred eighty-four, a locality may not apply for more than one thirty day commingling period.

NYS Minimum Standards Section 7013 Classification in part

Part 7013 Classification

(a) **Classification** shall mean the process of assigning inmates to appropriate housing by determining security and supervision requirements and inmate special needs based on screening and risk assessment and pursuant to New York State Correction Law.

(b) **Formal and objective system** shall mean a procedure for determining an inmate's appropriate housing assignment which utilizes a point scale, decision tree or other method capable of quantifiable analysis or computation.

(c) **Initial screening** shall mean a risk assessment and preliminary determination of an inmate's special needs and security and supervision requirements upon his admission to the facility.

(d) **Primary housing assignment** shall mean the housing assignment of an inmate which is made after the initial screening and classification process.

(e) **Inmate records** shall have the same meaning as set forth in section 7033.2 of this Title.

(f) **Inmate medical and psychiatric records** shall have the same meaning as set forth in section 7033.2 of this Title.

(g) **Classification review** shall mean any classification status assessment made subsequent to an inmate's primary housing assignment.

(h) **Special housing** shall mean any incarcerated individual housing area, or subdivision thereof, used principally for punitive or other administrative segregation.

(i) **Staffing substantial noncompliance** shall mean a condition whereby the actual daily staffing pattern, averaged weekly for at least a four-week period, is below the number of staff necessary to perform the required functions and tasks on a 24-hour basis, exclusive of the full coverage factor, as determined by the commission pursuant to section 7041.2 of this Title.

(j) **Security substantial noncompliance** shall mean a violation of any of the following requirements:

- section 7003.3(a)-(e) and (h)-(i) of this Title, supervision of prisoners in facility housing areas;
- section 7003.8(a) of this Title, requirements of facility staff members prior to assuming responsibilities in an assigned facility area; and
- section 7041.2(a)(1) of this Title, supervisory staff levels.

(k) **Capacity substantial noncompliance** shall mean a condition whereby the average daily in-house inmate count, averaged quarterly, exceeds the maximum facility capacity as established by the commission or judicial order.

Classification Continued

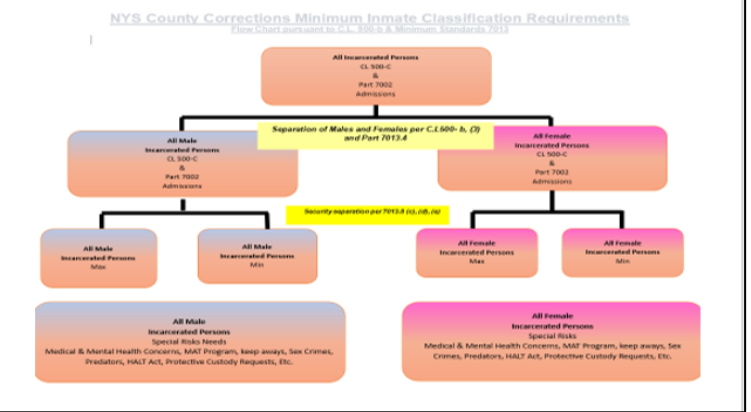
(a) After initial screening and risk assessment is completed and prior to determining each inmate's primary housing assignment, the inmate shall be placed in a housing unit within a housing area(s) designated for classification purposes. Such housing area(s) may be utilized on a temporary or permanent basis, given the needs and physical plant limitations of each facility.

(b) Placement in such housing areas shall be temporary pending completion of the classification process, including the determination of appropriate housing, which shall be completed within five business days of each inmate's admission to the facility. The chief administrative officer may extend the time to complete the classification process for a particular inmate up to an additional 10 business days if he concludes that additional time is necessary to make a determination of appropriate housing.

(c) In arriving at a determination of each inmate's housing assignment, the chief administrative officer shall base his/her decision on the following information, if such information is available and accessible to the chief administrative officer:

- criminal history;
- propensity for victimization;
- history of medical/mental illness;
- history of sex offenses;
- history of hostile relationship(s) with other inmates;
- prior attempts at self-injury or suicide;
- prior escapes and attempted escapes;
- attitude and behavior during present and prior incarceration(s), including any history of assaultive behavior during incarceration; and
- any other information which may affect the safety and welfare of the inmate or facility staff.

Note #9 is all the other items such as MAT, HALT, Keep aways, etc



Some Important Definitions – Other Special Risks Needs

Medicated Assistance Treatment (MAT) - New York State law defines MAT as the use of prescription medications to treat chemical dependence or substance use disorders, delivered under the supervision of qualified medical professionals. This is a mandated program in all correctional facilities in NY and utilizes Drugs such as Methadone, Suboxone and Vivitrol

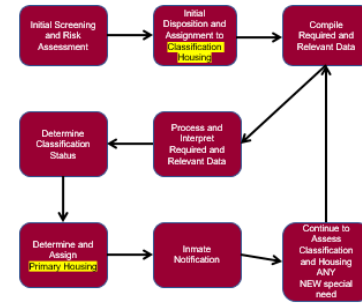
Humane Alternatives to Long-Term Solitary Confinement Act (HALT) – Requires at least 7 hours of out of cell time to have "meaningful human interaction". Special considerations to vulnerable populations to include Individuals under 22 and over 55, People with disabilities, pregnant individuals and those with serious Mental Health issues.

Protective Custody – is a non punitive housing status used to safeguard an incarcerated individual who cannot safely remain in general population due to risk of harm, intimidation, or vulnerability. (Police, Victims, Witness's, Sexual Crimes, etc.)

Keep Away's – is an administrative separation used to ensure that two or more incarcerated individuals are not housed, moved together due to safety and security concerns. This is not a special housing placement rather a classification restriction that informs housing, movement and program assignments.

Medical / Mental Health Concerns are classification flags used to identify individuals who have physical or psychological conditions that require special housing, supervision, or service considerations. These concerns do not change custody level by themselves, but they modify how the person can be safely housed, moved, and managed.

Basic Overview of the Classification Process



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Questions



Mr. Paddock moved to enter into executive session on the basis of:

1. Matters that may imperil public safety if disclosed, attendees being members of the legislature, all members of the Public Safety Ad Hoc Committee, SMRT Consultant Robert Cuttita, and Lance Lowell via Zoom.

Seconded by Mr. Killen.

VOTE: Unanimous

The meeting reconvened in regular session at 2:43 p.m. with Mr. Willson now absent.

Mr. Paddock moved to enter into executive session on the basis of:

1. Conferring with legal counsel, attendees being members of the legislature, the County Attorney, Commissioner of DSS, Probation Director, and the County Administrator; and
2. Council updates on Empire Contract, attendees being members of the legislature, the County Attorney, Director of Planning, and the County Administrator; and
3. Conferring with legal counsel, attendees being members of the legislature, the County Attorney, and the County Administrator.

Seconded by Mr. Bronson.

VOTE: Unanimous

The meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Emilee D. Miller

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Emilee Miller
Yates County Clerk of the Legislature

DRAFT