The Chairman explained the appointment is provisional, subject to civil service examination and Mr. Dascomb added, the resolution is to support Mr. Fox in the matter with the State Civil Service as the county is required to commence its functions with a Director in charge by October 1, 1971.

ADOPTED BY ROLL CALL.

BY MR. CLARK:

RESOLUTION NO. 344

Resaud vouchar, balance due: Economic Opportunity Program


RESOLVED, that the County Supervisor Members of the Steuben County Economic Opportunity Program are hereby authorized and directed to see to the audit of the certified voucher presented to the Steuben County Treasurer by the Steuben County Economic Opportunity Program, Inc. for payment of the balance due under the 1971 Agreement with said corporation and pursuant to the 1971 appropriation for said program in Steuben County, and be it further

RESOLVED, that the Clerk of this Board shall forward certified copies of this resolution to the Steuben County Treasurer, and to the Executive Director of SCEOP, Inc. at its offices located on West Morris Street, Bath, New York.

Seconded by Mr. Kilmer.

ADOPTED BY ROLL CALL.

BY MR. PARKS AND MR. KILMER:

RESOLUTION NO. 345

Local Law No. Two, 1971, County Environmental Management Council.

WHEREAS, on the 15th day of March, 1971, a local law as hereinafter set forth was adopted subject to a Public Hearing and a Permissive Referendum, and in accordance with the resolution and notice this Board of Supervisors did conduct a Public Hearing thereon as stated in the Notice of Public Hearing, on the 19th day of April, 1971 at 10-30 A.M., and all persons appearing were given the opportunity to be heard concerning the Local Law and along with the notice of such Public Hearing was notice that the same was subject to a Permissive Referendum by the filing of a petition demanding the same, and the Clerk of the Board having filed in her office proof of the publication of such notice of the public hearing and the Referendum in the Corning Leader of Corning, New York and the Evening Tribune of Hornell, New York, and also having filed in her office proof of the posting of the notice of the public hearing and referendum on the bulletin boards at the respective County Court Houses in the Village of Bath, City of Hornell, and City of Corning, and

WHEREAS, on the presentation of the said Local Law No. One, County of Steuben of the year 1971 for final adoption on April 19, 1971, a motion to table was duly made, seconded, and adopted, and the Rules Committee directed to further review the matter, and

WHEREAS, said Local Law was raised from the table by resolution of the Board of Supervisors adopted on June 21, 1971, and after a roll call vote, it was resolved to withdraw and cancel said Local Law until the County Rules Committee and Planning Committee could make a further study of the matter, and

WHEREAS, the above mentioned Committees have completed their study concerning the final adoption of said Local Law and have recommended that the same be reactivated and presented to this Steuben County Board of Supervisors as Local Law No. Two of the year 1971, now therefore, be it

RESOLVED, that former Local Law No. One of 1971, Steuben County, New York, which is now renumbered and presented as Local Law No. Two of 1971, Steuben County, New York, to establish a County Environmental Management Council for the County of Steuben is hereby finally adopted, to wit:

County of STEUBEN


A LOCAL LAW TO ESTABLISH A COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL FOR THE COUNTY OF STEUBEN.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF STEUBEN AS FOLLOWS:

Section 1. Legislative intent. Preservation and improvement of the quality of the natural and man-made environment within the county of Steuben in the face of population growth, urbanization, and technologic change with their accompanying demands on natural resources, are of increasing and vital importance to the health, welfare, and economic well-being of the present and future inhabitants of the county. It is recognized that the biologic integrity of the natural environment on which man is dependent for survival and the natural and functional beauty of our surroundings which condition the quality of our life experience cannot be protected without the full cooperation and participation of all local governments in the state working in concert with each other and with other public and private institutions, agencies, and organizations. Establishment by the county of Steuben of a council for environmental management is a necessary step in fostering unified action on environmental problems among local governments and among public and private agencies and organizations located within the county.
Section 2. Establishment of the council. The Board of Supervisors of the county of Steuben hereby creates and establishes a council which shall be called the Steuben County Environmental Management Council, hereinafter called the council.

Section 3. Membership and term. (1) The council shall consist of the members appointed by the Board of Supervisors of Steuben County as provided in this section. In addition to the members appointed from city, town and village commissions for conservation of the environment and ex-officio members as provided herein, the Board of Supervisors of Steuben County shall appoint nine (9) members who shall be persons other than members of city, town, or village commissions for conservation of the environment residing within the county of Steuben and who are interested in the improvement and preservation of environmental quality.

(2) The membership of the council also shall consist of one member from each commission for conservation of the environment that has been established by the governing bodies of cities, towns and villages within the county of Steuben.

(3) The Board of Supervisors of Steuben County shall choose two of its members to be an ex-officio member of the council. In addition, the chairman of the county planning board, county highway superintendent, county attorney, chairman of the board of directors of the soil and water conservation district, the president of the Steuben county cooperative extension association, and the County Planning Director shall be ex-officio members of the council.

(4) All appointees to membership in the council shall serve at the pleasure of the Steuben County Board of Supervisors and concurrent with Supervisory Terms, but in no case shall a member's term of office exceed two years. The terms of members appointed from city, town or village commissions for conservation of the environment shall be concurrent with their terms on such city, town of village commissions not exceeding a period of two years. Vacancies on the council shall be filled in the same manner as the original appointment except that a vacancy occurring through circumstances other than by expiration of term of office shall be filled only for the remainder of the unexpired term.

Section 4. Officers, meetings and committees. The Steuben County Board of Supervisors shall designate a member of the council to act as chairman thereof. At the first meeting of the council its members shall elect from among themselves a recording secretary. The council shall adopt rules and procedures for its meetings. It shall keep accurate records of its meetings and activities and shall file an annual report as provided in section seven of this local law.

Section 5. Powers and duties of the council. The powers and duties of the council shall be to:

(1) Advise the Steuben County Board of Supervisors on matters affecting the preservation, development, and use of the natural and man-made features and conditions of the county insofar as they have a bearing on environmental quality and, in the case of man's activities and developments, with regard to any major threats posed to environmental quality, so as to enhance the long range value of the environment to the people of the county.

(2) Develop and, after receiving general approval by resolution of the Steuben County Board of Supervisors, conduct a program of public information in the county which shall be designed to foster increased understanding of the nature of environmental problems and issues and support for their solutions.
(3) Develop and recommend a program to improve the coordination and effectiveness of public and private projects and activities in the county in accord with the purposes of this local law, working in cooperation with commissions for conservation of the environment, town and village boards, and other such public and private agencies, focusing particularly on those matters relating to environmental quality which require intergovernmental action.

(4) Encourage the establishment of commissions for conservation of the environment in cities, towns and villages within the county, advise and assist them in developing their own programs, and foster an effective interchange between the council and such agencies.

(5) Maintain liaison with regional planning agencies, regional water resources, planning and development boards and other such public and private regional bodies affecting the conservation of environmental quality, with a view towards improvement of coordination.

(6) Conduct, with appropriate coordination with existing or prospective work of a similar nature performed in municipalities within the county, studies, surveys, and inventories in accord with the general purposes of this local law, including but not limited to surveys and studies for identification of those open spaces, natural areas, marshlands, swamps, and other wetlands and other natural and scenic features which are of a county or regional significance and for which an index shall be maintained, and make recommendations to the Steuben County Board of Supervisors for the appropriate preservation and use of such areas and features.

(7) Recommend from time to time to the Steuben County Board of Supervisors plans and programs for environmental improvement for inclusion in the county master plan, including but not limited to the recommendations in the report and plan required in section seven of this local law.

(8) Prepare, print and distribute books, maps, charts, and pamphlets in accord with the purposes of this local law.

(9) When authorized by resolution of the Steuben County Board of Supervisors, the council may accept by gift, grant, devise, bequest, or otherwise, property both real and personal in the name of the county, as may be necessary to conserve and otherwise properly utilize open spaces and other land and water resources within the boundaries of the county. Such property may be accepted in fee for land and water rights, or as any lesser interest, development rights, easement, including conservation easement, covenant, or other contractual right including conveyance with limitations or reversions.

Section 6. County scenic roads committees. The scenic roads committee, appointed by the Steuben County Board of Supervisors at the request of the New York State Natural Beauty Commission for purposes of improving and maintaining the quality of the environment in relation to existing and proposed State and local highways, shall hereafter function as a committee of the council. The members of the scenic roads committee shall be ex-officio members of the council insofar as they are not regular members.

Section 6(a). Anti-Littering of Public Highways Committee. The Anti-Littering of Public Highways Committee, created by the Steuben County Board of Supervisors by resolution adopted July 20, 1970, shall hereafter function as a committee of the council. The members of the Anti-Littering of Public Highways Committee shall be ex-officio members of the council insofar as they are not regular members.
Section 7. Reports. (1) The council shall submit an annual report to the Steuben County Board of Supervisors no later than the first day of April of each year, concerning the activities and work of the council, and from time to time shall submit such other reports and recommendations as are necessary to fulfill the purposes of this local law.

(2) The council also shall prepare a report on the state of the natural and man-made environment in the county. Such report shall include a plan for protection of the county’s natural and man-made environment and for management of its natural resources. The report and the action plan contained therein shall be prepared in cooperation with the county planning board and with full consideration of related local and regional plans and reports and shall be submitted by the council to the Steuben County Board of Supervisors as soon as practical, but not later than three years after the effective date of this local law. Thereafter this report and the plan shall be revised by the council and resubmitted to the Steuben County Board of Supervisors at regular intervals not exceeding three years.

Section 8. Compensation and expenses. The members of the council, including ex-officio members, shall receive no compensation for their services as members thereof but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within appropriations made available therefor.

Section 9. Construction. This local law shall be deemed an exercise of the powers of the county to preserve and improve the quality of the natural and man-made environment on behalf of the present and future citizenry. This local law is not intended and shall not be deemed to impair the powers of any city, town, or village within the county of Steuben.

Section 10. Effective date. This local law shall take effect immediately, subject to the applicable provisions of the Municipal Home Rule Law.

BE IT FURTHER RESOLVED, that the said Environmental Management Council shall be made a part of and a division within the jurisdiction of the Steuben County Planning Department and Office, and be it further

RESOLVED, that the Clerk of this Board shall cause a legal notice to be posted on the bulletin boards at the respective County Courthouses in the municipalities of Bath, Corning, and Hornell, and to have said legal notice published for one insertion in the two official newspapers of the County, thereby giving legal notice that said Local Law as posted and published is subject to a Permissive Referendum of the qualified electors of Steuben County by the filing of a petition within 45 days after its final adoption on September 20, 1971, said posting and publication to be completed within 10 days after the above stated date of the final adoption of said Local Law, and be it further

RESOLVED, that within five (5) days after the expiration of the time for the filing of petitions for a Permissive Referendum on said Local Law, the Clerk of this Board shall cause one certified copy thereof to be filed in the office of the Steuben County Clerk, one certified copy in the office of the New York State Comptroller, and three certified copies in the office of the Secretary of State of the State of New York, and the Secretary of State is requested to publish the Local Law in the supplement to the Session Laws, and the Steuben County Clerk is requested to record the Local Law in a separate book kept by him for such records, and be it further

RESOLVED, that the Clerk of this Board shall forward certified copies of this resolution to Hon. Henry L. Diamond, Commissioner of the New York State Department of Environmental Conservation at Albany,
New York, 12201, and to Mr. Nelson Parks, Steuben County Planning Director at 21 East Morris Street, Bath, New York.

Seconded by Mr. Nelson.

Considerable discussion was held.

ADOPTED BY ROLL CALL VOTE of 19 ayes, 14 nays and 1 absent.


BY MR. OVERSTROM:

RESOLUTION NO. 346

Settlement damage claim: Ceiling County Office Bldg.

RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM FOR DAMAGE TO THE COUNTY OFFICE BUILDING AT 117-118 EAST STEUBEN STREET, BATH, NEW YORK, in pursuance of Section 215 of the County Law, duly adopted by the Board of Supervisors of Steuben County, New York, on the 20th day of September, 1971, a quorum of said Board being present and 33 supervisors voting in favor thereof and 33 supervisors voting against the same.

WHEREAS, in the course of performing electrical work in the Mental Health Services and Clinic portion of the County Office Building located at 117-118 East Steuben Street in the Village of Bath, New York, on or about July 27, 1971, the electrician, Lewis C. Allen of Hammondsport inadvertently caused some damage to a ceiling therein, and

WHEREAS, the damage has been repaired by one Chester Garay of Hammondsport, New York, at a cost of $23.60 and the National Grange Mutual Insurance Company, District Office at Terrace Hill, Ithaca, New York 14850, Liability Insurer for Lewis C. Allen, has forwarded a check in the amount of $23.60 payable to "3rd Medical Clinic" for full payment of the damage, now therefore, be it

RESOLVED, that the County Buildings Superintendent and his Committee are hereby authorized to settle the above stated damage claim for the amount of $23.60 and the Director of the Steuben County Mental Health Services and Clinic is hereby authorized to endorse the above mentioned check for payment to the Steuben County Treasurer and shall cause said check to be delivered to the Steuben County Treasurer who shall see to its deposit to county revenue account for insurance recoveries and thereafter appropriate the same to the county buildings fund account for payment of the repair bill by the County Superintendent of Buildings and Grounds if such payment has not previously been processed, and be it further

RESOLVED, that the Clerk of this Board shall forward certified copies of this resolution to Klaus Feuchtwanger, M.D., Director of the Steuben County Mental Health Services and Clinic, to the Steuben County Treasurer, to the County Superintendent of Buildings and Grounds and to the above named Insurance Company.

Seconded by Mr. Klimmer.

ADOPTED BY ROLL CALL.

The matter of supervisors checking on people in their town or district working part-time but receiving welfare was again discussed.