

REGULAR MEETING
Morning Session
Monday, August 28, 2017
Legislative Chambers

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 28th day of August, 2017 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislator Mullen.

Mrs. Lando provided the Invocation and the Pledge of Allegiance was led by Mr. Hanna.

Chairman Hauryski asked Sheri vonHagn to come forward. Ms. vonHagn is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Hauryski asked Lorelei Wagner and Darlene Smith to come forward. Chairman Hauryski presented Ms. Wagner with the Employee of the Month Award for September 2017. She was nominated by Mrs. Smith in the categories of Outstanding Performance and Major Project Accomplishment and he asked Mrs. Smith to read the nomination narrative.

Mrs. Smith stated for the past 2 years, Steuben County Public Health has been involved in the process of accreditation with the Public Health Accreditation Board (PHAB). Throughout this labor intensive, lengthy, complex process, Lorelei has kept a remarkably upbeat, positive attitude and demonstrated a creative, can-do work ethic. Even when documents were returned to us as not fully meeting the measure, Lorelei would instantly begin to brainstorm to think of a new document or initiative that would demonstrate that Steuben County Public Health is in compliance with the standards that PHAB puts forth. She sought to demonstrate not only our compliance, but our compliance accomplished at a quality level. Our application to PHAB is part of a 6 county, multi-jurisdictional application (MJD). Under Lorelei's organized and diligent coordination, Steuben County Public Health was the **first** out of the 6 counties to have all 196 county specific documents and 137 MJD documents submitted for final review, approval and upload to e-PHAB!

Mrs. Smith stated the process of documentation submission is not as simple as it sounds. There are 100 Standards and Measures contained within 12 domains. Many of the measures ask for 2 different examples of how we meet the measure. Lorelei must read the guidance, review and decide the appropriate document that will meet the measure, write a narrative for each one to explain why this document meets the measure, highlight the relevant content within the document, convert it to acceptable PDF formatting for upload and then email it in order to be scored by other members of the accreditation team. She is also involved in scoring these same types of documents for 2 other counties in the multi-jurisdictional application, totaling 666 documents. She created color-coded spreadsheets, ticklers to keep us on task and on time, and provided staff training for those involved in the accreditation process. All of this was accomplished while completing her normal day-to-day responsibilities of PH Education Coordinator. Other counties within our multi-jurisdictional application hired staff whose sole job function was accreditation. Lorelei's attention to detail, phenomenal organizational skills, amazing work ethic and sometimes super human ability to create and submit what was needed under constant deadlines, prevented Steuben County from incurring the additional expense! Simply put, without Lorelei, we would not have been as successful as we were. She is very deserving of this employee recognition from the Legislature. **CONGRATULATIONS!**

Chairman Hauryski opened the floor for comments by members of the public.

Wayne Wells, Cameron, spoke about his views regarding President Trump and racism.

Kristin Klemenz, owner of B&W Towing, Painted Post, stated that she would like the Legislature to consider reissuing the towing RFP, or at the very least, look at the limited access roadways. She noted that the City of Utica has 15 towing companies on rotation for passenger and commercial vehicles without any issues. The only difference between the City of Utica and Steuben County is that we are spread out more. The company who was awarded the RFP in the northern part of the county is out of business and other companies have been taking over that area. She is confident that 911 is capable of handling a rotation list. She asked that the Legislature reconsider a rotating list.

There being no further comment, Chairman Hauryski declared the opportunity for public comment closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting Upon Local Law Tentatively No. Six for the Year 2017, Repealing Local Law No. 7 for the Year 2003, "Authorizing the Imposition of a Thirty-Cent Surcharge to Underwrite Maintenance Costs Associated with the E-911 System" and Imposing the Wireless Communications Surcharges pursuant to the Authority of the Tax Law §186-G. Chairman Hauryski opened the floor to comments by members of the public. There being none, he declared the public hearing closed.

Mr. Wheeler announced that today they will be holding three public hearings regarding the Steuben County Shared Services Plan. The other two public hearings will be held at noon in Corning and 3pm in Hornell. In order to comply, we need to work together, as we always do, to find recurring property tax savings. He stated the reality of shared services is that during the Governor's budget process, he talked about shared services as though he invented it, but we have been doing this for decades.

Mr. Wheeler stated the Department of State says that we are doing a great job and wants to help us to do more. Shared services is a way of life for the County and the small municipalities that we partner with. The local share that is spent on state programs is 15.4 percent in New York State, while the average of all 50 states is 2 percent. That is why property taxes are so high. For every \$1.00 we spend, \$.92 is spent on 9 State mandated programs and services. We may implement those programs, but we do not have a choice whether to provide them. That leaves \$.08 to cover everything else that we provide. Regarding the 2 percent tax cap, while that State is staying within a flat 2 percent by shifting money and revenue, in reality, with spending, they are actually averaging a 4 percent increase.

Mr. Wheeler stated the Shared Services Panel has met a number of times and has been great to work with. We just want to document what we do and what we want to continue to do. Existing contracts for services do not count. They either need to be new contracts, or something where no inter-municipal agreement was previously signed. One of the biggest items is road repairs. There is a draft shared services plan available on the website. The programs we are including are: Bridge Projects, Mobile Work Program, Fund Purchasing, Contract Services for Assessing, County Auction, Fund Radio System/Broadband, Property Rehabilitation, Public Works Equipment and Personnel, GIS Mapping, Cooperative Purchasing for Public Works Materials, Dog Control, Sewer Management/Operation, Court Facilities, Shared Town Assessors, Paver, District Courts, Code Enforcement Training, Consolidation of Water Districts and Consolidation of Economic Development Administration. We have estimated a \$1.9 million savings, or rather, cost avoidance. The State has indicated that in their next budget, they will appropriate matching funds equivalent to this cost avoidance. Our hope is that once the plan is adopted, we will be eligible to receive those matching funds. He stated the Shared Services Panel will vote on the final plan by September 15th. After that, there will be more public presentations to talk about the plan and then it will be presented to the Legislature for final adoption by October 15th.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for a Public Hearing relative to hearing public comments on the proposed Steuben County Shared Services Plan. Comments on the Shared Services program or proposed shared services project(s) will be received at this time. This hearing is being conducted pursuant to the enacted County-wide Shared Services Property Tax Savings Plan Law. Chairman Hauryski opened the floor for comments by members of the public.

Wayne Wells, Cameron, stated he does not know much about the block chain yet, but asked if the Legislature was familiar with it and what it can do to reduce the cost of smart contracts. He urged the Legislature to look into this. Block chain is associated with cryptocurrency and is technology which allows the app of cryptocurrency to function. It is a decentralized ledger that has encryption associated with it and is very interesting technology.

There being no further comments, Chairman Hauryski declared the public hearing closed.

Motion adopting the minutes of the previous meeting(s) made by Mr. Maio, seconded by Mr. Schu and duly carried.

RESOLUTION NO. 128-17

Introduced by S. Van Etten.

Seconded by C. Ferratella.

MATTERS PERTAINING TO COUNTY REAL PROPERTY TAX SALES, CORRECTIONS OF ASSESSMENTS, PROPERTY TAXES, AND OTHER REAL PROPERTY ACQUISITIONS AND DISPOSITIONS.

Pursuant to Section 2.07 of the Steuben County Charter.

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of applications for correction of real property taxes levied on the parcels contained in Schedule "A"; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to make the proper tax adjustment, and/or refund, with respect to the parcels contained in Schedule "A", as set forth in the approved applications, copies of which shall be forwarded to the taxpayer and collecting authority; and be it further

RESOLVED, that certified copies of this resolution contained in Schedule "A" shall be forwarded to the Director of the Steuben County Real Property Tax Service Agency and the Steuben County Commissioner of Finance, together with the approved applications executed in duplicate by the Chairman of the County Legislature, and the Chairman of the Board of Assessors of the appropriate municipality.

SCHEDULE "A"

Resolution No.	<u>A-1</u>
Name	<u>KAJEN LLC</u>
Parcel No.	<u>151.72-02-053.000</u>
Municipality	<u>City of Hornell</u>
Disposition	<u>2018 – Correction of assessment</u>

Resolution No.	<u>A-2</u>
Name	<u>Brian Gennello</u>
Parcel No.	<u>142.00-01-022.110</u>
Municipality	<u>Town of Bath</u>
Disposition	<u>2018 – Correction of duplicate entry</u>

Resolution No. A-3
Name Gordon Hakes (County holds title)
Parcel No. 283.00-01-044.110
Municipality Town of Corning
Disposition 2018 – Correction, tax-exempt

Resolution No. A-4
Name Kevin and Holly Tucker
Parcel No. 197.11-03-083.000
Municipality Village of Canisteo
Disposition 2017-18, Refund/Correction of re-levy

Resolution No. A-5
Name Danny and Angela Carr
Parcel No. 318.14-01-005.000
Municipality City of Corning
Disposition 2018 – Correction of assessment

Resolution No. A-6
Name Andrew and Tyranny Butler
Parcel No. 326.00-01-015.200
Municipality Town of Jasper
Disposition 2017 – Correction of STAR Exemption

Resolution No. A-7
Name Fairside Housing Dev Fund Co. Inc.
Parcel No. 159.10-02-001.200
Municipality Village of Bath
Disposition 2018 – Correction of error

Resolution No. A-8
Name Edgarleen M. Pratt
Parcel No. 299.13-04-004.000
Municipality Village of Painted Post
Disposition 2017 – Refund, Mathematical error

Resolution No. A-9
Name Thomas Purcell
Parcel No. 317.11-02-025.000
Municipality City of Corning
Disposition 2018 – Correction of Exemption

Resolution No. A-10
Name William J. McCreary
Parcel No. 388.00-01-013.111
Municipality Town of Lindley
Disposition 2015-16 Correction of Star Exemption

Vote: Roll Call – Adopted.

RESOLUTION NO. 129-17

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE AUGUST 28, 2017 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY MANAGER’S OFFICE.

BE IT RESOLVED, that the following communications were received, accepted and filed by the County of Steuben, and **referred to the appropriate Standing Committee and/or Department Head for information and/or action**, to wit:

July 14, 2017

NYS Department of Public Service – Re: Notice of correction of submission of stipulations for the Baron Winds LLC. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

NYS Department of Public Service – Re: Notice on inviting comments on the proposed stipulations for the Baron Winds, LLC Wind Energy Project. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

July 17, 2017

Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Upstate Niagara Cooperative Inc. is scheduled for Wednesday, July 26, 2017 at 9:00am at the Town of Campbell Town Hall located at 8529 Main Street, Campbell, New York. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

New York State Board on Electric Generation Siting and the Environment – Re: Notice of correcting filing date in notice inviting comments on proposed stipulations issued July 13, 2017 on the Eight Point Wind, LLC Wind Energy Project. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

July 25, 2017

New York State Board on Electric Generation Siting and the Environment – Re: Ruling on the intervenor funding request for the Eight Point Wind, LLC Wind Energy Project. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

New York State Association of County Coroners and Medical Examiners – Re: Notice of implementation of the new Electronic Death Registration System (EDRS). ***Referred to: Public Safety & Corrections Committee; Human Services/Health & Education Committee; Timothy Marshall, EMO Director; and Darlene Smith, Public Health Director.***

Southern Tier Library System – Re: 2018 Budget request in the amount of \$123,829. ***Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.***

July 26, 2017

The ARTS Council of the Southern Finger Lakes – Re: 2018 Budget request in the amount of \$36,700. ***Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.***

July 27, 2017

Emergency Medical Services Training, Administration & Resources – Re: Second Quarter Report for April-June 2017. ***Referred to: Human Services/Health & Education Committee; Public Safety & Corrections Committee; Darlene Smith, PHN Director; and Tim Marshall, EMO Director.***

Corning Community College – Re: Notification of the change in the county chargeback rate (\$2,982 per FTE) and an estimate of the total chargeback's (Jan-Dec 2018: Operating \$2,921,078/Capital \$245,250). ***Referred to: Human Services/Health & Education Committee; Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

NYS Homes and Community Renewal – Re: Notification of the Single Audit Management Decision for the Fiscal Year period ending December 31, 2016 (Community Development Block Grant, Contract #1115HR3-13) is complete. ***Referred to: Amy Dlugos, Planning Director; and Patrick Donnelly, Commissioner of Finance.***

July 28, 2017

NYS Education Department – Re: Grant award notification for the Local Government Records Management in the amount of \$74,400 (Project#0580187022). ***Referred to: Finance Committee; Mitch Alger, Deputy County Manager; and Patrick Donnelly, Commissioner of Finance.***

Town of Pulteney – Re: Request to transfer the former Nichols Inn to the Town of Pulteney. ***Referred to: Finance Committee; Administration Committee; Jack Wheeler; County Manager; Alan Reed, County Attorney; and Patrick Donnelly; Commissioner of Finance***

City of Hornell Industrial Development Agency – Re: Notice of public hearing regarding the City of Hornell Industrial Development Agency and 7100 Route 70A LLC Project is scheduled for Wednesday, August 9, 2017 at 11:00am at the Hornellsville Town Hall located at 4 Park Avenue, Arkport, New York. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

Cornell Cooperative Extension – Re: 2018 Budget Request in the amount of \$382,000. **Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.**

NYS Office for the Aging – Re: Revised Notification of Grant Award for the New York Connects Expansion and Enhancement program for the period of April 1, 2014 through December 31, 2016. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

July 31, 2017

NYS Assembly Speaker, Carl Heastie – Re: Correspondence letter on supporting legislation to extend sales and other local relevant taxes. **Referred to: Steuben County Legislature; and Patrick Donnelly, Commissioner of Finance.**

August 3, 2017

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$49,225, which represents the net revenue payable for the second quarter of 2017 combined with the surcharge payment for the month of June 2017. **Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.**

August 4, 2017

NYS Office for the Aging – Re: Revised notification of grant award and annual implementation plan budget for the EISEP, CSE, WIN, and HIICAP programs for the period of April 1, 2016 through March 31, 2017. **Referred to: Human Services/Health & Education Committee; and Patricia Baroody; OFA Director.**

August 7, 2017

Mart Inn Inc. – Re: Request for development of roadway on vacant land located on Route 66 in Hornellsville. **Referred to: Vince Spagnoletti, Commissioner of Public Works and Alan Reed, County Attorney.**

NYS Department of Environmental Conservation – Re: Notification of sufficient evidence to commence an enforcement action against Bath Electric, Gas and Water Systems. **Referred to: Jack Wheeler, County Manager and Amy Dlugos, Planning Director.**

NYS Department of Transportation – Re: Notification of Steuben County being awarded \$20,131 in funding under Governor Cuomo’s Accelerated Transit Capital Program. **Referred to: Amy Dlugos, Planning Director.**

NYS Office for the Aging – Re: Notifications of the 2016-2020 Four Year Plan for Steuben County has been approved. The applications for the Older Americans Act (OAA), Title III-B, Title III-C-1, Title III-C-2, Title III-D, Title III-E, HIICAP and if applicable, Title V funds have been approved. In addition, the applications for the Expanded In-home Services for the Elderly Program (EISEP), the Community Services for the Elderly (CSE) program, the Wellness in Nutrition (WIN) Program, the Congregate Services Initiative (CSI), the State Transportation program and the State Caregiver Resources Center (CRC) program for the period of April 1, 2017 – March 31, 2018 has also been approved. **Referred to: Human Services/Health & Education Committee; and Patricia Baroody; OFA Director.**

Bishop Sheen Ecumenical Housing Foundation – Re: Notification of available program services for Steuben County and the 2016-2017 annual report. **Referred to: Human Services/Health & Education Committee; Patty Baroody, OFA Director; Dan McRae, Director of Veterans Services; Amy Dlugos, Planning Director; and Brenda Mori, Clerk of the Legislature.**

Vote: Acclamation – Adopted.

RESOLUTION NO. 130-17

Introduced by D. Farrand and B. Schu.

Seconded by H. Lando.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. SIX FOR THE YEAR 2017, REPEALING LOCAL LAW NO. 7 FOR THE YEAR 2003, "AUTHORIZING THE IMPOSITION OF A THIRTY CENT SURCHARGE TO UNDERWRITE MAINTENANCE COSTS ASSOCIATED WITH THE E-911 SYSTEM." AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF THE TAX LAW § 186-G.

Pursuant to New York State Tax Law §186-g

WHEREAS, Steuben County previously collected a surcharge per access line per month under the prior authorization of Local Law No. 7 of 2003; and

WHEREAS, current legislation will terminate such legislation; and

WHEREAS, the same current legislation authorizes an extension and expansion of the cell phone surcharges to include all basic wireless devices, as well as all prepaid wireless devices; and

WHEREAS, it is in the best interest of the County to collect a tax and to expand such tax to prepaid wireless devices so all cell devices are treated similar.

NOW, THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Six for the Year 2017, repealing the wireless communications surcharge authorized by Article Six of the County Law of the State of New York; and imposing the wireless communications surcharges pursuant to the authority of Tax Law § 186-g.

**COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. SIX FOR THE YEAR 2017**

A Local Law, repealing the wireless communications surcharge authorized by Article Six of the County Law of the State of New York; and imposing the wireless communications surcharges pursuant to the authority of Tax Law § 186-g.

Be it enacted by the Steuben County Legislature, as follows:

SECTION 1. Local Law No. 7 of 2003, authorizing the initial enactment that imposed the wireless surcharge ordinance, is hereby repealed.

SECTION 2. Imposition of wireless communications surcharges. (a) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Steuben on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County of Steuben, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such County of Steuben, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. Administration of surcharges. The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law § 186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. Applicability of State law to surcharges imposed by this Local Law. All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5. Net collections received by this County of Steuben from the surcharges imposed by this Local Law shall be expended only upon authorization of the Steuben County Legislature and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County of Steuben, as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County of Steuben shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Effective date. This Local Law shall take effect December 1, 2017.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing was held on August 28, 2017 at 10:00 A.M. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature has caused a Notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, said Notice published for one insertion in the two official newspapers of the County, and has caused such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with the proof of posting and publication filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Six for the Year 2017, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, Director of E-911, County Attorney and the Commissioner of Finance.

Mr. Booth asked are we just adding prepaid cards? Mr. Wheeler replied this will apply to any sale; whether a phone or prepaid card. This will be collected like sales tax and we will be reimbursed.

**Vote: Roll Call – Adopted. Yes – 8682; No – 593; Absent – 597
(No – Legislator Booth; Absent – Legislator Mullen)**

RESOLUTION NO. 131-17

Introduced by C. Ferratella and B. Schu.

Seconded by R. Weaver.

RECLASSIFICATION OF ONE RECEPTIONIST, GRADE V POSITION TO A SENIOR ACCOUNT CLERK-TYPIST, GRADE X POSITION WITHIN THE OFFICE OF COMMUNITY SERVICES.

Pursuant to Section 204 of the County Law of the State of New York.

WHEREAS, this Receptionist in the Department of Community Services performs Senior Account Clerk-Typist duties; and

WHEREAS, this Senior Account Clerk-Typist will have added duties of supervision of subordinate clerical staff and performance of higher level account keeping; and

WHEREAS, an Senior Account Clerk-Typist title more appropriately performs these duties; and

WHEREAS, the Personnel Officer, the Human Services, Health and Education Committee, and Administration Committee have reviewed said position within the Office of Community Services that requires a job title change and have approved the recommended change.

NOW, THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in the Office of Community Services is hereby reclassified as follows:

Receptionist, Grade V (\$25,773 to \$36,386) to
Senior Account Clerk-Typist, Grade X (\$31,880 to \$45,006)

AND BE IT FURTHER RESOLVED that the 2017 County Job Classification and Salary Schedule is hereby amended to reflect the above-stated changes; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance, Personnel Officer and the Director of the Office of Community Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 132-17

Introduced by C. Ferratella and S. Van Etten.

Seconded by G. Roush.

AUTHORIZING THE ACCEPTANCE OF AGING MASTERY FUNDING FROM THE NEW YORK STATE OFFICE FOR THE AGING.

WHEREAS, Steuben County Office for the Aging was recently presented with funding for the implementation of the Aging Mastery Program® of the National Council on Aging; and

WHEREAS, the conditions are designated for program development, it is in the best interest of the County of Steuben to receive these funds.

NOW, THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to accept \$5,100 into account number 677300 as revenue from account 4 3772 720 and appropriate the same to expenditure lines 5 404 100, 5 479 300, 5 403 100; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Office for the Aging and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 133-17

Introduced by R. Lattimer.

Seconded by G. Roush.

COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 10.

Pursuant to Article 25-AA, Section 303-a, of the Agriculture and Markets Law of the State of New York.

WHEREAS, Agricultural District No. 10, located in the Towns Canisteo, Greenwood, Hartsville, Jasper, Troupsburg and West Union, Steuben County, is now being reviewed pursuant to said Law; and

WHEREAS, the next review date for said district is April 27, 2018 and a Notice of Review from the State of New York, Department of Agriculture and Markets has been received and pursuant to said Law, the procedure for the necessary review of the Steuben County Agricultural District No. 10 is required to commence.

NOW, THEREFORE, BE IT

RESOLVED, that the Review period of the said Agricultural District located in the Towns Canisteo, Greenwood, Hartsville, Jasper, Troupsburg and West Union, County of Steuben and State of New York commences effective upon filing of a Notice of Review with the office of the Steuben County Clerk, said Review period to be for a period of thirty (30) days; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to file said Notice of Review in the Office of the Steuben County Clerk and provide notice of such review by publishing the "Notice" in the Corning Leader and Evening Tribune, which are two (2) newspapers having general circulation within the said District, and by posting such "Notice" in five (5) conspicuous places within the said district. Said "Notice" shall contain information as required in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York; and be it further

RESOLVED, that the Clerk of this Legislature shall file the necessary affidavits of publication and posting of such "Notice" with this County Legislature, and this Legislature shall receive any proposals for modification of said district which may be submitted by landowners or municipalities, within thirty (30) days of the filing of the Notice of Review in the Steuben County Clerk's Office; and be it further

RESOLVED, that upon termination of said thirty (30) day period such review and any proposed modifications shall be referred by this Legislature to the Steuben County Agricultural and Farmland Protection Board, which Board shall report to the Steuben County Legislature their recommendations concerning the review and proposed modifications, and thereafter the County Legislature shall hold a Public Hearing as required by Law; and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to the Steuben County Clerk; and the Director of the Steuben County Planning Department.

Vote: Roll Call – Adopted.

RESOLUTION NO. 134-17

Introduced by R. Lattimer.

Seconded by D. Farrand.

AUTHORIZING THE STEUBEN COUNTY PLANNING DEPARTMENT TO SUBMIT AN APPLICATION TO THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL FOR A COMMUNITY DEVELOPMENT BLOCK GRANT.

WHEREAS, Steuben County is an eligible applicant for New York State Community Development Block Grant (CDBG) funding for Housing Activities; and

WHEREAS, Steuben County and Arbor Development, Inc. want to continue their program of housing rehabilitation for low and moderate income persons; and

WHEREAS, well and septic replacement, and lateral connection assistance, are eligible expenditures of CDBG funds; and

WHEREAS, under the CDBG Program, Steuben County is permitted to contract with Arbor Development, Inc. to provide said assistance.

NOW, THEREFORE, BE IT

RESOLVED, that the Steuben County Planning Department is hereby authorized to submit an application to the NYS Homes and Community Renewal for a Community Development Block Grant to provide funding for well and septic systems repairs or replacements or lateral connections to water or sewer systems; and be it further

RESOLVED, the Planning Director is hereby authorized to sign the application on behalf of Steuben County; and be it further

RESOLVED, should said grant be awarded, Steuben County hereby accepts the grant award and the Steuben County Commissioner of Finance is hereby authorized to appropriate the grant funds in the Steuben County Budget; and be it further

RESOLVED, that the Planning Director is hereby authorized to sign all appropriate and necessary documents to implement said grant; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Planning Director, and to the Executive Director, Arbor Development, Inc., 26 Bridge St., Corning NY 14830.

Mr. Swackhamer asked does this have anything to do with the Land Bank? Mr. Wheeler replied no.

Vote: Roll Call – Adopted.

RESOLUTION NO. 135-17

Introduced by B. Schu and S. Van Etten.

Seconded by R. Lattimer.

AUTHORIZING THE COUNTY MANAGER TO CONTRACT FOR A BROADBAND DEMAND AGGREGATION ASSESSMENT WITH ECC TECHNOLOGIES, INC.

WHEREAS, the Southern Tier Network (STN) as well as Steuben, Schuyler, and Yates counties have undertaken a significant effort to improve broadband coverage in our region; and

WHEREAS, the Federal / State broadband coverage maps have proven to be inaccurate by overstating the broadband coverage in our region; and

WHEREAS, the County of Steuben is desirous to conduct a broadband demand aggregation assessment to give a more accurate picture of the need for improved broadband coverage in the region; and

WHEREAS, Steuben County has issued requests for proposals to obtain said services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Manager be authorized to enter into an agreement with ECC Technologies, Inc. in the amount of \$10,000 for broadband demand aggregation assessment services; and be it further

RESOLVED, that the County Manager be authorized to spend out of the existing capital account H0100 1230H1 SOUTHERN TIER FIBER PROJECT; and be it further

RESOLVED, that the County Manager is authorized and directed to execute the requisite documentation to effectuate the intentions of this resolution; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Manager and Commissioner of Finance.

Mr. Booth asked for an explanation. Mr. Wheeler explained when we apply for State broadband grants, we have been ineligible due to the coverage mapping. The mapping that was conducted in 2010 is highly inaccurate and goes by census block. If one household in the census block has broadband, the entire block is classified as covered. Demand aggregation is pushing to get better mapping. There will be an online survey for individuals to login and denote what they have. ECC will also do a mailing for those individuals who currently do not have internet service. The end result is we will have much better mapping of broadband coverage in the county. This should also help us leverage funds in the future. Chemung and Yates counties are also doing this.

Mr. Booth asked who did the original mapping? Mr. Wheeler replied the State did it using a number of carriers. Mr. Booth asked would the State accept it if we come up with different data? Mr. Wheeler replied that will be our argument. Mr. Booth asked has this company done this before? Mr. Wheeler replied yes, they have done this before. Wayne County recently completed this study. It will be about a six-month process.

Mr. Swackhamer asked how will we spread the word? Mr. Wheeler replied we will do press releases, post the information on the County website as well as put an article in the County Newsletter that will be sent to all of the municipalities.

Vote: Roll Call – Adopted.

RESOLUTION NO. 136-17

Introduced by D. Farrand and B. Schu.

Seconded by C. Ferratella.

AUTHORIZING THE RECLASSIFICATION OF POSITIONS WITHIN THE SHERIFF'S OFFICE.

Pursuant to Section 204 of the County Law of the State of New York.

WHEREAS, One (1) Deputy Sheriff Corporal position, one (1) Deputy Sheriff Sergeant position, and one (1) Senior Criminal Investigator position in the Sheriff's Office perform Deputy Sheriff Lieutenant duties; and

WHEREAS, the one (1) Deputy Sheriff Corporal position, one (1) Deputy Sheriff Sergeant position, and one (1) Senior Criminal Investigator position will have added duties of direct supervision of subordinates; and

WHEREAS, these Deputy Sheriff Lieutenant positions more appropriately perform these duties; and

WHEREAS, the Personnel Officer, the Administration Committee, and the Public Safety and Corrections Committee have reviewed said positions within the Sheriff's Office that require a job title change and have approved the recommended changes.

NOW, THEREFORE, BE IT

RESOLVED, with the adoption of this resolution, the following positions in the Sheriff's Office are hereby reclassified as follows:

One (1) Deputy Sheriff Corporal Grade XII (\$37,638 - \$58,143); one (1) Deputy Sheriff Sergeant, Grade XIII (\$39,878 - \$60,299); one (1) Senior Criminal Investigator, Grade XIV (\$41,206 - \$62,454) to three (3) Deputy Sheriff Lieutenant, Grade XIV (\$41,206 - \$62,454)

AND BE IT FURTHER RESOLVED, that the 2017 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance; Personnel Officer; and the Sheriff.

Vote: Roll Call – Adopted.

RESOLUTION NO. 137-17

Introduced by D. Farrand and B. Schu.

Seconded by K. Fitzpatrick.

UPGRADING THE REGISTERED PROFESSIONAL NURSE AT THE STEUBEN COUNTY PUBLIC SAFETY BUILDING.

Pursuant to §2.07(8) of the Steuben County Charter.

WHEREAS, the Steuben County Sheriff needs the ability to recruit full time Registered Professional Nurses to fulfill staffing requirements; and

WHEREAS, it is necessary for the Legislature to authorize the upgrade of said position and for the Local 1000 of the CSEA, Inc. to approve such upgrade.

NOW, THEREFORE, BE IT

RESOLVED, the following position upgrade is hereby authorized and approved for the Department indicated, upon approval of the CSEA:

<u>Department</u>	<u>Position</u>	<u>Grade</u>	<u>Salary Range</u>
Sheriff's Office	Registered Professional Nurse	12 to 17	\$34,970 - \$49,371 to \$46,097 - \$65,077

BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Sheriff, the Personnel Officer and the Commissioner of Finance.

Mr. Weaver asked is there an opening now? Mr. Wheeler replied yes.

Vote: Roll Call – Adopted.

RESOLUTION NO. 138-17

Introduced by D. Farrand and S. Van Etten.

Seconded by H. Lando.

AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT LEGISLATIVE INITIATIVE GRANT FUNDING.

WHEREAS, the New York State Division of Criminal Justice Services is awarding Steuben County \$5,000.00 under the New York State Legislative Grant Program; and

WHEREAS, the \$5,000.00 grant is totally funded with no County cost; and

WHEREAS, these funds will be used as set forth under the grant.

NOW, THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to accept \$5,000.00 as revenue; and be it further

RESOLVED, appropriate the funds in the revenue accounts 4 3089 300 accordingly: \$5,000.00 to 116500 5298000 District Attorney; and be it further

RESOLVED, that the District Attorney shall comply with the Letter of Agreement as set forth in the recited Grant Award and provide a timely report to the Public Safety and Corrections Committee; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance and the District Attorney.

Vote: Roll Call – Adopted.

RESOLUTION NO. 139-17

Introduced by D. Farrand and S. Van Etten.

Seconded by R. Nichols.

AUTHORIZING THE ACCEPTANCE OF \$129,963 FOR THE FISCAL YEAR 2017 STATE HOMELAND SECURITY PROGRAM.

WHEREAS, Steuben County has identified the risks associated with the effects of terrorism; and

WHEREAS, Steuben County has identified the potential vulnerability throughout the County to this type of incident: and

WHEREAS, Steuben County has identified the need for additional resources, education and training; and

WHEREAS, The New York State Office of Homeland Security is responsible for the assignment of administration of grant allocation provided by the Federal Government; and

WHEREAS, the New York State Office of Homeland Security has awarded Steuben County with Federal Fiscal Year 2017 grant funds in the amount of \$129,963 under the State Homeland Security Program (SHSP).

WHEREAS, seventy-five percent of the funding (\$97,472) will go to emergency management to support response, education, prevention and planning for terrorist incidents and twenty-five percent or (\$32,491) of the total funding must be directed towards law enforcement terrorism prevention activities to the Sheriff's Office.

NOW, THEREFORE, BE IT

RESOLVED, that the County Manager be authorized to enter into agreement with the New York State Office of Homeland Security to accept funding in the amount of \$129,963 for implementation of the State Homeland Security Program (SHSP) to support response, education, prevention and planning for terrorist incidents; and be it further

RESOLVED, that the County Manager, and the Director of Emergency Management are authorized and directed to execute the requisite documentation to effectuate this grant and agreement; and be it further

RESOLVED, that the Steuben County Commissioner of Finance be and the same hereby authorized to establish a revenue account for the purpose of accepting the grant funding from the Federal Government and the New York State Office of Homeland Security; and be it further

RESOLVED, that the Steuben County Commissioner of Finance be and the same hereby is authorized to appropriate such revenue to the appropriate expenditure accounts within the Steuben Country Office of Emergency Management and Office of the Sheriff for the purpose of executing the aforementioned grant; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the New York State Office of Homeland Security, 1220 Washington Avenue, State Office Building 7A, Albany NY 12226; the Commissioner of Finance; Steuben County Sheriff and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 140-17

Introduced by G. Swackhamer.

Seconded by J. Malter.

ACCEPTING MAINTENANCE JURISDICTION FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR APPROXIMATELY 4 ACRES OF LAND ADJACENT TO STATE ROUTE 415 IN THE TOWN OF ERWIN AND CONVEYING THE MAINTENANCE JURISDICTION FOR THIS PARCEL TO THE TOWN OF ERWIN.

WHEREAS, the New York State Department of Transportation (NYSDOT) wishes to abandon its maintenance jurisdiction to the County of Steuben for approximately 4 acres of land adjacent to State Route 415 in the Town of Erwin, being a portion of tax map no. 280.19-01-086.00 (reference NYSDOT Surplus Property Case# 06-III-334); and

WHEREAS, the County of Steuben wishes to accept maintenance jurisdiction from the NYSDOT for the aforementioned parcel of land; and

WHEREAS, upon receiving the Official Order for the transfer of maintenance jurisdiction from the NYSDOT, the County of Steuben is desirous of conveying the maintenance jurisdiction for the aforementioned parcel of land to the Town of Erwin, the current owner, including any and all rights the County may have to the land.

NOW, THEREFORE, BE IT

RESOLVED, that this Steuben County Legislature does hereby approve of accepting the maintenance jurisdiction from the NYSDOT for approximately 4 acres of land adjacent to State Route 415 in the Town of Erwin, being a portion of tax map no. 280.19-01-086.00 (reference NYSDOT Surplus Property Case# 06-III-334); and be it further

RESOLVED, that this Steuben County Legislature does hereby approve of conveying the maintenance jurisdiction for the aforementioned parcel of land to the Town of Erwin, the current owner, upon receiving the Official Order for the transfer of maintenance jurisdiction from the NYSDOT; and be it further

RESOLVED, that a certified copy of this resolution shall be mailed to the NYSDOT Regional Real Estate Officer, 107 Broadway, Hornell, NY 14843 and to the Town Manager, Town of Erwin, 310 Town Center Road, Painted Post, NY 14870.

Mr. Roush abstained as he is a member of the Erwin Town Board.

Vote: Roll Call – Adopted.

RESOLUTION NO. 141-17

Introduced by G. Swackhamer.

Seconded by R. Nichols.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A LEASE FOR 15 +/- ACRES OF LAND IN RATHBONE FOR THE PURPOSE OF PURCHASING GRAVEL.

Pursuant to Article 5 of the Steuben County Law of the State of New York.

WHEREAS, the Steuben County Department of Public Works has the need at various times for gravel for its operations; and

WHEREAS, William and Judith Reagan have agreed to sell the gravel to the Steuben County Department of Public Works for \$1.55/cubic yard, bank measure, for 5 years; and

WHEREAS, the minimum payment to William and Judith Reagan shall be \$3,000 per year, as long as the gravel meets Section 304-2 of the NYSDOT material specification for sub-base course material; and

WHEREAS, this agreement is valid for 5 years; and

WHEREAS, only Steuben County Department of Public Works or its assignees will have use of this gravel pit; and

WHEREAS, Steuben County Department of Public Works will provide a County insurance certificate and a hold harmless agreement to William and Judith Reagan; and

WHEREAS, Steuben County Department of Public Works will obtain and maintain the required permits, and reclaim the property at closure of the pit; and

WHEREAS, the Public Works Committee of the Steuben County Legislature has approved this lease/purchase agreement with William and Judith Reagan.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works is authorized and directed to enter into the lease/purchase agreement with William and Judith Reagan for \$1.55/cubic yard, bank measure; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works; Commissioner of Finance; County Auditor; County Real Property Tax Director; County Risk Manager; and William and Judith Reagan, 3160 Saunders Road, Addison, NY 14801.

Vote: Roll Call – Adopted.

RESOLUTION NO. 142-17

Introduced by G. Swackhamer and S. Van Etten.

Seconded by G. Roush.

AUTHORIZING THE CLOSING OF ONE (1) COMPLETED CAPITAL PROJECT ACCOUNT AND TRANSFERRING THE REMAINING FUNDS TO FUTURE BRIDGE PROJECTS.

WHEREAS, the Seneca Road Bridge Project has been completed and has a remaining balance; and

WHEREAS, it would be desirable to transfer the net balance from this project to the "Future Bridge Capital Projects" account 5120H0 45031900.

NOW, THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature, duly convened does hereby close the Seneca Road Bridge Capital Project account (5120HE); and

AND BE IT FURTHER RESOLVED, that the Commissioner of Finance is authorized to adjust the Seneca Road Bridge Capital Project accounts budget balances to effectuate a zero budget balance in those accounts; and

AND BE IT FURTHER RESOLVED that the remaining balance of \$103,183.80 from the Seneca Road Bridge Project, is hereby transferred to the "Future Bridge Capital Projects":

From: 5120HE 45031900 \$103,183.80
To: 5120H0 45031900 \$103,183.80

AND BE IT RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance and Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 143-17

Introduced by G. Swackhamer and S. Van Etten.

Seconded by J. Malter.

AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER FUNDS FROM VARIOUS CAPITAL PROJECTS INTO THE NEW CATON SHOP REPLACEMENT CAPITAL PROJECT.

WHEREAS, the Department of Public Works plans to build the New Caton Highway Workshop and Storage Facility; and

WHEREAS, the Public Works Committee and the Finance Committee of the Steuben County Legislature have authorized the transfer of funds utilizing the remaining account balances found in capital projects listed below.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to close the following Capital Projects and transfer the current balances to the Caton Shop Replacement Project:

- Decrease HS0100, Fiber Cable Relocating by \$10,094.07
- Decrease HS0102, Fire Suppression – Woodhull by \$10,887.46
- Decrease HS0702, Mt. Washington – OH Doors by \$582.19
- Decrease HS0801, Prattsburgh – OH Doors by \$1,363.32
- Decrease HS9000, Salt Storage Shed by \$2,070.18
- Decrease HS9900, Highway Shop Renovation by \$179.96
- Decrease HS9903, Shop Floor Drain Remediation by \$345.24
- Decrease HS9905, Mt. Washington B&G by \$2,294.04
- Increase HS0902, Caton Shop Replacement by \$27,816.46

NOW, THEREFORE, BE IT

RESOLVED, that the Steuben County Commissioner of Finance is hereby authorized and directed to make the following transfers:

- Decrease HS0301, Cameron Mills Environ. Study by \$15,000.00
- Decrease HS9902, Fire Suppression System by \$11,000.00
- Decrease HS9904, Spill Prevention Control by \$106,100.00
- Increase HS0902, Caton Shop Replacement by \$132,100.00

AND BE IT RESOLVED, certified copies of this resolution shall be forwarded to the Commissioners of Public Works and Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 144-17

Introduced by B. Schu.

Seconded by R. Lattimer.

CONFIRMING THE APPOINTMENT OF DIRECTOR OF REAL PROPERTY TAX SERVICE AGENCY.

Pursuant to Section 12.14 of the Steuben County Charter and Real Property Tax Law §1530.

WHEREAS, Wendy S. Jordan of Arkport, New York, has been appointed by the County Manager as the Steuben County Director of Real Property Tax Service Agency in accordance with the Management Salary Plan in Grade F; and

WHEREAS, the Administration Committee has recommended the Steuben County Legislature confirm said appointment.

NOW, THEREFORE, BE IT

RESOLVED, Wendy S. Jordan of Arkport, New York, appointed as the Steuben County Director of Real Property Tax Service Agency for a term of six (6) years commencing on October 1, 2017 through September 30, 2023, is hereby confirmed by the Steuben County Legislature; and be it further

RESOLVED, that certified copies of this resolution be sent to the above named appointee and the Personnel Officer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 145-17

Introduced by B. Schu.

Seconded by R. Weaver.

AUTHORIZING THE ANNUAL RPS V4 CHARGEBACK TO THE TOWNS AND CITIES FOR LICENSE AND SUPPORT FEES.

Pursuant to County Law, Section 233a.

WHEREAS, the Administration Committee has approved the report of RPS V4 charges by Assessing unit which includes an annual charge for the New York State Office of Real Property Services License Fee and a fee for County support of this system; and

WHEREAS, the Administration Committee has approved the invoicing of the fees to the Cities and Towns; and

WHEREAS, the Real Property Tax Service Agency has paid the assessing units' annual license fee charge to the State for this fiscal year.

NOW, THEREFORE, BE IT

RESOLVED, the Real Property Tax Office will invoice each City and Town for their share of the Real Property System Version 4 (RPS V4) License and Support Charge; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, the Director of the Real Property Tax Service Agency, and to each Town and City.

RPS V4 TO BE BILLED FOR 1/1/18 LEVY

.rpsv4chargeback/resolutions

7/27/2017

Swis	Municipality	Parcel Count	ORPS License Fee	County Support Fee	Total Chargeback
4603	Corning City	4,247	\$1,500	\$200	\$1,700
4606	Hornell City	3,738	\$1,300	\$200	\$1,500
4620	Addison	1,293	\$1,000	\$200	\$1,200
4622	Avoca	1,333	\$1,000	\$200	\$1,200
4624	Bath	5,180	\$1,500	\$200	\$1,700
4626	Bradford	577	\$850	\$200	\$1,050
4628	Cameron	752	\$850	\$200	\$1,050
4630	Campbell	1,619	\$1,000	\$200	\$1,200
4632	Canisteo	2,046	\$1,200	\$200	\$1,400
4634	Caton	1,299	\$1,000	\$200	\$1,200
4636	Cohocton	1,850	\$1,000	\$200	\$1,200
4638	Corning Town	3,237	\$1,300	\$200	\$1,500
4640	Dansville	1,287	\$1,000	\$200	\$1,200
4642	Erwin	3,222	\$1,300	\$200	\$1,500
4644	Fremont	792	\$850	\$200	\$1,050
4646	Greenwood	729	\$850	\$200	\$1,050
4648	Hartsville	574	\$850	\$200	\$1,050
4650	Hornby	1,002	\$1,000	\$200	\$1,200
4652	Hornellsville	2,389	\$1,200	\$200	\$1,400
4654	Howard	1,237	\$1,000	\$200	\$1,200
4656	Jasper	886	\$850	\$200	\$1,050
4658	Lindley	1,032	\$1,000	\$200	\$1,200
4660	Prattsburgh	1,875	\$1,000	\$200	\$1,200
4662	Pulteney	1,725	\$1,000	\$200	\$1,200
4664	Rathbone	766	\$850	\$200	\$1,050
4666	Thurston	980	\$850	\$200	\$1,050
4668	Troupsburg	957	\$850	\$200	\$1,050
4670	Tuscarora	903	\$850	\$200	\$1,050
4672	Urbana	2,001	\$1,200	\$200	\$1,400
4674	Wayland	2,313	\$1,200	\$200	\$1,400
4676	Wayne	1,594	\$1,000	\$200	\$1,200
4678	West Union	539	\$850	\$200	\$1,050
4680	Wheeler	996	\$850	\$200	\$1,050
4682	Woodhull	1,166	\$1,000	\$200	\$1,200
		56,136	\$34,900	\$6,800	\$41,700

ORPS License Fee Schedule	
Number of Parcels	Fee
0-500	\$750
501-1000	\$850
1001-2000	\$1,000
2001-3000	\$1,200
3001-4000	\$1,300
4001-6000	\$1,500

Steuben County
 Real Property Tax Service Agency
 3 E. Pulteney Square
 Bath, New York 14810
 Wendy Jordan, Acting Director

Vote: Roll Call – Adopted.

RESOLUTION NO. 146-17

Introduced by B. Schu and S. Van Etten.

Seconded by C. Ferratella.

ACCEPTING AND APPROPRIATING A LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT GRANT FROM THE NEW YORK STATE DEPARTMENT OF EDUCATION (ARCHIVES).

WHEREAS, Steuben County recently applied for and was awarded a Local Government Records Management Improvement Fund (LGRMIF) Grant; and

WHEREAS, Steuben has received notice that it was awarded a \$74,400 grant to convert County records to indexed, digital images; and

WHEREAS, the grant will improve access to the records and minimize the amount of space needed to store the records; and

WHEREAS, Steuben must now accept these grant funds and agree to the terms surrounding the disbursement of these funds; and

WHEREAS, Steuben intends to utilize a preferred source vendor in order to meet the requirements of the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Manager be authorized to enter into an agreement with the New York State Department of Education (Archives) to accept funding in the amount of \$74,400; and be it further

RESOLVED, that the Commissioner of Finance be and the same hereby is authorized to appropriate the grant funding in the sum of \$74,400 to the existing HB0303 RECORDS DIGITIZATION capital project; and be it further

RESOLVED, the County Manager is authorized to contract with the Paper Alternative Solutions, who has partnered with the New York State Industries for the Disabled (NYSID), to serve as a preferred source vendor for the project; and be it further

RESOLVED, the use of Paper Alternative Solutions in partnership with NYSID, as a preferred source vendor is contingent upon the approval of the New York State Office of General Services (OGS); and be it further

RESOLVED, that the County Manager is authorized and directed to execute the requisite documentation to effectuate this grant and the intentions of this resolution; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Grants Administration Unit, 9A81 Cultural Education Center, Albany, NY 12230.

Vote: Roll Call – Adopted.

RESOLUTION NO. 147-17

Introduced by S. Van Etten.

Seconded by K. Fitzpatrick.

AMENDING THE *ADMINISTRATIVE CODE* TO INCLUDE A FUND BALANCE POLICY.

WHEREAS, the Finance Committee of the Steuben County Legislature has recommended the creation of a Fund Balance Policy to be added to the *Administrative Code*.

NOW, THEREFORE, BE IT

RESOLVED, that the following Fund Balance Policy is hereby approved by the Steuben County Legislature to be added to the *Administrative Code*; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Manager and Commissioner of Finance.

FUND BALANCE POLICY

BACKGROUND:

The Governmental Accounting Standards Board (GASB) has issued Statement 54¹, *Fund Balance and Governmental Fund Type Definitions*, which will be required to be incorporated into the County's financial statements.

The Government Finance Officers Association (GFOA) recommends that governments establish a policy on the level of unrestricted fund balance that should be maintained in the general fund.

DEFINITIONS:

GASB has replaced the earlier reserved and unreserved fund balance classifications with the following ones:²

Nonspendable - consists of assets that are inherently nonspendable in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and principle of endowments.

Restricted - consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation.

Committed - consists of amounts that are subject to a purpose constraint imposed by a formal action of the government's highest level of decision-making authority before the end of the fiscal year, and the require the same level of formal action to remove the constraint.

Assigned - consists of amounts that are subject to a purpose constraint that represents an intended use established by the government's highest decision-making authority, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the general fund, and in funds other than the general fund, assigned fund balance represents the residual amount of fund balance.

Unassigned - represents the residual classification for the government's general fund, and could report a surplus or a deficit. In funds other than the general fund, the unassigned classification should be used only to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, committed or assigned.

¹GASB Statement 54, *Fund Balance and Governmental Fund Type Definitions*

²NYS Office of the Comptroller Bulletin 4/11 *Fund Balance Reporting and Government Fund Type Definitions*
POLICY:

1. When resources have been spent, the County deems that they have been first spent from the highest constraint level available; therefore, they are considered to have been spent in the following order: restricted, committed, assigned and unassigned.
2. The County will maintain an adequate fund balance in its general fund to provide flexibility and to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures), to ensure stable tax rates, to provide for one-time opportunities and to retain favorable credit ratings. The County will endeavor to maintain assigned and unassigned fund balances in its general fund of a minimum of twenty percent of regular general fund operating expenditures.³
3. The actual level of fund balance in the County's general fund is determined in its annual financial statement, several months after the end of the fiscal year. The County's budgeting process, which culminates both in the establishment of the following year's tax rate and the use of any appropriated fund balance, begins approximately two years in advance of the financial statement that will show that budget's results. Because of this time lag and because of the uncertainties of the budgeting process (such as the amounts of appropriated fund balance actually used each year), it is not possible to guarantee in advance a specific level of fund balance at the close of any fiscal year. Therefore, the County will use the following procedure to adjust the levels of fund balance, as necessary.

PROCEDURE:

1. Once the external auditor has reviewed the County's financial statements for the prior year and has confirmed the fund balances of the general fund, the County Manager will recommend to the appropriate committee of the Legislature the amounts and types of assignments for the fund balance to be included in the financial statement.
2. The appropriate committee of the Board will review these assignments, discuss them with the external auditor as necessary and accept or modify the assignments prior to the presentation of the statement to Legislature.
3. The County Manager, as Budget Officer, shall make recommendations regarding the use of fund balance to be appropriated in the following year's budget based on this policy; specifically, he or she shall recommend an amount that will in his estimation retain the level of fund balances established in this policy.⁴
4. Where the level of Assigned/Unassigned fund balances is shown to be more than 20% above the level set by this policy, as an alternative, or in addition to increasing the use of fund balance in the following year's budget, the County Manager may recommend the use of, or the Board of Legislators may use, Assigned/Unassigned fund balances during or outside of the budget process for one-time expenditures to meet unusual opportunities or to reduce the County's debt in order to, in their estimation, meet this policy.⁵

³Appropriated fund balance is classified as assigned, but must be excluded from this calculation because it is not being retained and is already being used to reduce the tax levy for the subsequent fiscal year. Encumbrances also are excluded because they are not considered surplus available for spending.

⁴GFOA Best Practice, *Appropriate Level of Unrestricted Fund Balance in the General Fund*, 2009.

⁵NYS Comptroller Multi Year Financial Planning Tutorial

Vote: Roll Call – Adopted.

RESOLUTION NO. 148-17

Introduced by B. Schu.

Seconded by R. Weaver.

MEMORIALIZING THE GOVERNOR AND THE NYS LEGISLATURE TO OPEN UP RPTL §487-A FOR RESIDENTIAL SOLAR ENERGY.

WHEREAS, the Legislature of the State of New York has provided for the Real Property Tax exemption of “energy conservation” to real property of 1 to 4 family residences located within the State under RPTL §487-a; and

WHEREAS, New York State Department of Taxation and Finance has opined that RPTL §487-a is no longer in effect as set forth in a Department of Taxation and Finance publication dated June 26, 2016; and

WHEREAS, developments in technology have made for devices of energy conservation that are not intended to be permanent fixtures upon the real property; and

WHEREAS, developments in technology have made for cost effective devices which are intended to be permanent fixtures to the property; and

WHEREAS, rules for what constitutes real property and whether an exemption still exists provide a significant inhibition to the further use and development of renewable resources technology for 1 to 4 family structures; and

WHEREAS, it is in the best interest of this County that its residents, have every incentive to utilize renewable energy resources.

NOW, THEREFORE, BE IT

RESOLVED, that RPTL §487-a be revisited, modified and clarified to include and allow for all the various developments in solar, wind and other renewable resources; and be it further

RESOLVED, the Clerk of the Legislature is hereby authorized and directed to forward certified copies of this resolution to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Thomas M. O’Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Joseph A. Errigo, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Honorable John Flanagan, NYS Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Carl Heastie, Assembly Speaker, 932 Legislative Office Building, Albany NY 12248; Honorable David Gantt, NYS Assemblyman, 830 Legislative Office Building, Albany, NY 12248; Honorable Catherine Young, NYS Senator, 428 Capitol Office Building, Albany, NY 12247; Honorable Fred Ashkar, NYS Senator, 805 Legislative Office Building, Albany, NY 12247; Honorable David Carlucci, NYS Senator, 509 Legislative Office Building, Albany, NY 12247; Honorable John Bonacic, NYS Senator, 503 State Capitol Building, Albany, NY 12247; Honorable William Larkin, NYS Senator, 502 State Capitol Building, Albany, NY 12247; Honorable Kenneth Zebrowski, NYS Assemblyman, 424 Legislative Office Building, Albany, NY 12248, Honorable Karl Brabenec, NYS Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Donna Lupardo, NYS Assemblywoman, 824 Legislative Office Building, Albany, NY 12248; Honorable Aileen Gunther, NYS Assemblywoman, 826 Legislative Office Building, Albany, NY

12248; Honorable Andy Goodell, NYS Assemblyman, 545 Legislative Office Building, Albany, NY 12248; Robert Green, President, Inter-County Association of Western New York, c/o Ontario County Legislature, 20 Ontario Street, Canandaigua, NY 14424; New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207.

Vote: Acclamation – Adopted.

RESOLUTION NO. 149-17

Introduced by J. Hauryski.

Seconded by H. Lando.

URGING GOVERNOR CUOMO AND THE NEW YORK STATE LEGISLATURE TO ADVANCE FUNDING AND EXPEDITE COMPLETION OF THE “DANIEL PATRICK MOYNIHAN” INTERSTATE 86 PROJECTS IN BROOME, DELAWARE, SULLIVAN, AND ORANGE COUNTIES.

WHEREAS, Governor Pataki committed to a ten-to-twelve-year construction program to complete the Route 17 conversion to Interstate 86 (“I-86”) beginning with the first designation (177 miles Chemung County West to Pennsylvania) on December 3, 1999; and

WHEREAS, the designation of New York State Route 17 to I-86 provides a superhighway with connection to every Interstate Highway located within New York State and Interstate Highways leading into Pennsylvania; and

WHEREAS, the upgrade and designation of Route 17 as I-86 will make the region more competitive and able to attract substantial growth in business, industry, and tourism as well as improve the safety of the traveling public; and

WHEREAS, the New York I-86 Economic Development Benefit Study, issued in January 2000, which was widely accepted and quoted at all levels of government, called for an aggressive eight-year construction period that would result in a 3.2-billion-dollar direct economic benefit to communities along the I-86 Highway Corridor once the conversion has been completed; and

WHEREAS, with proper funding and resources (Fast Track/Design Build) for the remaining projects in Broome, Delaware, Sullivan, and Orange Counties, the conversion of Route 17 to I-86 could be completed many years sooner than on the present schedule, providing vast economic benefits to the Hudson Valley, Southern Tier, and Western New York regions and would yield significant economic benefits for the nation by facilitating national freight flows, reducing travel times, improving safety, enhancing access to markets, creating new jobs and greater value-added activity; and

WHEREAS, due to the lack of funding the current Administration has been unable to commit to a timetable for completing the conversion of Route 17 to Interstate I-86; and

WHEREAS, additional funding for state infrastructure projects, specifically the modernization of roads and bridges, may be forth coming from the Federal Government; and

WHEREAS, the primary economic development agencies in Orange and Sullivan Counties have formed a Coalition to promote the widening of Route 17 to six lanes over the 47 miles between Harriman and Monticello.

NOW, THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby request Governor Andrew Cuomo and the New York State Legislature advance funding (Fast Track/Design Build) expediting completion of the projects in Broome, Delaware, Sullivan, and Orange Counties on New York State Route 17 so that the same may be converted to I-86; and, be it further

RESOLVED, the Clerk of the Legislature is hereby authorized and directed to forward certified copies of this resolution to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Joseph A. Errigo, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Honorable John Flanagan, NYS Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Carl Heastie, Assembly Speaker, 932 Legislative Office Building, Albany NY 12248; Honorable David Gantt, NYS Assemblyman, 830 Legislative Office Building, Albany, NY 12248; Honorable Catherine Young, NYS Senator, 428 Capitol Office Building, Albany, NY 12247; Honorable Fred Ashkar, NYS Senator, 805 Legislative Office Building, Albany, NY 12247; Honorable David Carlucci, NYS Senator, 509 Legislative Office Building, Albany, NY 12247; Honorable John Bonacic, NYS Senator, 503 State Capitol Building, Albany, NY 12247; Honorable William Larkin, NYS Senator, 502 State Capitol Building, Albany, NY 12247; Honorable Kenneth Zebrowski, NYS Assemblyman, 424 Legislative Office Building, Albany, NY 12248, Honorable Karl Brabenec, NYS Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Donna Lupardo, NYS Assemblywoman, 824 Legislative Office Building, Albany, NY 12248; Honorable Aileen Gunther, NYS Assemblywoman, 826 Legislative Office Building, Albany, NY 12248; Honorable Andy Goodell, NYS Assemblyman, 545 Legislative Office Building, Albany, NY 12248; Robert Green, President, Inter-County Association of Western New York, c/o Ontario County Legislature, 20 Ontario Street, Canandaigua, NY 14424; New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207; and the I-86 Corridor Counties (Cattaraugus, Chautauqua, Allegany, Chemung, Tioga, Broome, Delaware, Sullivan, Orange).

Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.D. Discussions Regarding Proposed, Pending or Current Litigation made by Mrs. Lando, seconded by Mr. Roush and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Weaver, seconded by Mr. Malter and duly carried.

Motion to Adjourn made by Mr. Van Etten, seconded by Mrs. Ferratella and duly carried.