Pursuant to Section 151 of the County Law and the Rules of Procedure of the County Legislature adopted August 23, 1993, the Legislators from the seven districts comprising the towns and cities of Steuben County convened in the Legislative Chambers, Bath, New York, on Monday, the 4th day of January, 2016, at 10:00 a.m. for the purpose of organizing the County Legislature of Steuben County for the years 2016 and 2017 and for the transaction of such other business as would properly and lawfully come before the meeting.

The meeting was called to order by the Clerk of the Legislature, Brenda K. Mori.

The Deputy Clerk called the Roll and all members were present.

Mr. Swackhamer offered the Invocation and the Pledge of Allegiance was led by Mr. Hauryski.

The Honorable Joseph Latham, County and Family Court Justice, administered the Oaths of Office to all newly-elected members of the Legislature.

The Clerk called for nominations for a Temporary Chairman. Mrs. Ferratella nominated Mr. Swackhamer for Temporary Chairman, seconded by Mr. Van Etten. There being no further nominations, the nominations were closed and Mr. Swackhamer was duly elected Temporary Chairman.

Temporary Chairman Swackhamer called for a Republican and Democratic caucus.

Motion to adjourn into caucuses made by Mr. Weaver, seconded by Mr. Schu and duly carried.

Temporary Chairman Swackhamer reconvened the Organizational Meeting of the Legislature.

Temporary Chairman Swackhamer called for nominations for Chairman of the Steuben County Legislature for 2016 and 2017. Mrs. Ferratella nominated Joseph Hauryski, seconded by Mr. Hanna.

Motion to close nominations for Chairman of the Steuben County Legislature made by Ms. Lattimer, seconded by Mr. Mullen and duly carried.

RESOLUTION NO. 001-16

Introduced by G. Swackhamer. Seconded by R. Weaver.


Pursuant to Section 2.04 of the Steuben County Charter and Local Law No. Four of the Year 1981 for the County of Steuben.

WHEREAS, this Steuben County Legislature has, on this 4th day of January 2016, been duly organized and has, in accordance with Section 2.04 of the Steuben County Charter, duly selected County Legislator JOSEPH J. HAURYSKI of Campbell, New York, as Chairman of the Legislature for a two-year term commencing January 1, 2016.

NOW THEREFORE, BE IT
RESOLVED, JOSEPH J. HAURYSKI of Campbell, New York, be and the same hereby is appointed Chairman of the Legislature of Steuben County for a two-year term commencing January 1, 2016, and within twenty days (s)he shall cause to be filed in the Office of the Steuben County Clerk an Oath of Office as such Chairman; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Clerk, to the above-named appointee, the Commissioner of Finance, and the Personnel Officer.

Vote: Roll Call – Adopted.

Mr. Swackhamer asked Legislator Ferratella and Legislator Hanna to escort Chairman Haurski to his chair.

The Honorable Joseph Latham administered the Oath of Office to Mr. Haurski for the position of Chairman of the Legislature.

Chairman Hauryski opened the floor for nominations for Vice Chairman. Mrs. Ferratella nominated Scott J. Van Etten, seconded by Mr. Hanna.

Motion to close nominations for Vice Chairman of the Steuben County Legislature made by Ms. Lattimer, seconded by Mrs. Lando and duly carried.

RESOLUTION NO. 002-16

Introduced by J. Haurski. Seconded by B. Schu.


Pursuant to Section 2.04 of the Steuben County Charter.

WHEREAS, this Steuben County Legislature has on this 4th day of January 2016, been duly organized and has in accordance with Section 2.04 of the Steuben County Charter, duly selected County Legislator SCOTT J. VAN ETTEN of Corning, New York, as Vice-Chairman of the Legislature for a two-year term commencing January 1, 2016.

NOW THEREFORE, BE IT

RESOLVED, SCOTT J. VAN ETTEN of Corning, New York, be and the same hereby is appointed Vice-Chairman of the Legislature of Steuben County for a two-year term commencing January 1, 2016, and within twenty days (s)he shall cause to be filed in the Office of the Steuben County Clerk an Oath of Office as such Vice-Chairman; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Clerk, to the above-named appointee, the Commissioner of Finance, and the Personnel Officer.

Vote: Roll Call – Adopted.

The Honorable Joseph Latham administered the Oath of Office to Mr. Van Etten for the position of Vice Chairman of the Legislature.

Chairman Haurski stated thank you for your confidence in re-electing me as your Chairman for another two-year term. I will do my best to service in this capacity. Sometimes it is a struggle and sometimes it is very interesting. Overall, I am very proud and pleased with the Legislature that I have had an opportunity to work with and I look forward to another two years. As always, the tax cap will impact
our funding decisions as we prepare our 2016 budget, and we will have to comply with the property tax initiative and the efficiency plan that we submitted. I have to be honest with you, with the recent announcement by Kraft-Heinz to close the milk plant in my district, it got me thinking about what we do, or do not do, as a Legislature in spurring economic development in the County. It is because of this that I am going to make the role of this Legislature in economic development a top priority. In the very near future, I hope to convene a meeting with our partners in this effort, namely Jamie Johnson of the IDA Board, Marcia Weber from the Southern Tier Central Regional Planning and Development Board, Steve Manning of the Southern Tier Network, Dr. Katherine Douglas, of Corning Community College and Betsy Hale, Three Rivers Development. I would like to hear from the Legislature as to your thoughts and ideas on what we as a Legislature can do to make a difference in economic development. I invite you to join me for this discussion.

Chairman Haurycki stated one idea that has been suggested to me was that the Legislature have a staff person that can directly support our economic development partners. After giving that some thought, I decided what better representative than the County Manager and his deputy. This assignment will work in concert with our partners that I have previously mentioned. In the coming year I would like to see the AdHoc Municipal Coordination Committee continue to move forward with how we can help towns get to 100 percent assessment. Additionally, I would like to have them take a look at all the departments’ use of shared services, how they are being used, and efficiencies realized. The AdHoc Committee on Office Space will continue its oversight on the new office building, and they still need to come up with a plan for what to do with the old courthouse in Hornell, as well as the courthouse in Corning. What do we do with the offices currently occupying those buildings? The office space on Liberty Street will need a determination as to what we are going to do with it.

Chairman Haurycki stated with fiber being installed to this building, I am asking each standing committee to ask how the departments are able to use it and how it is benefitting them. Along with that, I would like to ask how the departments can utilize GIS technology. Let’s use this technology to our advantage. Here are a few possible goals that will need to be taken up by the appropriate standing committees:

- Review and rewrite our Ethics Local Law.
- Evaluate and select options for increased volume of waste at the Landfill.
- Plan and conduct strategic planning sessions for the Legislature.
- Establish regular communication of County activities to partner towns and municipalities.

Finally, I am asking that each standing committee come up with one or more goals of their own that they feel can benefit our operation. Each department will again be asked to provide a list of their goals that can be achieved this year to the County Manager. I want to thank all County employees for their work and dedication in serving the residents of Steuben County. Keep up the good work!

RESOLUTION NO. 003-16


RECEIVING AND FILING THE DESIGNATION OF THE MAJORITY LEADER OF THE STEUBEN COUNTY LEGISLATURE.

Pursuant to Section 2.04 of the Steuben County Charter.

BE IT RESOLVED, Legislator GARY D. SWACKHAMER be and the same hereby is designated Majority Leader of the Steuben County Legislature; and be it further
RESOLVED, the aforesaid designation of GARY D. SWACKHAMER of Hornell, New York, be and the same hereby is accepted for filing, said designation to be for a two-year term commencing January 1, 2016; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above designee.

Vote: Roll Call – Adopted.

RESOLUTION NO. 004-16

Introduced by J. Haurycki. Seconded by H. Lando.

RECEIVING AND FILING THE DESIGNATION OF THE MINORITY LEADER OF THE STEUBEN COUNTY LEGISLATURE.

Pursuant to Section 2.04 of the Steuben County Charter.

BE IT RESOLVED, Legislator RANDOLPH J. WEAVER be and the same hereby is designated Minority Leader of the Steuben County Legislature; and be it further

RESOLVED, the aforesaid designation of RANDOLPH J. WEAVER of Hornell, New York, be and the same hereby is accepted for filing, said designation to be for a two-year term commencing January 1, 2016; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above designee.

Vote: Roll Call – Adopted.

RESOLUTION NO. 005-16

Introduced by J. Haurycki. Seconded by G. Swackhamer.


Pursuant to Section 2.04 of the Steuben County Charter and the Rules of Procedure of the Steuben County Legislature.

RESOLVED, this Legislature does hereby recognize the authority of the Chairman of the Legislature of Steuben County to appoint such designated members of this Legislature as he shall select to the various standing and special committee positions for the years 2016 and 2017, which have heretofore been established and set up by the Steuben County Legislature and said committees shall each consist of the same number of members as prescribed in the "Rules of Procedure" of the Steuben County Legislature until such committee is abolished or changed by a majority vote of the Legislature membership pursuant to the "Rules of Procedure"; and be it further

RESOLVED, members of a special committee shall serve for the period specified in the resolution or until the committee is discharged and in no event for a longer period than the term for which the members were elected as legislators; and be it further

RESOLVED, the Chairman of this Legislature, within thirty (30) days of his election to the Chairmanship, shall duly submit and file in the Office of the Clerk of this Legislature the committees' roster appointed for the years 2016 and 2017; and the Clerk of the Legislature shall duly and properly furnish to each member of this Legislature a complete list of the said committees' roster.

Vote: Acclamation – Adopted.
RESOLUTION NO. 006-16

Introduced by J. Hauryski. Seconded by C. Ferratella.

REGULATING THE PUBLICATION OF CERTAIN OFFICIAL MATTERS.

Pursuant to Section 2.09 of the Steuben County Charter.

WHEREAS, The Leader of Corning, New York, and The Evening Tribune of Hornell, New York, have a circulation covering the entire County, but there are occasions when publications are limited to one newspaper in a given area.

NOW THEREFORE, BE IT

RESOLVED, whenever this Legislature does not designate the particular newspaper or newspapers for the publication of a certain matter in a specific resolution, this resolution shall govern the officer or officers having the publication in charge for the years 2016 and 2017;

1. Where the matter is of county-wide interest as hereinafter enumerated, the same shall be published in The Leader of Corning, New York, and The Evening Tribune of Hornell, New York, and such other newspaper as may be deemed advisable:
   a. Notice of hearing on a proposed local law;
   b. Local Law as finally adopted;
   c. Notice of submission to bid for purchase of supplies or equipment;
   d. Notice of submission to bid for public works and services;
   e. Notice of hearing on proposed amendments to civil service rules;
   f. Notice of civil service examinations; and
   g. Such other notice or statement of countywide interest required by law to be published.

2. Where the matter is of local effect as hereinafter enumerated, the same shall be published in either The Leader of Corning, New York, or The Evening Tribune of Hornell, New York, and such other newspaper as may be deemed advisable:
   a. Notice of submission to bid on parcels of land offered for sale, as tax title and welfare owned;
   b. Notice of closing of any county highway;
   c. Proclamation of a term of court with a grand jury;
   d. Legalizing act of the Legislature; and
   e. Such other notices or statements of similar nature required by law to be published in a limited area.

BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to all county offices and departments and each of the above-named newspapers.

Vote: Acclamation – Adopted.

RESOLUTION NO. 007-16

Introduced by G. Swackhamer. Seconded by G. Roush.

DESIGNATION OF OFFICIAL NEWSPAPER BY THE REPUBLICAN MEMBERS OF THE LEGISLATURE.

Pursuant to Section 214, subdivision 1 of the County Law, we, the Republican members of the Steuben County Legislature, hereby designate the following official newspaper for the years 2016 and 2017:

Concurrent resolutions, tax sale notices and tax redemption notices - The Leader of Corning, New York.
Election notices - The Leader of Corning, New York.
Official election canvas - The Leader of Corning, New York.

The above-named designations are filed with the Clerk of this Legislature this 4th day of January 2016; and the Clerk is directed to forward certified copies to the Secretary of State at Albany, New York; the Steuben County Clerk; the Commissioner of Finance; the Steuben County Board of Elections; and the above-named newspaper.

Dated: January 4, 2016

/s/ Eric T. Booth /s/ Aaron I. Mullen

/s/ Dan C. Farrand /s/ Robert V. Nichols

/s/ Carol A. Ferratella /s/ Gary B. Roush

/s/ Kelly H. Fitzpatrick /s/ Brian C. Schu, Esq.

/s/ K. Michael Hanna /s/ Gary D. Swackhamer

/s/ Joseph J. Hauryski /s/ Scott J. VanEtten

/s/ Robin K. Lattimer

Vote: Acclamation – Adopted.

RESOLUTION NO. 008-16

Introduced by R. Weaver.  Seconded by H. Lando.

DESIGNATION OF OFFICIAL NEWSPAPER BY THE DEMOCRATIC MEMBERS OF THE LEGISLATURE.

Pursuant to Section 214, subdivision 1 of the County Law, we, the Democratic members of the Steuben County Legislature, hereby designate the following official newspaper for the years 2016 and 2017:

Concurrent resolutions, tax sale notices and tax redemption notices - The Evening Tribune of Hornell, New York.
Election notices - The Evening Tribune of Hornell, New York.
Official election canvas - The Evening Tribune of Hornell, New York.

The above-named designations are filed with the Clerk of this Legislature this 4th day of January 2016; and the Clerk is directed to forward certified copies to the Secretary of State at Albany, New York; the Steuben County Clerk; the Commissioner of Finance; the Steuben County Board of Elections; and the above-named newspaper.

Dated: January 4, 2016

/s/ Hilda T. Lando
Vote: Acclamation – Adopted.

Chairman Haurycki reminded the Legislature that the Public Safety & Corrections and Public Works Committees will be meeting at 10:00 a.m. and 11:00 a.m. respectively. He also distributed the 2016 committee assignments. He asked that the Chairs of the committees meet with him immediately following this morning’s meeting.

*Motion to adjourn made by Mr. Roush, seconded by Mr. Schu and duly carried.*
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 25th day of January, 2016, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryaki.

Roll Call and all members present except Legislators Farrand and Swackhamer.

Mr. Mullen provided the Invocation and the Pledge of Allegiance was led by Mr. Malter.

Chairman Hauryaki asked Mary Ellen Johnson to come forward. Ms. Johnson is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement with 34 years of service to Steuben County.

Chairman Hauryaki asked Joyce Allen-Sullivan to come forward. Ms. Allen-Sullivan 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 Hauryaki asked Colleen Eason to come forward. Ms. Eason 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 Hauryaki asked Karen Pickard to come forward. Ms. Pickard 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 Hauryaki asked Kelly Penziul to come forward. Ms. Penziul is an employee in the Board of Elections. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

Chairman Hauryaki opened the floor to comments by members of the public.

Jeff Walker stated he is an attorney with the law firm of Schlather, Stumbar, Parks and Salk and is representing Kristen Klemenz. They have sent prior correspondence with regard to the 2013 RFP for towing in Steuben County. He stated that his client has obtained the proper equipment to be able to participate in commercial towing. We would like to bring the RFP back up for discussion. What can we do to get this process moving?

Kristen Klemenz, B & W Towing, stated that we are looking for a new RFP for towing to be done.

Chairman Hauryaki commented this issue will be referred to the Public Safety & Corrections Committee for discussion.

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

Dr. Katherine Douglas, President, Corning Community College stated that she is her today to provide an overview of where we are heading for 2016. She stated 2015 was a year of much good news and we looked at numerous ideas to maximize the future of the college. The college did receive an unqualified 10-year reaccreditation from the Middle States Commission for Higher Education. Dr. Douglas stated we
have centralized our learning commons, which has increased the number of students who use it. We also are streamlining our student services and have instituted new software which allows students to view their transcripts and review their class lists. We also have refreshed our website information.

Dr. Douglas stated they are expanding their academic partnership. One way we have done that is by applying for a seven-year grant for P-Tech, which is Pathways to Technology. This is a program which allows high school students the opportunity to participate in early college learning. We will be accepting our first class in September 2016. She stated that they conducted an economic impact study, and for every dollar that the County has invested, there is a return of 9.63 percent.

Dr. Douglas announced that the college will be receiving CFA and URI funding for a new health education center. The new center will be located at the intersection of Chemung and Denison. We will also be constructing private market housing on the former hospital site.

Dr. Douglas stated that nationwide, there is a trend that when the economy improves, the students go into the workforce and do not attend college. Additionally, locally we are seeing less high school students. These two things combined are resulting in a decrease in the number of students attending Corning Community College. The college is looking at consolidation. We do not own the business development center, so that will be coming back to the Spencer Hill Campus. We will be closing our Goff Road facility and the Criminal Justice Program and the Law Enforcement Academy will be housed at Spencer Hill. Additionally, we are looking at our facilities at the Airport Corporate Park and Elmira to determine the best use for the future. We also have reorganized various departments within the college, which have resulted in some positions being eliminated. She stated that they no longer provide child care, however, they do provide a subsidy to student parents.

Dr. Douglas thanked the Legislature for their support throughout the year. It means a great deal to the college.

Mrs. Lando commented there has been a lot of buzz about consolidation and the loss of positions. She suggested getting the information out to the public that has been presented here today, to help them have a better understanding of what is happening. Dr. Douglas replied our annual report to the community will include a lot of the information that has been presented to you today.

Ms. Fitzpatrick commented that some of the things you are offering sound good. As a past graduate, it sounds like you are heading in the right direction. Ms. Lattimer asked how soon will the health education center be open? Dr. Douglas replied it all depends on the URI process. We anticipate opening the facility and welcoming student by the Fall of 2018, but it could be earlier.

**Motion adopting the minutes of the previous meeting(s) made by Mr. Van Etten. Seconded by Mrs. Ferratella and duly carried.**

Mrs. Ferratella stated that she would like to thank Mr. Wheeler and Mr. Alger for the newsletter that is going out to all municipalities. This is a great communication tool. Chairman Haursky stated that this is something that he and Mr. Wheeler have been talking about. He appreciates Mr. Wheeler and Mr. Alger working together on this project. This is a good avenue for the departments to get information out to the municipalities. If you have any item that you think would be appropriate to include, please let Mr. Wheeler know. We will be sending out the newsletter every two months.
AMENDED

RESOLUTION NO. 009-16

Introduced by S. Van Etten. Seconded by R. Weaver.

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

Pursuant 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, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof and as upon the "Notice to Bidders and Terms of Sale – 2015" as applicable; and be it further

RESOLVED, the said grantee(s) must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be; 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; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

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<td>Name</td>
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<td>Chris A. &amp; Crystal E. Meyers</td>
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<td>348.10-01-001.200</td>
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(This is a duplicate and the Legislature approved a motion to remove)

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**SCHEDULE "B"**

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<td>B-1</td>
<td>Michael &amp; Lisa Nichols</td>
<td>2013-1427CV, Judgment filed May 6, 2015</td>
<td>336.06-02-043.100</td>
<td>Village of South Corning</td>
<td>Nickolas J. Blackman &amp; Renee R. Austin</td>
<td>15 S. Maple Street, Corning, NY 14830</td>
<td>$800.00, inclusive of recording fees</td>
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Mr. Hanna and Mr. Mullen both commented that they would need to abstain as they have clients listed on the resolution.

Mr. Reed commented that there has been an adjustment to Schedule A, relative to A-54. This is a duplicate and action had already been taken in September.

*Motion to remove A-54 from Schedule A as it is a duplicate made by Mrs. Lando, seconded by Mr. Malter and duly carried.*

*Vote:* Roll Call – Acclamation. Yes – 7598; No – 0; Absent – 1076; Abstained – 1198.
(Absent: Legislators Farrand and Swackhamer; Abstained: Legislators Hanna and Mullen)

RESOLUTION NO. 010-16

Introduced by J. Hauryski. Seconded by G. Roush.

**RECEIVING AND ACCEPTING THE JANUARY 25, 2016 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:

December 18, 2015
NYS Office for the Aging – Re: Annual Evaluation for the Steuben County Office for the Aging and notification of a follow up letter is needed by January 25, 2016. *Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.*

NYS Office for the Aging – Re: Notification of Grant Award (NGA) for the Nutrition Services Incentive Program (NSIP) for the 2016 federal fiscal year. *Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.*

December 23, 2015
NYS Sheriffs’ Association – Re: The option to continue to participate in the programs negotiated by the Association or select other vendors once the agreements expire for the Jail Inmate Phone System and the Expedited Bail by Credit Card Program. *Referred to: Finance and Public Safety & Corrections Committees; Alan Reed, County Attorney and David Cole, Steuben County Sheriff.*

Harris Beach, PLLC, Attorneys at Law — Re: City of Hornell Industrial Development Agency and Lowe’s Home Centers, Inc. distribution of first amendment PILOT (payment in lieu of tax) agreement and RP-412-a form. *Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.*

December 24, 2015
NYS Homes & Community Renewal — Re: Notification of the Federal Assistance Expenditure Form needs to be submitted no later than February 28, 2016. *Referred to: Amy Dlugos, Planning Director; and Patrick Donnelly, Commissioner of Finance.*

December 28, 2015
NYS Governor’s Traffic Safety Committee – Re: Notification of approval of the 2016 STOP DWI plan. *Referred to: Public Safety & Corrections Committee; and Sheriff Cole.*
January 5, 2016
The Greater Hammondsport Chamber of Commerce – Re: 2015 Annual Report on the disbursement of the $15,000 allocated funds. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Department of Transportation – Re: Statewide Mass Transportation Operating Assistance (STOA) 4th quarter SFY 2015-2016 payment. Referred to: Amy Dlugos, Planning Director.

NYS Homeland Security and Emergency Services – Re: Notification of being awarded $185,710 under the New York State 2015-2016 Public Safety Answering Points Operations Grants Program (2015-16 PSAP Grant). Referred to: Public Safety & Corrections Committee; and David Hopkins, 911 Director.

January 6, 2016
NYS Office of Parks, Recreation and Historic Preservation – Re: Notification of the Temple Beth El located at 12 Church Street, Hornell, NY 14843 is now listed on the New York State Register of Historic Places and nominated to the National Register of Historic Places. Referred to: A.I.P. Committee; and Eleanor Silliman, County Historian.

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,184, which represents the November 2015 retained surcharge revenues for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

January 8, 2016
Glenn O. Hawbaker Inc. – Re: Post construction conditions (USB drive) of the detour route for the Pennsylvania P3 JV 133 SR 4017, Section 017, Tioga County, MPMS NO. 7347 Bridge Construction Project including NY Route 101, NY Route 100, NY Route 99, Brook Road, McCaslin Road, Sealy Road, PA SR 4017, PA SR 49 and PA SR 4021. Referred to: Vince Spagnoletti, Commissioner of Public Works.

Vote: Acclamation – Adopted.

RESOLUTION NO. 011-16
Introduced by B. Schu. Seconded by H. Lando.

AMENDING THE STEUBEN COUNTY ADMINISTRATIVE CODE RELATIVE TO THE FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY.

Pursuant to Section 2.07(6) of the Steuben County Charter.

WHEREAS, the Steuben County Administrative Code, adopted in 1985 and amended various times since, details policies and procedures of Steuben County; and

WHEREAS, the Personnel Officer has completed a comprehensive review of the Family and Medical Leave Act Policy in the Administrative Code and recommended revisions to bring the County policy more in line with the Family and Medical Leave Act; and

WHEREAS, said revisions have been distributed to the Legislature for review; and

WHEREAS, the Administration Committee has reviewed the proposed changes and recommends approval by the Legislature.

NOW THEREFORE, BE IT

RESOLVED, that the revised Administrative Code is hereby adopted; and be it further
RESOLVED, the revised Administrative Code will be made available via the Steuben County intranet, and employees and staff will be notified of said revisions; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, Personnel Officer, and County Attorney.

Vote: Roll Call – Adopted.

AMENDED

RESOLUTION NO. 012-16

Introduced by B. Schu and S. Van Etten.

Seconded by G. Roush.

AMENDING THE INVESTMENT POLICY OF THE COUNTY OF STEUBEN.

Pursuant to Section 2.07 of the Steuben County Charter, Article 5 of the County Law of the State of New York and Article 2 of the General Municipal Law.

WHEREAS, the Steuben County Administration and Finance Committees reviewed and approved on January 12, 2016, revisions to the Investment Policy of the County of Steuben.

NOW THEREFORE, BE IT

RESOLVED, that the Investment Policy reviewed and revised on the date recited above, be filed with the Clerk of the Legislature, and the same hereby is, adopted by the Steuben County Legislature, as follows:

COUNTY OF STEUBEN
INVESTMENT POLICY

I. SCOPE

This investment policy applies to all monies and other financial resources available for investment on the County’s behalf or on behalf of any other entity or individual for whom the County has fiduciary responsibility. Such monies and/or other resources are hereinafter referred to as “investments.”

OBJECTIVES

The primary objectives of the County of Steuben investment activities are, in order of priority,

To conform with all applicable federal, state, and other legal requirements (legal);

To adequately safeguard the principal (safety);

To provide sufficient liquidity to meet all operating requirements (liquidity); and

To obtain a reasonable rate of return (yield).

II. DELEGATION OF AUTHORITY

The County of Steuben's responsibility for the administration of the investment program is delegated to the Commissioner of Finance, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level
of accountability based on records incorporating description and amounts of investments, transaction dates, and other relevant information and to direct and supervise the activities of subordinate employees.

III. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Steuben to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudent discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or impair their ability to make impartial investment decisions.

IV. DIVERSIFICATION

It is the policy of the County of Steuben to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling. The Finance Committee of the County Legislature shall have approval authority over designation of various depository financial institutions and establishment of appropriate limitations on the amount or percentage of investments for each such depository. The authorized financial institutions and limitations are designated in Appendix A to this policy. It is anticipated that Appendix A will be reviewed and revised from time to time, and such revisions may be ratified by the Finance Committee separately from or together with the entire Investment Policy.

V. INTERNAL CONTROLS

It is the policy of the County of Steuben for all monies collected by any officer or employee of the government to transfer either the funds or the notice of deposit of said funds to the Commissioner of Finance within five (5) days of receipt, or within the time period specified in law, whichever is shorter. In many cases the time period is 24 hours, but funds should be deposited as soon as possible after receipt.

The Commissioner of Finance is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, are managed in compliance with applicable laws and regulations, that transactions are executed in accordance with management’s authorization, and that transactions are properly recorded.

AUTHORIZED DEPOSITORY AND INVESTMENT INSTITUTIONS AND DEALERS

The Commissioner of Finance may deposit County of Steuben funds in accordance with the provisions of General Municipal Law §11 and the requirements as set forth by the New York State Comptroller.

All financial institutions with which the County conducts business shall be credit worthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with the County. The Commissioner of Finance shall evaluate the financial position of proposed depositaries, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

SAFEKEEPING AND COLLATERALIZATION

All County of Steuben deposits and investments in banks or trust companies that exceed the amounts insured under the provisions of the Federal Deposit Insurance Act (FDIC), including pursuant to a Deposit Placement Program in accordance with law, shall be secured in accordance with the provisions of General Municipal Law, Article 2, §10 and the
requirements as set forth by the New York State Comptroller. Further guidance is recited in the Model Investment Policy issued by the New York State Comptroller’s Office. Permissible means of securing deposits and investments consist of any one, or combination, of the following, subject to statutory requirements:

1. A pledge of “eligible securities” with an aggregate “market value” (as provided by the General Municipal Law §10) that is at least equal to the aggregate amount of deposits by the officers. See Appendix B of this policy for a listing of “eligible securities.”

2. An “eligible surety bond” payable to the County for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.

3. An “eligible letter of credit,” payable to the County as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An “eligible letter of credit” shall be an irrevocable letter of credit issued in favor of the County, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company’s commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.

4. An “irrevocable letter of credit” issued in favor of the County by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

Eligible securities used for collateralizing deposits made by officers of Steuben County shall be held by the depositary or a third party bank or trust company subject to security and custodial agreements. A schedule of the types of eligible securities authorized by statute is included in Appendix B.

The security agreement shall provide that eligible securities are being pledged to secure the County's deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities held may be sold, presented for payment, substituted or released and the events of default which will enable the County to exercise its rights against the pledged securities.

In the event that the securities are not registered or inscribed in the name of the County, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Steuben or its custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a Federal Reserve Bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the County in the securities as set forth in the security agreement.

The custodial agreement shall provide that pledged securities will be held by the custodial bank or trust company, or agent of and custodian for the County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with, or become part of the backing for, any other deposit or other bank liabilities. The agreement shall also describe how the custodian shall confirm the receipt, substitution or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the County with a perfected security interest in the eligible securities and to otherwise secure the local government’s interest in the collateral, and may contain other provisions that the governing board deems necessary.
VI. PERMITTED INVESTMENTS

As provided by General Municipal Law §11, the County of Steuben authorizes the Commissioner of Finance to invest moneys not required for immediate expenditure for terms not to exceed projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York;
- Through a Deposit Placement Program, certificates of deposit and/or Money Market Deposit Account (MMDA) in one or more “banking institutions”, as defined in Banking Law Section 9-r;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State of New York other than the Steuben County.

All investment obligations shall be payable or redeemable at the option of the County within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the County within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections VIII herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the County authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the County within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law §11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested. Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

VII. PURCHASE OF INVESTMENTS

The Commissioner of Finance is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the County, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the Commissioner of Finance. All such transactions shall be confirmed in writing to the County of Steuben by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law §10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the County of Steuben, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the
securities. Such agreement shall include all provisions necessary to secure the local government’s perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the County with a perfected interest in the securities.

The Commissioner of Finance can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law §10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

**COURIER SERVICE**

The Commissioner of Finance may, subject to the approval of the Finance Committee, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the County of Steuben and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service.

The County may agree with the depositary bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the County in transporting items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the Department of Financial Services or other federal or State authority.

An authorized depository institution of the County may provide “armored car” service for the periodic collection of cash and negotiable items held at various County offices. The cost is subject to negotiation between the County and the depository institution providing the service.
Appendix A  
Authorized Banking and Investment Entities

<table>
<thead>
<tr>
<th>Entity</th>
<th>Maximum Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank of America</td>
<td>35%</td>
</tr>
<tr>
<td>Five Star Bank</td>
<td>35%</td>
</tr>
<tr>
<td>Steuben Trust Company</td>
<td>35%</td>
</tr>
<tr>
<td>Community Bank, NA</td>
<td>35%</td>
</tr>
<tr>
<td>Chemung Canal Trust</td>
<td>35%</td>
</tr>
<tr>
<td>M&amp;T Bank &amp; Trust</td>
<td>35%</td>
</tr>
<tr>
<td>J.P. Morgan Chase</td>
<td>35%</td>
</tr>
<tr>
<td>Key Bank, N. A.</td>
<td>35%</td>
</tr>
<tr>
<td>HSBC</td>
<td>15%</td>
</tr>
<tr>
<td>Cooperative Liquid Assets Securities</td>
<td>10%</td>
</tr>
<tr>
<td>Morgan-Stanley/Dean Witter</td>
<td>10%</td>
</tr>
<tr>
<td>Eligible Securities</td>
<td>For purposes of determining aggregate “market value,” eligible securities shall be valued at these percentages of “market value”:</td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------------------------------</td>
</tr>
<tr>
<td>(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.</td>
<td>100%</td>
</tr>
<tr>
<td>(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank and the African Development Bank.</td>
<td>100%</td>
</tr>
<tr>
<td>(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.</td>
<td>100%</td>
</tr>
<tr>
<td>(iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.</td>
<td>100%</td>
</tr>
<tr>
<td>(v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.</td>
<td>100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.</td>
</tr>
<tr>
<td>(vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.</td>
<td>These bonds deleted by County Legislature amendment January 25, 2016, when policy reviewed and approved.</td>
</tr>
<tr>
<td>(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.</td>
<td>100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.</td>
</tr>
<tr>
<td>(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.</td>
<td>80%</td>
</tr>
<tr>
<td>(ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.</td>
<td>70%</td>
</tr>
<tr>
<td>(x) Commercial paper and bankers’ acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.</td>
<td>80%</td>
</tr>
<tr>
<td>(xi) Zero-coupon obligations of the United States government marketed as “Treasury STRIPS.”</td>
<td>80%</td>
</tr>
</tbody>
</table>
Mr. Mullen asked relative to Appendix B, could we remove item (vi) which references Puerto Rico? Mr. Donnelly stated that he has no objection to it. Generally, we would not take a bond of that nature. We receive collateral securities of U.S. bonds. This is a model policy from the State Comptroller.

*Motion to remove section vi from Appendix B made by Mr. Mullen, seconded by Mr. Weaver and duly carried.*

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 013-16**

Introduced by R. Lattimer.  
Seconded by Mrs. Lando.

**EXTENDING THE COFFEE CART LEASE.**

Pursuant to Section 2.07 of the Steuben County Charter and Section 215 of the County Law of the State of New York.

WHEREAS, on December 15, 2014 the County entered into a lease agreement with Sara E. Golden, doing business as The Golden Cup, to operate the coffee cart/vending counter in the County Office Building; and

WHEREAS, the County desires to continue to have a coffee cart/vending counter for the convenience of the Court Systems, County Employees, and visitors to the County Office Building; and

WHEREAS, said vendor would like to continue operating the coffee cart/vending counter within the County Office Building; and

WHEREAS, said vendor is found to be of good standing with the necessary skills and permits to operate the coffee cart/vending counter.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is authorized to execute a lease extension with Sara E. Golden, doing business as The Golden Cup, to operate the coffee cart/vending counter in the County Office Building; and be it further

RESOLVED, that the period of said lease shall be January 1, 2016 through December 31, 2016; and be it further

RESOLVED, that the Legislature delegates the authority for future review, approval and/or renewal of this lease to the Agriculture, Industry & Planning Committee; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager and the Director of Planning.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 014-16**

Introduced by R. Lattimer.  
Seconded by C. Ferratella.

**AUTHORIZING THE COUNTY MANAGER TO EXTEND THE LEASE OF THE OLD HOSPITAL BUILDING TO PRO ACTION OF STEUBEN AND YATES COUNTIES THROUGH DECEMBER 31, 2019.**

Pursuant to Section 2.07 of the Steuben County Charter and Section 215 of the County Law of the State of New York.
WHEREAS, the County of Steuben is the owner of the former Bath Hospital Building at 117 East Steuben Street; and

WHEREAS, since 1997 the County has leased this building to Pro Action of Steuben and Yates Counties with the current term expiring on December 31, 2017; and

WHEREAS, Pro Action of Steuben and Yates Counties has agreed to assume the daily operation and maintenance of the building at 117 East Steuben Street, including the payment of all utilities; and

WHEREAS, Pro Action of Steuben and Yates Counties has an opportunity to apply for certain grant funds, but must demonstrate that it has a lease for its building through December 31, 2019.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby approve the lease extension between Steuben County and Pro Action of Steuben and Yates Counties through December 31, 2019, and authorizes the County Manager to sign said lease; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Laura Rossman, Executive Director of Pro Action of Steuben and Yates Counties, 117 East Steuben Street, Bath, New York.

Mr. Mullen asked what do we have in the budget for maintenance and how much is the lease? Mr. Wheeler replied the lease is $1.00 and we share maintenance costs. We do the plowing and patching of the asphalt. We also fund the maintenance of the elevator.

Mr. Mullen asked could we consider having them do all of the maintenance? Otherwise we are losing the value of the building. Ms. Lattimer commented historically, having a good tenant in that building is an advantage for the County. Mr. Wheeler replied that is something that can be discussed as the lease is coming due.

Vote: Roll Call – Adopted.

RESOLUTION NO. 015-16

Introduced by A. Mullen and B. Schu. Seconded by H. Lando.

AUTHORIZING THE TRANSFER AND RECLASSIFICATION OF A VACANT POSITION IN THE OFFICE OF COMMUNITY SERVICES TO TWO PART-TIME POSITIONS IN THE DISTRICT ATTORNEY’S OFFICE.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, there is a need for two Assistant District Attorney (PT) positions; and

WHEREAS, there is one vacant position within Community Services that can be transferred and reclassified; and

WHEREAS, the Public Safety and Corrections and the Administration Committee have approved the reclassification of the position listed below and transferring said position to the District Attorney’s Office.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following positions in Steuben County are reclassified as follows:
TRANSFER AND RECLASSIFY

FROM:  Community Services: one (1) Staff Social Worker, Grade 15 ($39,510 – $55,777)

TO:    District Attorney’s Office: two (2) Assistant District Attorney (PT), Mgmt Grade E ($37,000 annually)

AND BE IT FURTHER RESOLVED, the 2016 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 Personnel Officer, District Attorney, Director of Community Services, and the County Manager.

Vote:  Roll Call – Adopted.

RESOLUTION NO. 016-16

Introduced by B. Schu. Seconded by H. Lando.

CONFIRMING THE APPOINTMENT OF THE PART-TIME RISK MANAGER.

Pursuant to Section 12.16 of the Steuben County Charter.

WHEREAS, Scott E. Sprague of Hammondsport, New York, has been appointed by the County Manager as Risk Manager, in a part-time capacity; and

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

NOW THEREFORE, BE IT

RESOLVED, Scott E. Sprague of Hammondsport, New York, appointed as Risk Manager, part-time, is hereby confirmed by the Steuben County Legislature; and be it further;

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee and the Personnel Officer.

Vote:  Roll Call – Adopted.

RESOLUTION NO. 017-16

Introduced by A. Mullen. Seconded by S. Maio.

CONFIRMING THE APPOINTMENT OF THE PART-TIME CONFLICT DEFENDER.

Pursuant to Section 12.04 of the Steuben County Charter.

WHEREAS, Brenda Aston of Bath, New York, has been appointed by the County Manager as Conflict Defender, in a part-time capacity; and

WHEREAS, the Public Safety & Corrections Committee has recommended the Steuben County Legislature confirm said appointment.

NOW THEREFORE, BE IT
RESOLVED, Brenda Aston of Bath, New York, appointed as Conflict Defender, part-time, is hereby confirmed by the Steuben County Legislature; and be it further;

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee and the Personnel Officer.

Vote: Roll Call – Adopted.

Motion to block vote resolutions 10-26 and dispense with the reading, as well as to withdraw resolution 21 made by Mr. Van Etten, seconded by Mr. Roush and duly carried.

RESOLUTION NO. 018-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING MEMBERS TO THE STEUBEN COUNTY COOPERATIVE EXTENSION BOARD OF DIRECTORS.

Pursuant to Section 12.20 of the Steuben County Charter.

BE IT RESOLVED, the appointments of Hilda T. Lando, Legislator, District 2, and Robert V. Nichols, Legislator, District 11, by the Chairman of the Steuben County Legislature as Legislator representatives on the Board of Directors of the Cooperative Extension Association of Steuben County, for terms of two (2) years each beginning January 1, 2016 and ending December 31, 2017, be, and the same hereby are approved; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Cooperative Extension Association Board of Directors; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and to the Cooperative Extension Association of Steuben County, 3 East Pulteney Square, Bath, NY 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 019-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING MEMBERS TO THE STEUBEN COUNTY ETHICS BOARD.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, due to the expiration of terms of the Steuben County Ethics Board it is necessary to reappoint and/or appoint the following:

January 1, 2016 through December 31, 2018
R. Michael Ingalls, 383 Cleveland Avenue, Hornell, NY 14843
Brenda K. Mori, 8057 Briglin Road, Hammondsport, NY 14840
Eric Shults, Esq., 427 Seneca Road, North Hornell, NY 14843
Rhonda B. Sweet, 6 Whiting Street, Bath, NY 14810

NOW THEREFORE, BE IT
RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Ethics Board; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Auditor and all members of the Steuben County Ethics Board.

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 020-16**

Introduced by J. Hauryksi. Seconded by H. Lando.

**APPOINTING REPRESENTATIVES TO THE FISH AND WILDLIFE MANAGEMENT ACT BOARD.**

Pursuant to Section 12.20 of the Steuben County Charter and Section 11-0501, Paragraph 4(a) of the Environmental Conservation Law of the State of New York.

BE IT RESOLVED, upon the recommendation of the Chairman of the Steuben County Legislature, the following individuals are appointed to serve as representatives of the Fish and Wildlife Management Act Board.

Steuben County Landowner Representative: Mike Warren  
*January 1, 2015 – December 31, 2016*  
2901 County Road 56  
Hornell, NY 14843

Steuben County Sportsman Representative: Thomas J. Ryan  
*January 1, 2016 – December 31, 2017*  
41 Chestnut Street  
Canisteo, NY 14823

Steuben County Legislative Representative: Aaron I. Mullen  
Steuben County Legislator  
*January 1, 2016 – December 31, 2017*  
9077 Reynolds Street  
Avoca, NY 14809

AND BE IT FURTHER RESOLVED, the representatives shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Fish and Wildlife Management Act Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; the NYS Department of Environmental Conservation, 6274 East Avon-Lima Road, Avon, NY 14414; and the County Auditor.

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 021-16**

Introduced by J. Hauryksi. Seconded by H. Lando.

**APPOINTING THE STEUBEN COUNTY REPRESENTATIVE TO THE BOARD OF DIRECTORS OF THE GENESSEE VALLEY REGIONAL MARKET AUTHORITY.**

Pursuant to Section 12.20 of the Steuben County Charter and Article 4, Title 4 of the Public Authorities Law.

WHEREAS, it is in the best interest of Steuben County to have a representative on the Board of Directors of the Genesee Valley Regional Market Authority.
NOW THEREFORE, BE IT

RESOLVED, John Meyer of Joseph L. Meyer & Sons, Inc. is hereby appointed as the Steuben County representative on the Board of Directors of the Genesee Valley Regional Market Authority for a term of two (2) years from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, said member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Genesee Valley Regional Market Authority; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee at 9260 State Route 21, Cohocton, NY 14826; William J. Mulligan, Jr., Administrator, Genesee Valley Regional Market Authority, 900 Jefferson Road, Rochester, NY 14623; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 022-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING REPRESENTATIVES TO THE INTERCOUNTY ASSOCIATION OF WESTERN NEW YORK.

Pursuant to Section 12.20 of the Steuben County Charter.

BE IT RESOLVED, from January 1, 2016 through December 31, 2017, the Steuben County Legislature does hereby designate the following as representatives of this Legislature to the InterCounty Association of Western New York:

1. CAROL A. FERRATELLA, voting representative
2. HILDA T. LANDO, voting representative
3. BRENDA K. MORI, voting representative
4. K. MICHAEL HANNA, alternate voting representative
5. JACK K. WHEELER, alternate voting representative

AND BE IT FURTHER RESOLVED, the representatives shall serve without compensation except for necessary expenses, upon presentation of receipts related to the fulfillment of their duties on the InterCounty Association of Western New York; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named representatives, the County Auditor and the President of the InterCounty Association of Western New York.

Vote: Acclamation – Adopted.

RESOLUTION NO. 023-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING A REPRESENTATIVE TO THE STEUBEN COUNTY JURY BOARD.

Pursuant to Section 12.20 of the Steuben County Charter and Section 503 of the Judiciary Law of the State of New York.

WHEREAS, Resolution No. 188-88, adopted by the Steuben County Legislature on May 23, 1988, appointed a Legislative Representative to the Steuben County Jury Board, and
WHEREAS, the term of the Legislative Representative to said Jury Board has expired.

NOW THEREFORE, BE IT

RESOLVED, Hilda T. Lando, Steuben County Legislator representing District 2, is hereby appointed as the Legislative Representative to the Steuben County Jury Board for a two (2) year term commencing January 1, 2016 and expiring December 31, 2017; and be it further

RESOLVED, said representative shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of her duties on the Steuben County Jury Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee; the Administrative Justice of the Seventh Judicial District of the State of New York, Supreme Court Chambers, Hall of Justice, 99 Exchange Boulevard, Rochester, NY 14614; the Commissioner of Jurors; the County Clerk; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 024-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING STEUBEN COUNTY REPRESENTATIVES TO THE COMMITTEES ON PRESCHOOL SPECIAL EDUCATION.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, New York State law requires school districts to establish committees on Preschool Special Education, and

WHEREAS, Counties have been given the option of appointing representatives to each of the school districts therein.

NOW THEREFORE, BE IT

RESOLVED, that Steuben County hereby appoints the following as representatives to all School Districts serving Steuben County residents; and be it further

RESOLVED, that the following appointments to said Committees by recommendation of the Steuben County Manager are hereby approved and ratified:

Diane Kiff, Administrative Officer
Special Children’s Services
Steuben County Public Health
3 East Pulteney Square
Bath, NY 14810

Anne Roser, Service Coordinator
Special Children’s Services
Steuben County Public Health
3 East Pulteney Square
Bath, NY 14810

Karen Dgien, Service Coordinator
Special Children’S Services
Steuben County Public Health
3 East Pulteney Square
Bath, NY 14810

Danielle Lange, Service Coordinator
Special Children’S Services
Steuben County Public Health
3 East Pulteney Square
Bath, NY 14810
BE IT FURTHER RESOLVED, that the above-named appointees shall serve without compensation and shall only receive reimbursement for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Preschool Special Education Committee; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 025-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING REPRESENTATIVES TO THE RESOURCE, CONSERVATION AND DEVELOPMENT PROJECT BOARD.

Pursuant to Section 12.20 of the Steuben County Charter.

RESOLVED, that Amy R. Dlugos, Planning Director, be and hereby is appointed as Steuben County’s Representative on the Resource, Conservation and Development Project Board for a term of two (2) years, commencing January 1, 2016 and ending December 31, 2017; and be it further

RESOLVED, that Mitchell M. Alger, Deputy County Manager, be and hereby is appointed as the Alternate Steuben County Representative; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Resource, Conservation and Development Project Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, Jonathan Barter, c/o Velynda Parker, Finger Lakes Resource Conservation & Development Council, Inc., 415 West Morris Street, Bath, NY, and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 026-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING MEMBERS TO THE RURAL TRANSPORTATION ADVISORY COMMITTEE.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, the Steuben County Legislature adopted Resolution No. 188-02 creating a permanent, two-County Rural Transportation Advisory Committee.

NOW THEREFORE, BE IT

RESOLVED, the Chairman of the Steuben County Legislature has recommended the following individuals to serve as representatives from Steuben County to serve on the Committee:
BE IT FURTHER RESOLVED, that the above-named appointees shall serve without compensation and shall only receive reimbursement for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Rural Transportation Advisory Committee; and be it further
RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; Dennis Fagan, Chairman, Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Marcia Weber, Executive Director, Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East, Suite 310, Corning, NY 14830; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 027-16

Introduced by J. Haurski. Seconded by H. Lando.

APPOINTING A MEMBER TO THE SOUTHERN TIER EXTENSION RAILROAD AUTHORITY.

Pursuant to Section 12.20 of the Steuben County Charter and Article 8, Title 28-AA of the Public Authorities Law.

WHEREAS, Article 8, Title 28-AA of the Public Authorities Law creates the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority to continue and strengthen the system of railroads serving the Counties through the creation of a regional, public benefit corporation; and

WHEREAS, the County Legislature is authorized to appoint three voting members to the Authority upon the recommendation of the Legislative Chair; and

WHEREAS, one member’s term has expired and one member has resigned.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby appoint the following individual to serve as a member of the Southern Tier Extension Railroad Authority for the term as indicated:
AND BE IT FURTHER RESOLVED, said members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Southern Tier Extension Railroad Authority; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointees; the Southern Tier Extension Railroad Authority, Center for Regional Excellence, 4039 Route 219, Salamanca, NY 14779-1493; and the County Auditor.

RESOLUTION NO. 028-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING REPRESENTATIVES TO THE SOUTHERN TIER REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL.

Pursuant to Section 12.20 of the Steuben County Charter, the Federal Emergency Medical Services Act of 1973 and Article 30 of the New York State Public Health Law.

WHEREAS, by resolution of the Steuben County Board of Supervisors of December 16, 1974, it was authorized that the County of Steuben be a participant in the Emergency Medical Services Program in the Southern Tier Ten-County Region of the State of New York.

NOW THEREFORE, BE IT

RESOLVED, upon the recommendation of the County Manager, Timothy Marshall, Director, Office of Emergency Services, and Tina Goodwin, Deputy Director, 911 Enhanced Department, be and the same hereby are, duly designated and appointed as Steuben County’s representatives on the Southern Tier Regional Emergency Medical Services Council to serve at the pleasure of this Legislature for a term of two years commencing January 1, 2016 through December 31, 2017; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Southern Tier Regional Emergency Medical Services Council; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and to EMSTAR, 1058 West Church Street, Elmira, NY 14905.

Vote: Acclamation – Adopted.

RESOLUTION NO. 029-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING MEMBERS TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

WHEREAS, the by-laws of the Steuben County Industrial Development Agency authorize as many as seven (7) members to serve on the Steuben County Industrial Development Agency; and

WHEREAS, the Board members are appointed to serve three (3) year staggered terms, excepting one appointee who shall serve a term of one (1) year; and

WHEREAS, the term has expired for various Board members.

NOW THEREFORE, BE IT

RESOLVED, the following persons, as recommended by the Chairman of the Legislature, are hereby appointed (reappointed) as members of the Steuben County Industrial Development Agency for the terms as indicated and shall hold office until reappointed or successor is appointed, and has qualified to wit:

**January 1, 2015 through December 31, 2017**
Christine G. Sharkey, Corning Enterprises, One West Market Street – 6th Floor, Corning, NY 14831
Michael J. Doyle, 54 Lake Street, Hammondsport, NY 14840

**January 1, 2016 through December 31, 2016**
Joseph J. Hauryski, Chairman, Steuben County Legislature, 6031 County Route 17, Campbell, NY 14821

**January 1, 2016 through December 31, 2018**
Philip J. Roche, Esq., County resident, 5 Fox Lane East, Painted Post, NY 14870
Dr. Katherine P. Douglas, President, Corning Community College, 1 Academic Drive, Corning, NY 14830

**January 1, 2014 through December 31, 2016**
Michael L. Nisbet, 20 Bennett Street, Canisteo, NY 14823
Brenda Copeland, Steuben Trust Company, One Steuben Square, Hornell, NY 14843

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Industrial Development Agency; and be it further

RESOLVED, certificates of appointment, as required by law, shall be filed with the Secretary of the State of New York, by Jeff Evans, Esq., of Welch and Zink, Counsel to the Steuben County Industrial Development Agency; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to each of the above-named appointees; the Steuben County Planning Director, James C. Johnson, Executive Director, Steuben County Industrial Development Agency, 7234 Route 54N, P.O. Box 393, Bath, NY 14810; Marcia Weber, Executive Director, Southern Tier Central Regional Planning & Development Board, 8 Denison Parkway East, Suite 310, Corning, NY 14830; counsel to the agency and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 030-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING MEMBERS TO THE STEUBEN COUNTY TRAFFIC SAFETY BOARD.

Pursuant to Section 12.20 of the Steuben County Charter and Article 43 of the Vehicle and Traffic Law.
WHEREAS, vacancies exist on the Steuben County Traffic Safety Board, and said vacancies need to be filled.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature appoints the following persons as members of the Steuben County Traffic Safety Board for the terms indicated:

**JANUARY 1, 2015 TO DECEMBER 31, 2017**
- David V. Cole, Steuben County Sheriff or Designee
- Amy R. Dlugos, Steuben County Planning Director or Designee
- Vincent Spagnoletti, Commissioner of Public Works or Designee
- Salvatore Trentanelli, Corning City Police Chief or Designee
- Lorelei Wagner, Steuben County Public Health

**JANUARY 1, 2016 TO DECEMBER 31, 2018**
- Brooks T. Baker, Steuben County District Attorney or Designee
- Carol A. Ferratella, Steuben County Legislator, District 13
- Timothy Marshall, Steuben County Emergency Management Office Director or Designee
- Chad Mullen, Bath Village Police Chief or Designee
- Ted Murray, Hornell City Police Chief or Designee
- Cathy Rouse-Nicholson, Steuben County Magistrate’s Association Designee

EX-OFFICIO MEMBER SERVING JANUARY 1, 2016 TO DECEMBER 31, 2018
- New York State Police Designee

BE IT FURTHER RESOLVED, the organization of the Steuben County Traffic Safety Board shall be in accordance with Section 1674 of the New York State Vehicle and Traffic Law and the members shall receive no compensation for their services on such Board, but shall be entitled to the reasonable and necessary expenses, upon submission of a County voucher with receipts attached, incurred in the performance of their duties within any appropriation made for such purpose. The functions of the Board shall be in accordance with Section 1675 of the New York State Vehicle and Traffic Law; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and the Governor’s Traffic Safety Committee, Swan Street Building, Empire State Plaza, Albany, NY 12228.

Vote: Acclamation – Adopted.

RESOLUTION NO. 031-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING MEMBERS TO THE E-911 ADVISORY BOARD.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, the Steuben County Legislature adopted Resolution No. 058-02 on February 25, 2002, appointing the members of the E-911 Advisory Board; and

WHEREAS, the Board members were appointed to serve three-year rotating terms; and

WHEREAS, the term of some Board members expired December 31, 2015.

NOW THEREFORE, BE IT
RESOLVED, as recommended by the Chair of the Steuben County Legislature, the following individuals are hereby appointed (reappointed) to the E-911 Advisory Board for a three (3) year term as indicated:

**E-911 ADVISORY BOARD**

<table>
<thead>
<tr>
<th>MEMBERS</th>
<th>TERM</th>
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<tbody>
<tr>
<td><strong>Fire Services Representatives (1 paid city; 3 volunteers)</strong></td>
<td></td>
</tr>
<tr>
<td>Anthony Hopper, Bath VA <em>(filling unexpired term of Larry Day)</em></td>
<td>01/01/14 – 12/31/16</td>
</tr>
<tr>
<td>Joseph J. Dick, North Hornell</td>
<td>01/01/15 – 12/31/17</td>
</tr>
<tr>
<td>Brian D. McCarthy, Painted Post</td>
<td>01/01/15 – 12/31/17</td>
</tr>
<tr>
<td>Dan Smith, Hornell City Fire Chief</td>
<td>01/01/16 – 12/31/18</td>
</tr>
<tr>
<td><strong>Volunteer Ambulance Representative</strong></td>
<td></td>
</tr>
<tr>
<td>Rick Andrews, Woodhull</td>
<td>01/01/16 – 12/31/18</td>
</tr>
<tr>
<td>Gregg Learned, Hammondsport</td>
<td>01/01/14 – 12/31/16</td>
</tr>
<tr>
<td><strong>Paid Ambulance Representative</strong></td>
<td></td>
</tr>
<tr>
<td>Alan Lewis, Rural Metro</td>
<td>01/01/14 – 12/31/16</td>
</tr>
<tr>
<td><strong>Local Police Representative</strong></td>
<td></td>
</tr>
<tr>
<td>Chad Mullen, Bath Village Police Chief <em>(filling unexpired term of David Rouse)</em></td>
<td>01/01/14 – 12/31/16</td>
</tr>
<tr>
<td><strong>State Police Representative</strong></td>
<td></td>
</tr>
<tr>
<td>Captain Eric Dauber, Bath Zone Commander <em>(filling unexpired term of Captain Kevin Reilly, Bath Zone Commander)</em></td>
<td>01/01/14 – 12/31/16</td>
</tr>
<tr>
<td><strong>Sheriff Representative</strong></td>
<td></td>
</tr>
<tr>
<td>David V. Cole, Sheriff</td>
<td>01/01/14 – 12/31/16</td>
</tr>
<tr>
<td><strong>City Police Representative</strong></td>
<td></td>
</tr>
<tr>
<td>Salvatore Trentanelli, Corning City Police Chief</td>
<td>01/01/16 – 12/31/18</td>
</tr>
<tr>
<td><strong>City At-Large Representative</strong></td>
<td></td>
</tr>
<tr>
<td>Shawn Hogan, Hornell City Mayor</td>
<td>01/01/16 – 12/31/18</td>
</tr>
<tr>
<td>Mark L. Ryckman, Corning City Manager</td>
<td>01/01/16 – 12/31/18</td>
</tr>
<tr>
<td><strong>County Government Representative</strong></td>
<td></td>
</tr>
<tr>
<td>Jack K. Wheeler, County Manager</td>
<td>01/01/16 – 12/31/18</td>
</tr>
<tr>
<td>Alternate: Mitchell M. Alger, Deputy County Manager</td>
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<tr>
<td><strong>County Legislature Representatives</strong></td>
<td></td>
</tr>
<tr>
<td>K. Michael Hanna, District 5</td>
<td>01/01/16 – 12/31/18</td>
</tr>
<tr>
<td>John V. Malter, District 4, Chairman’s Designee <em>(filling unexpired term of Carol A. Ferraiella)</em></td>
<td>01/01/14 – 12/31/16</td>
</tr>
<tr>
<td>Aaron I. Mullen, District 7 <em>(filling unexpired term of Brian C. Schu)</em></td>
<td>01/01/15 – 12/31/17</td>
</tr>
<tr>
<td><strong>Ex-Officio Members</strong> <em>(Non-Voting)</em></td>
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<tr>
<td>David Hopkins, E-911 Director</td>
<td></td>
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<tr>
<td>Timothy Marshall, Director, Emergency Management Office</td>
<td></td>
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</tbody>
</table>

Monday, January 25, 2016
AND BE IT FURTHER RESOLVED, the Chairman of the Steuben County Legislature hereby appoints Jack K. Wheeler to serve as the Chair of the Advisory Board and Chief Salvatore Trentanelli to serve as the Vice Chair of the Advisory Board; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the E-911 Advisory Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 032-16

Introduced by J. Hauryski. Seconded by H. Lando.

REAPPOINTING THE COUNTY REPRESENTATIVE TO THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION BOARD OF DIRECTORS.


WHEREAS, it is necessary for the County of Steuben to have a legal representative by and through a member on the Board of Directors of the Western Regional Off-Track Betting Corporation in order to participate in the operation of said Corporation; and

WHEREAS, the term of the current representative has expired effective December 31, 2015.

NOW THEREFORE, BE IT

RESOLVED, that John Clifford of Cohocton, New York, be and the same hereby is, reappointed as Steuben County’s representative to the Western Regional Off-Track Betting Corporation Board of Directors for a term commencing January 1, 2016 through December 31, 2019; and be it further

RESOLVED, that as a member of said Board of Directors, the appointee is hereby authorized and empowered to make decisions and recommendations, and to participate in those activities which would be normally and legally commensurate with the position of a Director of said corporation; and be it further

RESOLVED, that said appointee shall serve without compensation except for necessary expenses as provided for by the Western Regional Off-Track Betting Corporation Board of Directors; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee; the New York State Racing and Wagering Board, 1 Watervliet Avenue Extension, Suite #2, Albany, NY 12206; and Martin C. Basinait, President, Western Regional Off-Track Betting Corporation, 700 Ellicott Street, Batavia, NY 14020.

Vote: Acclamation – Adopted.

RESOLUTION NO. 033-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING MEMBERS TO THE STEUBEN COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD.
Pursuant to Section 12.20 of the Steuben County Charter and Article 25-AA of the Agriculture and Markets Law.

WHEREAS, the terms of certain members of the Agricultural and Farmland Protection Board will expire; and

WHEREAS, Article 25-AA of the Agriculture and Markets Law requires staggered four-year terms.

NOW THEREFORE, BE IT

RESOLVED, the following persons, as recommended by the Chairman of the Legislature, are hereby appointed (reappointed) as members of the Steuben County Agricultural and Farmland Protection Board for the terms indicated and shall hold office until reappointed or successor is appointed; and has qualified to wit:

**January 1, 2014 through December 31, 2017**
Ken Ward, MJ Ward & Son, Inc., PO Box 747, Bath, NY 14810
Matthew Doyle, Doyle Vineyards Management, PO Box 476, Hammondsport, NY 14840

**January 1, 2015 through December 31, 2018**
Shawn Gilson, 3699 State Route 21, Wayland, NY 14572
Tom Massi, 246 Victory Highway, Painted Post, NY 14870

**January 1, 2016 through December 31, 2019**
Charles Painter, 295 Murray Road, Addison, NY 14801
Mike Slayton, 7195 County Route 27, Hornell, NY 14843

**Ex-Officio Members** (Voting)
Robert V. Nichols, Steuben County Legislator, District 11
Chairperson, Soil & Water Conservation District Board of Directors, or Designee
Director, Cornell Cooperative Extension, or Designee
Steuben County Planning Director, or Designee
Steuben County Real Property Tax Service Agency, or Designee

**Advisory Members** (Non-Voting)
James C. Johnson, Executive Director, Steuben County Industrial Development Agency

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Agricultural and Farmland Protection Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, County Auditor, and Amy Dlugos, Chair, Steuben County Agricultural and Farmland Protection Board.

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 034-16**

Introduced by R. Lattimer. 
Seconded by J. Malter.

MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE IN SUPPORT OF RESTORING FUNDING WITHIN THE ENVIRONMENTAL PROTECTION FUND (EPF).

WHEREAS, the Steuben County Soil & Water Conservation District and the Finger Lakes-Lake Ontario Watershed Protection Alliance (FLLOWPA) have advocated for the restoration of funding to the Environmental Protection Fund (EPF) for the 2016-17 budget year; and
WHEREAS, this funding is specifically utilized in Steuben County to improve local water quality in efforts such as lake monitoring, stream bank/road ditch stabilization and critical area seeding or hydro-seeding; and

WHEREAS, this funding is utilized by all 25 counties in the watershed to protect our natural resources from the ever changing climate; and

WHEREAS, an increase from the current $1.75 million level back to the 2008-09 level of $2.3 million would help the Steuben County Soil & Water Conservation District and FLLOWPA make our infrastructure and communities more resilient and focused on water quality protection.

NOW THEREFORE BE IT

RESOLVED, that Steuben County Legislature urges the Governor and the New York State Legislature to support restoring funding to the Environmental Protection Fund (EPF) back to 2008-09 levels; and be it further

RESOLVED, that the State Legislature and Governor are urged to appropriate $2.3 million to the Environmental Protection Fund in the 2016-17 budget year; and be it further


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 Mr. Roush, seconded by Ms. Lattimer and duly carried.

Motion to adjourn Executive Session and Reconvene in Regular Session made by Mrs. Lando, seconded by Ms. Lattimer and duly carried.

Motion to adjourn made by Mr. Roush, seconded by Mr. Van Etten and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 22nd day of February, 2016, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present except Legislators Lattimer and Weaver.

Mrs. Ferratella provided the Invocation and the Pledge of Allegiance was led by Ms. Fitzpatrick.

Chairman Hauryski asked Brice Sebring to come forward. Mr. Sebring is an employee in the Department of Social Services. He presented him with a Certificate of Appreciation and a pin in recognition of his 10 years of service to Steuben County.

Chairman Hauryski asked Sheila Wilson to come forward. Ms. Wilson is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

Chairman Hauryski asked Jason McLoud to come forward. Mr. McLoud is an employee in the Department of Social Services. He presented him with a Certificate of Appreciation and a pin in recognition of his 15 years of service to Steuben County.

Mr. Gallagher thanked the Legislature for supporting the Youth In Government Program for well over thirty years. During that time, we have had 1,300 youth complete the program. He introduced the student interns for the Spring semester.

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

Terry Nardone, Hammondsport, stated he is a member of Veterans in Government and he recently received information about the City of Boston who initiated a PILOT Program to reduce property taxes and initiate economic development. The City of Boston allowed entities to pay into the tax coffers at will. Loyola University determined they received services from the City of Boston and dedicated $45 million to their PILOT Program. Mr. Nardone stated that he had met with the previous County Manager, Mr. Alger, and he had suggested that I bring this up to public comment. He also felt it would be a good idea to mention it to the New York State Association of Counties due to their ability to conduct research. Mr. Nardone encouraged the Legislature to look into this further.

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

Motion adopting the minutes of the previous meeting(s) made by Mrs. Ferratella. Seconded by Mr. Malter and duly carried.

Ms. Mori announced March 18, 2016, Steuben County will be hosting the monthly InterCounty meeting at Snug Harbor. She encouraged Legislators to attend.

Chairman Hauryski announced that lunch with the interns will be at 11:30 a.m., or immediately following the meeting, at the Bath Presbyterian Church.
RESOLUTION NO. 035-16

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, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof and as upon the “Notice to Bidders and Terms of Sale – 2015” as applicable; and be it further

RESOLVED, the said grantee(s) must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be; and be it further

RESOLVED, the Steuben County Commissioner of Finance is authorized and directed to withdraw the property(ies) contained in Schedule “C” from tax foreclosure proceedings pursuant to Real Property Tax Law §1138; and the Commissioner of Finance is further authorized to cancel any unpaid taxes against the property(ies), pursuant to Real Property Tax Law §558, as approved by the Steuben County Finance Committee on January 12, 2016; 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; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s); and certified copies of this resolution contained in Schedule "C" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District.

SCHEDULE "A"

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Name</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Name</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution No.</td>
<td>Name</td>
<td>Parcel No.</td>
<td>Municipality</td>
<td>Disposition</td>
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</tr>
<tr>
<td>A-3</td>
<td>Joseph A &amp; Sally Feeley</td>
<td>136.14-01-001.200</td>
<td>Village of North Hornell</td>
<td>2016 Correction</td>
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<td>A-4</td>
<td>Elwood &amp; Karen Gill</td>
<td>331.20-01-036.000</td>
<td>Village of Addison</td>
<td>Correction</td>
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<td>A-5</td>
<td>Edgar &amp; Irene Parker</td>
<td>262.03-01-034.000</td>
<td>Town of Campbell</td>
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<td>A-6</td>
<td>Robert &amp; Cynthia Folmar</td>
<td>177.00-03-008.211</td>
<td>Town of Bath</td>
<td>Split</td>
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<td>A-7</td>
<td>Paul W. &amp; Martin R. Schimmel</td>
<td>188.00-01-021.100</td>
<td>Town of Bath</td>
<td>Split</td>
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<td>A-8</td>
<td>David E. Balch</td>
<td>426.00-01-029.111</td>
<td>Town of Caton</td>
<td>Split</td>
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<tr>
<td>A-9</td>
<td>Kyle &amp; Heather Hillman</td>
<td>103.00-01-001-130</td>
<td>Town of Urbana</td>
<td>Correction</td>
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<tr>
<td>A-10</td>
<td>Mark Foster &amp; David Fusco</td>
<td>159.53-01-038.000</td>
<td>Village of Bath</td>
<td>Split</td>
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<td>A-11</td>
<td>Gary B. Stewart</td>
<td>371.00-03-069.000</td>
<td>Town of Caton</td>
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<td>A-12</td>
<td>Charles D. Becraft Jr.</td>
<td>091.07-01-005.000</td>
<td>Town of Wayne</td>
<td>Correction</td>
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<td>A-13</td>
<td>Cynthia Hines Tychi</td>
<td>153.00-01-019.140</td>
<td>Town of Howard</td>
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<tr>
<td>A-14</td>
<td>Paul W. Jayne</td>
<td>144.02-01-012.000</td>
<td>Town of Bath</td>
<td>Correction</td>
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<td>A-15</td>
<td>Dittmar Forestry Inc.</td>
<td>204.00-01-021.000</td>
<td>Town of Thurston</td>
<td></td>
</tr>
<tr>
<td>A-16</td>
<td>Animal Rescue &amp; Rehab Foundation</td>
<td>177.00-03-006.200</td>
<td>Town of Bath</td>
<td>Correction</td>
</tr>
</tbody>
</table>
SCHEDULE "B"

Resolution No.  B-1
Former Owner    David M. Cummings
In Rem Index No. 2013-1472CV, Judgment filed May 6, 2015
Parcel No.      017.15-01-035.000
Municipality    Town of Cohocton
Grantee(s)      David M. Cummings
Grantee(s) Address 16 River Street, Atlanta, NY 14808
Consideration   $3,356.30, inclusive of recording fees

SCHEDULE "C"

Resolution No.  C-1 Resolution No.  C-2
Name            Arthur J. & Elizabeth J. Truax Name            Ann Barrett
Parcel No.      280.00-01-050.000/314 Parcel No.      280.00-01-050.000/104
Municipality    Town of Erwin Municipality    Town of Erwin
Disposition     Cancellation of Void Taxes Disposition     Cancellation of Void Taxes

Mr. Mullen stated that he will be abstaining as he purchased one of the parcels that is being split.

Vote: Roll Call – Adopted. Yes – 8219, No – 0, Absent – 1056, Abstained – 597
(Absent: Legislators Lattimer and Weaver; Abstained: Legislator Mullen)

RESOLUTION NO. 036-16

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE FEBRUARY 22, 2016 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:

January 21, 2016
Central New York Chapter Association for Talent Development – Re: Notification of Steuben County receiving the
Champion of Learning recognition for the 2015 Employee Learning Week proclamation. Referred to: Joseph Hauryski,
Legislature Chairman.

January 27, 2016
Harris Beach, Attorneys at Law – Re: Steuben Tobacco Asset Securitization Corporation annual meeting and
accountability materials. Referred to: Jack Wheeler, County Manager; Alan Reed, County Attorney; Patrick Donnelly,
Commissioner of Finance; and Brenda Mori, Clerk of the Legislature.

January 28, 2016
NYS Homes and Community Renewal – Re: Notification of the Single Audit for the period ending December 31, 2014 is
incomplete. Response and/or corrections need to be submitted to the Office of Community Renewal within 30 days.
Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Patrick Donnelly, Commissioner of Finance.

NYS Homes and Community Renewal – Re: Notification of not being selected for funding for the 2015 NYS CDBG
Competitive Housing Application Project Number#1115WS346-15. Referred to: A.I.P. Committee; and Amy Dlugos,
Planning Director.
February 2, 2016
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,551, which represents the December 2015 retained surcharge revenues for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

February 4, 2016
Thomas O’Mara, NYS Senator – Re: Notification of the application deadline process for the next round of funding under the Water Infrastructure Improvement Act of 2015 is April 15, 2016. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

February 5, 2016
NYS Department of Taxation & Finance, Office of Real Property Tax Services – Re: Notice of 2016 Assessment Roll (Tentative) Oil and Gas unit of Production Values. Referred to: Wendy Flaitz, Real Property Director; and Patrick Donnelly, Commissioner of Finance.

Vote: Acclamation – Adopted.

RESOLUTION NO. 037-16
Introduced by B. Schu. Seconded by H. Lando.

PRESENTING LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2016, AMENDING LOCAL LAW NO. TWO OF THE YEAR 1978, RELATIVE TO WRITTEN NOTICE OF DEFECT.

Pursuant to Section 2.07(5) of the Steuben County Charter and Section 10 of the Municipal Home Rule Law.

WHEREAS, Steuben County has previously passed Local Law No. Two of the Year 1978; and

WHEREAS, the recited Local Law provides for a process of providing Steuben County with written notification of defects in the condition of its highways; and

WHEREAS, Steuben County is responsible for the conditions of premises other than County roads and highways; and

WHEREAS, it is in the best interest of Steuben County to provide for a process of written notification for all premises that Steuben County is responsible to maintain in addition to its highways.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. One for the Year 2016, Amending Local Law No. Two of the Year 1978, Relative to Written Notice of Defect.

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2016

A Local Law, Amending Local Law No. Two of the Year 1978, Relative to Written Notice of Defect.

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

SECTION 1. No civil action shall be maintained against the County of Steuben, the Steuben County Superintendent Commissioner of Highways, Public Works or any employee of the County of Steuben for damages or injuries to person or property sustained by reason of any highway, bridge, or culvert, or any other property owned by the County of Steuben or
any property owned by any improvement district therein, being defective, out of repair, unsafe, dangerous, or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway bridge, or culvert or any other property owned by the County of Steuben, or any property owned by any improvement district, was actually given to the Clerk of the Steuben County Clerk Legislature or the Steuben County Superintendent Commissioner of Highways Public Works, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of; but no action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any town, state, or county highway, bridge, or culvert, or any other property owned by the County of Steuben or any property owned by any improvement district of the County of Steuben unless written notice thereof, specifying the particular place, was actually given to the Clerk of the Steuben County Clerk Legislature or the Steuben County Superintendent Commissioner of Highways Public Works and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

SECTION 2. No civil action shall be maintained against the County of Steuben and/or the Steuben County Commissioner of Public Works for damages or injuries to person or property sustained by reason of any defect in the sidewalks of the existence of snow or ice upon any of its sidewalks, unless such sidewalks have been constructed or are maintained by the County of Steuben and/or the Steuben County Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds pursuant to law, nor shall any action be maintained for damages or injuries to person or property sustained by reason of such defect or in consequence of such existence of snow or ice unless written notice thereof, specifying the particular place, was actually given to the Clerk of the Steuben County Legislature or to the Steuben County Commissioner of Public Works and there was a failure or neglect to cause such defect to be remedied, such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

SECTION 3. The Steuben County Superintendent Commissioner of Highways Public Works shall transmit in writing to the Clerk of the Steuben County Clerk Legislature within five (5) days after the receipt thereof all written notices received by him pursuant to this local law and the Clerk of the Steuben County Clerk Legislature shall keep an indexed record, in a separate book, of all written notices which he shall receive of the existence of such defective, unsafe, dangerous or obstructed condition, or of such snow or ice, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. The Clerk of the Steuben County Clerk Legislature shall preserve the record of each notice for a period of at least five (5) six (6) years after the date it is received.

SECTION 4. The Clerk of the Steuben County Clerk Legislature shall transmit in writing to the Steuben County Superintendent of Highways Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds, as applicable, within five (5) days after receipt thereof a copy of any written notice of defect, unsafe, dangerous or obstructed conditions filed in accordance herewith, which has not previously been filed with the Steuben County Superintendent of Highways Commissioner of Public Works, and the notices shall be properly recorded in the records of the Steuben County Highway Department and the Steuben County Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds, as applicable, shall take any and all corrective action with respect thereto, as soon as reasonably practicable.

SECTION 5. This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

NOTE: Old law is strikeout and deleted; New matter is underlined.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on March 28, 2016 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 shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, Risk Manager, and the County Attorney.

Vote: Acclamation – Adopted.

RESOLUTION NO. 038-16

Introduced by B. Schu. Seconded by S. Van Etten.

AMENDING THE STEUBEN COUNTY ADMINISTRATIVE CODE.

WHEREAS, the Steuben County Administrative Code, adopted in 1985 and amended various times since, details policies and procedures of Steuben County; and

WHEREAS, the Office of the County Manager has completed a review of and has made recommended revisions to the Administrative Code; and

WHEREAS, said revisions have been distributed to the Legislature for review and are on file with the Clerk of the Legislature; and

WHEREAS, the Administration Committee has reviewed the proposed changes and recommends approval by the Legislature.

NOW THEREFORE, BE IT

RESOLVED, that the revised Administrative Code, and policies and forms contained within, is hereby adopted; and be it further

RESOLVED, the revised Administrative Code will be made available via the Steuben County intranet, and employees and staff will be notified of said revisions; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 039-16

Introduced by B. Schu. Seconded by G. Swackhamer.

RATIFYING AND CONFIRMING THE UNIVERSAL SETTLEMENT AS EXECUTED BY THE COUNTY MANAGER AND PROVIDING INDEMNIFICATION TO THE COUNTY MANAGER UNDER THE UNIVERSAL SETTLEMENT.

Pursuant to Section 18 of the Public Officers Law, Resolution 36-85 and Section 2.07 of the Steuben County Charter.
WHEREAS, the Universal Settlement is a settlement of Medicaid reimbursement challenges between the State of New York and most skilled nursing facilities in this state; and

WHEREAS, Steuben County has multiple rate appeals that have been included in the Universal Settlement; and

WHEREAS, on December 10, 2015, Steuben County submitted all required documents for the Universal Settlement to our attorneys, Harter Secrest and Emery, LLP, who filed the documents with the State on or about December 22, 2015; and

WHEREAS, on January 27, 2016 the County was notified that the release submitted with the above-referenced settlement documents was insufficient because the County, upon advice of counsel, had removed language requiring a personal guarantee on the part of the signer; and

WHEREAS, the January 27, 2016 notice stated that new, conforming releases must be submitted to the State no later than January 31, 2016; and

WHEREAS, on January 29, 2016, the County Manager signed the conforming releases, which were then submitted to counsel; and

WHEREAS, on February 2, 2016, the State announced that Universality had been achieved and the Universal Settlement would proceed; and

WHEREAS, without the County Manager’s prompt execution of the required release the County would lose the opportunity to make a claim to an approximate settlement payment of $740,000; and

WHEREAS, the County has adopted Resolution 36-85, “Providing for the Defense and Indemnification of Officers and Employees of the County of Steuben,” conferring the benefits of Section 18 of the Public Officers Law upon all employees of Steuben County.

NOW THEREFORE, BE IT

RESOLVED, that the Legislature confirms and ratifies the action of Jack K. Wheeler, County Manager, in signing the conforming release personally guaranteeing his own assets to secure the County’s share of the Universal Settlement; and

RESOLVED, that the Legislature finds that, pursuant to Section 18 of the Public Officers’ Law, subdivisions 3(a) and 4(a), Jack K. Wheeler, Steuben County Manager, acted wholly within the scope of his employment and duties in executing the release, and pledges to defend, indemnify and hold Jack K. Wheeler, Steuben County Manager, and his heirs harmless from and against any and all claims or judgments brought by the State of New York, and all associated expenses, arising from or in any way connected with the recited Universal Settlement; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 040-16

Introduced by G. Swackhamer. Seconded by J. Malter.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO LOWER THE OVERNIGHT CABIN FEE AT KANAKADEA PARK.

WHEREAS, the present cabin fee at Kanakadea Park is $69/night; and
WHEREAS, weekday use of the cabins has been low; and

WHEREAS, the County wants to increase the weekday use; and

WHEREAS, the County deems it appropriate to offer lower weekday cabin fees.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works is hereby authorized and directed to lower the fee for cabins on Monday, Tuesday, Wednesday and Thursday nights to $60/night; and be it further

RESOLVED, that the Commissioner of Public Works is hereby authorized and directed to offer a four-night package for Monday night through Thursday night for the cabins for $200.

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 041-16

Introduced by D. Farrand and S. Van Etten. Seconded by H. Lando.

AUTHORIZING THE DIRECTOR OF 911 TO ACCEPT THE 2015-2016 NEW YORK STATE PUBLIC SAFETY ANSWERING POINTS (PSAP) OPERATIONS GRANT.

Pursuant to Section 2.07(12) of the Steuben County Charter.

WHEREAS, Steuben County has a Public Safety Answering Point (911 Department) that answers emergency and non-emergency calls for assistance as well as dispatches responders to those requests; and

WHEREAS, New York State collects cell phone surcharges that allow for state support to counties with eligible public safety call-taking and dispatching expenses; and

WHEREAS, the New York State Division of Homeland Security and Emergency Services is responsible for the administration of grant allocation provided by the State Government; and

WHEREAS, the New York State Office of Homeland Security has awarded Steuben County with Federal Fiscal Year 2016 grant funds in the amount of $185,710 under the State PSAP Grant; and

WHEREAS, $185,710 of the funding will reimburse dispatch personnel payroll costs paid by the County and the grant reimbursement will be directed to the 911 Capital Project in the Steuben County Budget titled “E-911 Dispatch Console Replacement”.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager be authorized to enter into agreement with the New York State Division of Homeland Security and Emergency Services to accept funding in the amount of $185,710 for county 911 personnel payroll costs; and be it further

RESOLVED, that the County Manager, the 911 Director, and the Director of Emergency Services are authorized and directed to execute the requisite documentation to effectuate this grant and agreement; and be it further
RESOLVED, that the Commissioner of Finance be and the same hereby is authorized to accept the grant funding from the State Government and the New York State Office of Homeland Security; and be it further

RESOLVED, that the Commissioner of Finance be and the same hereby is authorized to appropriate such revenue to the appropriate Capital Project (E-911 Dispatch Console Replacement) within the budget of the Steuben County 911 Department for the purpose of fulfilling 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; the 911 Director and the Director of Emergency Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 042-16

Introduced by C. Ferratella and S. Van Etten. Seconded by G. Swackhamer.

AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ACCEPT VITAL ACCESS PROVIDER (VAP) FUNDING FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH.

Pursuant to Section 2.07(12) and Section 9.02(i) of the Steuben County Charter.

WHEREAS, New York State Office of Mental Health has made $260,000 of State Aid funding available to provide operating assistance to financially distressed mental health clinics; and

WHEREAS, the Steuben County Community Mental Health Center will utilize this to fund initiatives to improve the fiscal viability of its mental health clinic program; and

WHEREAS, it is in the best interest of Steuben County to improve the fiscal viability of its mental health clinic program on behalf of the residents of the County; and

WHEREAS, the Human Services, Health and Education and Finance Committees have approved acceptance of said funds.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby approves the acceptance of $260,000 from the New York State Office of Mental Health; and be it further

RESOLVED, that certified copies of the resolution shall be forwarded to the Commissioner of Finance and the Director of Community Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 043-16


AUTHORIZING THE ISSUANCE OF A BOND ANTICIPATION NOTE FOR THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT.

Pursuant to Sections 21 and 63 of the Local Finance Law of the State of New York.
WHEREAS, the Upper Five Mile Creek Watershed Protection District is in need of replacing and/or repairing piping and culverts, trenching and hookups, cisterns and associated labor installing same amounting to an estimated project total of $200,000; and

WHEREAS, it is anticipated that said capital improvements are in need of immediate repair, reconstruction and dredging, funding for which may be accomplished by borrowing of a bond or bonds in an aggregate sum not to exceed $150,000; and

WHEREAS, the Upper Five Mile Creek Watershed Protection District is responsible for the repayment of said borrowing, together with interest; the County, however, being required to pledge the County's full faith and credit in support of said borrowing.

NOW THEREFORE, BE IT

RESOLVED, the said Commissioner of Finance be, and the same hereby is, authorized and directed to issue a Bond or Bonds on behalf of the Upper Five Mile Creek Watershed Protection District and pledge the County's full faith and credit in accordance with the terms and conditions of the Local Finance Law, in total amounts not to exceed $150,000, for a period of probable usefulness under Local Finance Law not to exceed five (5) years, said sums to be appropriated to a Capital Project “Upper Five Mile Creek Watershed Protection District Capital Expenditures” or such other Capital Project as the Commissioner shall so designate for the purposes above mentioned; and be it further

RESOLVED, said notes shall be redeemed by providing for sums in the 2017 Budget of the Upper Five Mile Creek Watershed Protection District and the balance in the subsequent Budgets of the Upper Five Mile Creek Watershed Protection District, together with any and all interest payments; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Upper Five Mile Creek Watershed Protection District, Attention: Gregory Squires, PO Box 176, Prattsburgh, NY 14873; and the Steuben County Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 044-16

Introduced by K. Michael Hanna. Seconded by R. Nichols.

AUTHORIZING THE COUNTY MANAGER TO EXECUTE A LEASE WITH THE STEUBEN COUNTY HISTORICAL SOCIETY FOR THE MAGEE HOUSE.

Pursuant to Section 2.07 of the Steuben County Charter and Section 215 of the County Law of the State of New York.

WHEREAS, the Magee House is located at 1 Cohocton Street, Village of Bath, County of Steuben, State of New York; and

WHEREAS, the County Historian’s Office has been housed in the Magee House for greater than a decade; and

WHEREAS, the public has become familiar with and accustomed to visiting the Magee House for their Historical needs; and

WHEREAS, the co-location of the Steuben County Historical Society and Steuben County Historian’s Office has proven to be an effective arrangement; and

WHEREAS, the County desires to continue to house the County Historian’s Office at the Magee House; and
WHEREAS, the Steuben County Historical Society desires to continue to lease a portion of the Magee House to the County.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is authorized to execute an agreement with the Steuben County Historical Society for a two-year lease for space at the Magee House for $7,655 annually; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager.

Vote: Roll Call – Adopted.

RESOLUTION NO. 045-16

Introduced by K. Michael Hanna. Seconded by R. Nichols.

AUTHORIZING A PUBLIC HEARING ON LAND SUBMITTED FOR INCLUSION IN CERTIFIED AGRICULTURAL DISTRICTS.

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

WHEREAS, the Steuben County Legislature established a required annual period from January 15 to February 15 for landowners to submit requests to add agricultural land to certified Agricultural Districts; and

WHEREAS, landowners submitted requests to add land and said requests were forwarded to the Steuben County Agriculture and Farmland Protection Board for their review; and

WHEREAS, the Steuben County Agriculture and Farmland Protection Board will review the matter and will submit a report to this Legislature.

NOW THEREFORE, BE IT

RESOLVED, that in accordance with Section 303-b of the Agriculture and Markets Law of the State of New York, a Public Hearing on this matter shall be held by this County Legislature on the 28th day of March, 2016, at 10:00 a.m.; and be it further

RESOLVED, that the Clerk of this Legislature shall cause a Notice of said Public Hearing to be published and mailed in accordance with Section 303-b of the Agriculture and Markets Law; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Director of the Steuben County Planning Department.

Vote: Acclamation – Adopted.

Motion to block vote resolutions 13 – 20 and dispense with the reading made by Mr. Van Etten. Seconded by Mr. Roush and duly carried.
RESOLUTION NO. 046-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING MEMBERS OF THE AFFIRMATIVE ACTION COMMITTEE, AN ADVISORY COUNCIL TO THE COMMITTEE, AN AFFIRMATIVE ACTION OFFICER AND AN EQUAL EMPLOYMENT OPPORTUNITY COUNSELOR.


WHEREAS, the County of Steuben represents that it reaffirms its policy of non-discrimination in provisions of all services provided to members of the public by all departments and agencies of the County; and

WHEREAS, the County of Steuben commits itself to a continuing program to assure that unlawful discrimination does not occur in the services it renders to the public and that those sectors of the public most affected by this policy be kept informed of its contents; and

WHEREAS, the Affirmative Action Plan was adopted by the Steuben County Board of Supervisors by resolution dated September 20, 1976 and that plan provided for the appointment of a nine member Affirmative Action Committee, an Affirmative Action Officer, and an Equal Employment Opportunity Counselor; and

WHEREAS, vacancies now exist and upon the recommendation of the Chairman of the Steuben County Legislature said vacancies must now be filled.

NOW THEREFORE, BE IT

RESOLVED, as recommended by the Chairman of the Steuben County Legislature the following persons are hereby appointed:

AFFIRMATIVE ACTION COMMITTEE

Term Commencing January 1, 2014 through December 31, 2016
1. Shawn Gardiner, President, Steuben County Corrections Officers, Dispatchers and Court Security Officers Unit
2. Scott J. Van Etten, Legislator
3. Brian C. Schu, Legislator

Term Commencing January 1, 2015 through December 31, 2017
1. Chris Myers, President, CSEA
2. Michael Ramirez, Deputy Sheriff, Steuben County Sheriff’s Office
3. April Cook, Employee, Department of Social Services
4. Kathryn Muller, Commissioner, Department of Social Services

Term Commencing January 1, 2016 through December 31, 2018
1. Darlene Smith, Director, Public Health
2. Patrick F. Donnelly, Commissioner of Finance
3. Nancy B. Smith, Personnel Officer

BE IT FURTHER RESOLVED, members of the Affirmative Action Committee shall serve staggered three-year terms upon reappointment; and be it further

RESOLVED, as recommended by the Chairman of this Legislature, the following person is hereby appointed to serve at the pleasure of this Legislature:
AND BE IT FURTHER RESOLVED, the above-named appointees shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Affirmative Action Committee; and be it further

RESOLVED, the names, titles and addresses of the above-stated appointees shall be on file in the Office of the Personnel Officer; and be it further

RESOLVED, the duties involving the above-named appointees in their capacities set forth herein shall be those described in the Steuben County Affirmative Action Plan; and be it further

RESOLVED, the members of the Affirmative Action Committee as herein above appointed shall elect the Chairman of said Committee and shall also set the length of the term of office of said Chairman; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 047-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING MEMBERS TO THE COMMUNITY SERVICES BOARD AND SUBCOMMITTEES.

WHEREAS, vacancies exist on the Steuben County Community Services Board and Subcommittees; and

WHEREAS, Article 41.11 of the Mental Hygiene Law requires that said appointments be made by local government; and

WHEREAS, the County Manager has recommended the following appointments, subject to confirmation by the Steuben County Legislature:

Community Services Board

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Vicki Fuerst</td>
<td>7863 Miller Road Avoca, NY 14809</td>
<td>01/01/13 – 12/31/16</td>
</tr>
<tr>
<td>2. Robert Cole, M.D.</td>
<td>10101 Grandview Lane Hammondsport, NY 14840</td>
<td>01/01/16 – 12/31/19</td>
</tr>
<tr>
<td>3. Nancy Bartell</td>
<td>7 Pearl Street Hornell, NY 14843</td>
<td>01/01/16 – 12/31/19</td>
</tr>
<tr>
<td>4. The Honorable Gary D. Swackhamer</td>
<td>Steuben County Legislator 67 N. Main Street Hornell, NY 14843</td>
<td>01/01/14 – 12/31/17</td>
</tr>
<tr>
<td></td>
<td>Name</td>
<td>Address</td>
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<tr>
<td>5.</td>
<td>Cora Saxton</td>
<td>310 East Naples Street, Wayland, NY 14572</td>
</tr>
<tr>
<td>6.</td>
<td>Mark Recktenwald</td>
<td>8596 Oak Hill Road, Arkport, NY 14807</td>
</tr>
<tr>
<td>7.</td>
<td>Mark R. Alger</td>
<td>109 Rumsey Street, Bath, NY 14810</td>
</tr>
<tr>
<td>8.</td>
<td>Michael Morrongiello, Ph.D.</td>
<td>44 West Market Street, Suite 201, Corning, NY 14830</td>
</tr>
<tr>
<td>9.</td>
<td>Gina Reagan</td>
<td>St. James Mercy Hospital, 411 Canisteo Street, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

**Mental Health Subcommittee**

<table>
<thead>
<tr>
<th></th>
<th>Name</th>
<th>Address</th>
<th>Term Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Kathryn Muller, Commissioner</td>
<td>Steuben County Department of Social Services, 3 East Pulteney Square, Bath, NY 14810</td>
<td>01/01/14 – 12/31/17</td>
</tr>
<tr>
<td>2.</td>
<td>Gina Reagan</td>
<td>St. James Mercy Hospital, 411 Canisteo Street, Hornell, NY 14843</td>
<td>01/01/16 – 12/31/19</td>
</tr>
<tr>
<td>3.</td>
<td>Cora Saxton</td>
<td>310 East Naples Street, Wayland, NY 14572</td>
<td>01/01/13 – 12/13/16</td>
</tr>
<tr>
<td>4.</td>
<td>Nancy Bartell</td>
<td>7 Pearl Street, Hornell, NY 14843</td>
<td>01/01/16 – 12/31/19</td>
</tr>
<tr>
<td>5.</td>
<td>Barbara Eskridge</td>
<td>P.O. Box 1404, Corning, NY 14830</td>
<td>01/01/14 – 12/31/17</td>
</tr>
<tr>
<td>6.</td>
<td>Sylvia Radford</td>
<td>11180 Haradon Road, Corning, NY 14830</td>
<td>01/01/13 – 12/31/16</td>
</tr>
<tr>
<td>7.</td>
<td>Lynn Goodwin</td>
<td>Pathways, Inc., 33 Denison Parkway East, Corning, NY 14830</td>
<td>01/01/16 – 12/13/19</td>
</tr>
</tbody>
</table>
8. Michael Morrongiello, Ph.D.
   44 West Market Street, Suite 201
   Corning, NY 14830
   01/01/16 – 12/31/19

9. VACANT
   01/01/16 – 12/31/19

10. VACANT
    01/01/16/12/31/19

**Chemical Dependency Subcommittee**

1. Carly Cushing
   Family Service Society
   220 Princeton Avenue Ext.
   Corning, NY 14830
   01/01/14 – 12/31/2017

2. Susan Hooker
   Hornell Area Concern for Youth
   76 East Main Street
   Hornell, NY 14843
   01/01/15 – 12/31/18

3. James Bassage
   Bath Area Hope for Youth
   8 Pulteney Square
   Bath, NY 14810
   01/01/16 – 12/31/19

4. Gina Reagan
   St. James Mercy Hospital
   411 Canisteo Street
   Hornell, NY 14843
   01/01/16 – 12/31/19

5. Robert Cole, M.D.
   10101 Grandview Lane
   Hammondsport, NY 14840
   01/01/16 – 12/31/19

6. Mark Recktenwald
   8596 Oak Hill Road
   Arkport, NY 14807
   01/01/13 – 12/31/16

7. VACANT
   01/01/15 – 12/31/18

8. VACANT
   01/01/13 – 12/31/16

**Developmental Disabilities Subcommittee**

1. Vicki Fuerst
   7863 Miller Road
   Avoca, NY 14809
   01/01/13 – 12/31/16

2. Bernard Burns
   Steuben ARC
   6838 Industrial Park Road
   Bath, NY 14810
   01/01/14/12/31/17
3. Mark R. Alger  
109 Rumsey Street  
Bath, NY 14810  
01/01/15 – 12/31/18

4. The Honorable Gary D. Swackhamer  
Steuben County Legislator  
67 N. Main Street  
Hornell, NY 14843  
01/01/14 – 12/31/17

5. Mary Perham  
1976 West Shore Road  
Bath, NY 14810  
01/01/16 – 12/31/19

6. Michael Okoniewski  
Fawn Hill Drive  
Hornell, NY 14843  
01/01/15 – 12/31/18

7. Lynn Goodwin  
Pathways, Inc.  
33 Denison Parkway West  
Corning, NY 14830  
01/01/15 – 12/31/18

8. VACANT  
01/01/13 – 12/31/16

9. VACANT  
01/01/16 – 12/31/19

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature shall confirm the appointment of the aforesaid persons to the Community Services Board for the terms indicated; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Community Services Board and subcommittees; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; Henry W. Chapman, Psy.D., Director of Community Services; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 048-16

Introduced by J. Hauryski.  
Seconded by H. Lando.

APPOINTING MEMBERS TO THE EMPLOYEE ASSISTANCE PROGRAM ADVISORY PROGRAM.

Pursuant to Section 12.20 of the Steuben County Charter, Article 5 of the County Law, and Article 16 of the Civil Service Law of the State of New York.

WHEREAS, by Resolution of the Steuben County Legislature adopted November 25, 1996, a Memorandum of Agreement with the County’s three collective bargaining units was authorized to establish an Employee Assistance Program; and
WHEREAS, an oversight committee was created which is comprised of representatives from all three unions, management and the Legislature; and

WHEREAS, due to changes in personnel, vacancies now exist on the oversight committee.

NOW THEREFORE, BE IT

RESOLVED, the following individuals shall be appointed to the Employee Assistance Program Advisory Committee:

Legislator Members
Brian C. Schu, Esq.

Management Members
Amy R. Dlugos
Kimberly Jessup
Darlene Smith
Nancy B. Smith

Civil Service Employees’ Association Members
Chris Myers
Brenda Campbell

Steuben County Deputy Sheriffs’ Association, Inc. Member
Michael Ramirez

Correction Officers, Dispatchers & Court Security Officer Unit Member
Shawn Gardiner

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Employee Assistance Advisory Committee; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and to the Personnel Officer.

Vote: Acclamation – Adopted.

RESOLUTION NO. 049-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING MEMBERS TO THE HEALTH SERVICES ADVISORY BOARD OF THE STEUBEN COUNTY DEPARTMENT OF PUBLIC HEALTH.

Pursuant to Section 12.20 of the Steuben County Charter and Section 357 of the Public Health Law of the State of New York.

WHEREAS, the Steuben County Health Services Advisory Board acts in an advisory capacity to the Steuben County Legislature which in turn acts as the County Board of Health; and

WHEREAS, a vacancy exists on the Steuben County Health Services Advisory Board; and
WHEREAS, the Health Services Advisory Board has recommended the following appointments:

**HEALTH SERVICES ADVISORY BOARD**

Steuben County Consumer  
John Gould  
7370 Hickory Hill Road  
Bath, NY 14810  
01/01/16 – 12/31/19 (Four year term)

Steuben County Legislators  
Carol A. Ferratella  
8 Fenderson Street  
Painted Post, NY 14870  
01/01/16 – 12/31/18 (Four year term)

Steuben County Provider  
Dawn Brucie, Deputy Director  
ProAction of Steuben & Yates, Inc.  
117 East Steuben Street  
Bath, NY 14810  
01/01/14 – 12/31/17 (Four year term)

NOW THEREFORE, BE IT

RESOLVED, the Chairman of the Steuben County Legislature hereby appoints the aforementioned individuals to the Health Services Advisory Board of the Steuben County Department of Public Health for the terms above-indicated; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Health Services Advisory Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; Regional Health Director of the New York State Department of Health, Buffalo Region, 584 Delaware Avenue, Buffalo, NY 14202; the S2AY Rural Health Network, PO Box 97, Corning, NY 14830; the County Auditor and the Director of Public Health.

Vote: Acclamation – Adopted.

RESOLUTION NO. 050-16

Introduced by J. Haursky. Seconded by H. Lando.

APPOINTING MEMBERS TO THE STEUBEN COUNTY YOUTH BOARD.

Pursuant to Section 12.20 of the Steuben County Charter, and Article 19-A of the Executive Law of the State of New York.

WHEREAS, by resolution of the Steuben County Board of Supervisors duly adopted on the 21st day of March, 1977, a Steuben County Youth Board was established.

NOW THEREFORE, BE IT

RESOLVED, the following individuals are hereby appointed and designated as members of the Steuben County Youth Board for a term commencing on January 1, 2016, through December 31, 2016.
AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Youth Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named designees; Amy Papandrea, NYS Office of Children and Family Services, Office of Youth Development, 52 Washington Street, Room 330 North, Resselaer, NY 12144-2796; the County Auditor and the County Youth Program Coordinator.

Vote: Acclamation – Adopted.

RESOLUTION NO. 051-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPOINTING MEMBERS TO THE SOUTHERN TIER CENTRAL REGIONAL PLANNING AND DEVELOPMENT BOARD.


RESOLVED, the recommended appointments made by the Chairman of the Steuben County Legislature for membership on the Southern Tier Central Regional Planning and Development Board and set forth below are hereby approved, ratified and confirmed for two (2) year terms commencing January 1, 2016, ending December 31, 2017.

LEGISLATOR MEMBERS
1. Joseph J. Hauryski, 6031 County Route 17, Campbell, NY
2. Steven P. Maio, 319 East Second Street, Corning, NY
3. Scott J. Van Etten, 11310 Hendy Hollow Road, Corning, NY

REPRESENTATIVES OF STEUBEN COUNTY PLANNING BOARD
1. Amy R. Dlugos, Director, Steuben County Planning Department

MUNICIPAL OFFICERS
1. Mark Ryckman, Corning City Manager
2. Honorable Shawn Hogan, Mayor, City of Hornell

REGIONAL COMMERCE – BUSINESS REPRESENTATIVE
1. James C. Johnson, 7234 Route 54 North, PO Box 393, Bath, NY
REGIONAL AGRICULTURAL REPRESENTATIVE
1. Robert V. Nichols, 743 Thompson Road, Addison, NY

AT-LARGE REPRESENTATIVE
1. Jack K. Wheeler, Steuben County Manager

EX-OFFICIO MEMBERS
1. Steuben County Commissioner of Public Works
2. Steuben County Commissioner of Finance
3. Steuben County Agricultural Program Leader
4. Steuben County Attorney

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Southern Tier Central Regional Planning and Development Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; the New York State Division of Community Affairs, 162 Washington Avenue, Albany, NY 12231; the County Auditor and to Marcia Weber, Executive Director, Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East, Suite 310, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 052-16

Introduced by J. Hauryski. Seconded by H. Lando.

APPROVING THE APPOINTMENTS OF THE STEUBEN COUNTY EARLY INTERVENTION OFFICIAL TO THE FINGER LAKES REGIONAL EARLY CHILDHOOD COALITION.

Pursuant to Section 12.20 of the Steuben County Charter, and Article 5 of the County Law of the State of New York.

WHEREAS, Article 25 of Title II-A of the Public Health Law creates an Early Intervention Program for infants and toddlers with disabilities and their families; and

WHEREAS, Section 2554 of the Act requires the establishment of a Local Early Intervention Coordinating Council; and

WHEREAS, the New York State Department of Health has given approval to use the Regional Early Childhood Coalition in place of the Local Early Intervention Coordinating Council, and

WHEREAS, the County’s Early Intervention Official is authorized to make appointments to said Council; and

WHEREAS, it is desirable for the County Legislature to ratify said appointments; and

WHEREAS, the Early Intervention Official has recommended ratification of the appointments.

NOW THEREFORE, BE IT

RESOLVED, the following appointees are hereby ratified and affirmed by the Steuben County Legislature:
FINGER LAKES REGIONAL EARLY CHILDHOOD COALITION

Steuben County Municipal Representative    Diane Kiff, Director of Special Children’s Services
Steuben County Public Health
3 East Pulteney Square
Bath, NY  14810

Steuben County Parent Representative    Carol White
64 Lampheare Court
Corning, NY  14830

Steuben County Provider Representative    Lee Moran, Speech Therapist
10887 Brown Road
Corning, NY  14830

RESOLVED, the Chairman of the Steuben County Legislature hereby appoints the aforementioned individuals to the Finger Lakes Regional Early Childhood Coalition; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses related to fulfillment of their duties on the Council, and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointees, New York State Department of Health, Attn: Bradley Hutton, Director, Early Intervention Program, Corning Tower Building, Albany, NY  12237-0618, Steuben County Commissioner of Finance, County Auditor and to the Early Intervention Official/Administrative Officer of Special Children’s Services.

Vote: Acclamation – Adopted.

RESOLUTION NO. 053-16


APPOINTING MEMBERS TO THE MARSH DITCH WATERSHED PROTECTION DISTRICT ADMINISTRATIVE BOARD.

WHEREAS, vacancies have occurred on the Marsh Ditch Watershed Protection District Administrative Board; and

WHEREAS, the following appointees have been recommended for appointment by the District’s Board of Directors, the Soil and Water Conservation District, and the Agriculture, Industry & Planning Committee of the Steuben County Legislature for the terms indicated:

Gary Mahany
8790 Oak Hill Road, Arkport, NY  14870
01/01/16 – 12/31/19

John Merry
8545 Canaseraga Road, Arkport, NY  14870
01/01/16 – 12/31/19

Jeramie Hurlburt
59 Mill Street, Canaseraga, NY  14822
01/01/16 – 12/31/19

NOW THEREFORE, BE IT
RESOLVED, that these appointees are hereby appointed to the Marsh Ditch Watershed Protection District Administrative Board for terms as indicated; and be it further

RESOLVED, members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Marsh Ditch Watershed Protection District Administrative Board; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the above-named appointees; the County Auditor and the Steuben County Soil & Water Conservation District.

Vote: Acclamation – Adopted.

RESOLUTION NO. 054-16

Introduced by D. Farrand. Seconded by S. Van Etten.

MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO DEVELOP A 100 PERCENT STATE-FUNDED INDIGENT LEGAL DEFENSE SYSTEM AS A WAY TO PROVIDE MANDATE RELIEF AND LOWER PROPERTY TAXES.

WHEREAS, the United States Supreme Court held in Gideon v. Wainwright that the right to counsel for one charged with a crime is fundamental and that it is the State's responsibility to supply counsel for those unable to afford them; and

WHEREAS, in 1965 the State of New York delegated this State responsibility to the Counties; and

WHEREAS, the decision to entrench responsibility at the County level in the State of New York has resulted in a system by which the County and local property taxpayers are burdened with the vast majority of the cost of this State responsibility; and

WHEREAS, the shift of costs for this State mandated service has become so imbalanced that the Counties of New York now cover more than 80% of the cost burden; and

WHEREAS, in 2006 the Kaye Commission on the Future of Indigent Defense Services declared that the New York State System of County-Delivered Indigent Services is in crisis and urged the expeditious establishment of an Independent Public Defense Commission; and

WHEREAS, the State of New York and multiple Counties were defendants, and recently entered into a settlement, in the matter of Hurrell-Harring, et al. v. State of New York, a systemic lawsuit similar to many that have been successful across the country seeking to transform the indigent legal defense system; and

WHEREAS, under this settlement, the State has assumed the costs of alterations to the indigent defense system in the five named Counties, while failing to develop a plan of financial support for the remaining 52 Counties that may soon be required to comply with enhanced standards; and

WHEREAS, New York State Senate and Assembly members have introduced a bipartisan bill (A.6202B/S.6341) which would require the State, not the Counties, to incrementally take over payment for such service; and

WHEREAS, this systematic change would directly lead to improvements to this vital service for residents in need, and provide meaningful fiscal mandate relief for Counties and property taxpayers.

NOW THEREFORE, BE IT
RESOLVED, that the Steuben County Legislature calls upon the Governor and New York State Legislature to create a 100 percent State-funded indigent legal defense system and relieve the Counties of the burden imposed upon them since 1965; and be it further

RESOLVED, that the Steuben County Legislature calls upon the Governor and New York State Legislature, to support and adopt A.6202B/S.6341, implementing gradual assumption of indigent defense costs by the State; and be it further


Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7§ 105.1.F. The Medical, Financial, Credit or Employment of a Particular Person, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person made by Mr. Farrand. Seconded by Mrs. Lando and duly carried.

RESOLUTION NO. 055.16


PRESENTATION OF NAMES OF PERSONS SELECTED FOR INDUCTION INTO THE STEUBEN COUNTY HALL OF FAME AND CONFIRMATION BY THE STEUBEN COUNTY LEGISLATURE.

WHEREAS, the Steuben County Legislature sponsors a Steuben County Hall of Fame through its Steuben County Hall of Fame Committee for the purpose of honoring those persons who have enhanced the County of Steuben and presenting an opportunity for the public to learn more about these persons; and

WHEREAS, said Steuben County Hall of Fame Committee has solicited nominations from citizens of Steuben County for the induction of three (3) persons into the Hall of Fame, selected this year; and

WHEREAS, nominations were allowed to be made by anyone; there were no limits on the number of nominations; the nominees could be living or dead; male or female; could have been born elsewhere as long as they enhanced the name of Steuben County; may have helped develop the County; may have been Steuben County natives who gained fame elsewhere, or those who should especially be remembered; and

WHEREAS, the Steuben County Hall of Fame Committee is authorized to be composed of ten (10) persons representative of the people of Steuben County, has reviewed the nominations submitted and has recommended the names of three (3) persons to be inducted into said Hall of Fame this year.

NOW THEREFORE, BE IT
Lieutenant Colonel Wallace G. Newcomb was born July 27, 1940 in Easton, Pennsylvania and his family moved to Painted Post, New York, one week later. He graduated high school in 1958 and attended the University of Michigan where he received a Bachelor of Business Administration. He was commissioned a 2nd Lt. in the U.S. Air Force through the Air Force ROTC program at the University of Michigan on August 17, 1963 and went on active duty that November. Lt. Col. Newcomb completed undergraduate Pilot Training at Craig Air Force Base in Alabama and then completed F-105 Thunderchief Combat Crew Training in August 1965. He served as an F-105 pilot from September 1965 until March 1967, when he was forced to eject over North Vietnam and was taken as a prisoner of war on August 3, 1967. After spending 2,051 days in captivity, Lt. Col. Newcomb was released during Operation Homecoming on March 14, 1973. After a brief hospital stay, he was released and served as a transport pilot from 1974 until he left active duty on December 10, 1976. He then joined Corning Glass and worked until 1979. Lt. Col. Newcomb joined the New York Air National Guard on April 12, 1979 and served as an F-101 Voodoo, F-4 Phantom II, and F-16 Fighting Falcon pilot with the 136th Fighter Interceptor Squadron at Niagara Falls International Airport until his retirement on January 1, 1992. During this time he also attended Cornell University and graduated with an MBA in 1981 and worked for Sierra Research Company in Buffalo, NY in their marketing department. Following his retirement from the National Guard, he taught high school algebra and economics at Corning Community College. Lt. Col. Newcomb received a Silver Star Citation for his gallantry in connection with military operations against an opposing armed force while held a prisoner of war in North Vietnam. After a planned escape from “Zoo Camp”, the enemy launched a massive purge attempting to gain prisoner secrets and propaganda materials. Tortured well beyond the normal threshold of pain, Lt. Col. Newcomb continued to resist the enemy.

Winifred Elizabeth Romeril grew up in Indiana and Pennsylvania with her four older brothers, before marrying and moving to New York in 1994. She and her husband, David Schenck, met and fell in love while working abroad with Peace Brigades International. Ms. Romeril received her undergraduate degree in Latin American Studies and Spanish from Mount Holyoke College. After working abroad with Peace Brigades International, she was awarded a teaching fellowship and full scholarship at the University of Notre Dame where she earned her Master’s Degree in International Peace Studies. From 1993 to 2007, Ms. Romeril conducted and often organized the logistics and 1-3 week training agenda for dozens of trainings for Peace Brigades, Nonviolent Peachforce and Kurve Wustrow on four continents. She also sat on the board the Philadelphia-based Training for Change from 2002 – 2013. She has continued volunteering on the Bath Ambulance, serving a number of years on the Board of Directors as Secretary and Vice President, while advancing her training to EMT and then Paramedic. She worked with Rural Metro Medical Services from 1996 – 2007. Additionally, she serves as a volunteer Critical Incident Stress Debriefer for colleagues in the medical, fire and law enforcement fields. Ms. Romeril also volunteers with the American Red Cross where she has taught CPR and first aid classes, and serves as a disaster worker. She has responded to many national and international disasters and earned a place on their elite National Advanced Public Affairs Team and the International Response Team. For her contributions, she was awarded the top two awards from the Steuben County Chapter of the American Red Cross; the Macbeth Award for outstanding volunteer service in 2010, and the “Spirit of Humanity” Award for significant humanitarian contributions by a Steuben County resident, in 2011. The New York State Assembly, in February 2013, awarded her the Certificate of Merit for her commitment to the humanitarian mission of serving communities impacted by Superstorm Sandy. The National American Red Cross also awarded Ms. Romeril the Outstanding Service Award for public affairs service on Typhoon Haiyan in 2014, among other numerous accolades. In 2008, she accepted a job as a flight paramedic at Mercy Flight Central, based in Canandaigua, which provides critical medical care to citizens throughout Central New York, including Steuben County. In 2014 – 2015, Ms. Romeril took a leave of absence to work abroad during the Ebola outbreak. She was spokesperson through the height of the outbreak for the World Health Organization in Sierra Leone.

Major John Stocum was born in Pulteney, on April 27, 1825. In 1840, he moved to Bath and learned the cabinet making and undertaking trades. Major Stocum in 1852, joined the local militia, the 60th Regiment, 27th Brigade, New York State Volunteers and served as the orderly sergeant. When its commanding officer was promoted to Major, Stocum was commissioned Captain by then Governor Myron H. Clark. He served in this capacity until 1858.
When the Civil War broke out, President Lincoln called for troops. General Van Valkenburgh of Bath asked John Stocum to recruit members. Members were recruited within two weeks and he was elected Captain. The First New York Light Artillery Regiment (Battery E) was mustered into service, however, like many of the volunteer artillery officers, Captain Stocum failed to qualify and he was relieved of command and discharged from service. Battery E served gallantrily throughout the war. They fired the first shots on the Army of the Potomac’s advance on Yorktown during the Peninsula Campaign. They also saw action at Antietam, Chancellorsville, Gettysburg, the Wilderness, Petersburg and Appomattox. President Lincoln once again called for additional troops, and Stocum was called for assistance with recruiting members to the 161st New York Volunteer Infantry Regiment. He again was elected Captain and led his unit on many daring exploits during the Battles of Plain’s Store and the siege and surrender of Port Hudson. Due to a lengthy illness, Captain Stocum was made to resign. The unit continued to fight with great distinction through the war, taking part in Sherman’s celebrated March to the Sea. They were mustered out of service in November of 1865. One final call for troopers was made by President Lincoln in the summer of 1864 and Captain Stocum, answered the call and recruited men to form Company A of the 189th New York Infantry Regiment. Promotions allowed Captain Stocum the opportunity to take charge of the entire regiment which consisted of 10 companies. After witnessing his courage and abilities, the commissioned officers of the 189th petitioned New York Governor Reuben E. Fenton for Stocum’s promotion to Major, which was granted in February of 1865. The 189th took part in the battles of Hatcher’s Run, White Oak Ridge, Five Forks, the fall of Petersburg and the Battle for Appomattox. After the surrender, the regiment marched from Appomattox to Washington DC where they took part in the Grand Review on May 23rd and they were mustered out of service on June 1, 1865. After the war, he and his son focused their attention on their business, Stocum and Son. They were the most prominent furniture business and the oldest of its kind in Bath. He also was the leading undertaking trade in the County and served as Vice President of the Steuben County Undertakers Association. When the Grand Army of the Republic Soldiers Home of the State of New York was established in Bath in 1876, Major Stocum was appointed the official undertaker of the institution. At the time of his death, he had buried nearly 2,000 veterans at the Home. In November 1889, he purchased a cottage site along the west shore of Keuka Lake where he built a three-story summer house called the “Stocum House”. He hosted several reunions here for the three hundred plus men he had recruited for the war. Members of Battery E, Company F and Company A were brought to the hotel from Hammondsport by Stocum’s steamer yacht, the Sally Beekman. In August 1895, Stocum sold his summer property to Simeon Rathbone of Elmira who renamed the place “Snug Harbor”, and used it as a private residence. The property still goes by that name today.

**BE IT FURTHER RESOLVED**, the Agriculture, Industry and Planning Committee and the County Historian, for and on behalf of the Steuben County Legislature, shall take all necessary steps and ceremony to appropriately enroll and enshrine the names of the inductees into the Steuben County Hall of Fame; and be it further

**RESOLVED**, a certified copy of this resolution shall be forwarded to the County Historian and to any other persons as may be directed by the County Historian.

**Vote:** Roll Call – Adopted.

*Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Van Etten. Seconded by Mr. Mullen and duly carried.*

*Motion to Adjourn made by Mr. Roush. Seconded by Mr. Swackhamer and duly carried.*
REGULAR MEETING  
Morning Session  
Monday, March 28, 2016  
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 28th day of March, 2016, 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 Legislators Booth, Hanna and Weaver.

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

Chairman Hauryski asked Robert Conrad to come forward. Mr. Conrad is an employee in the 911 Department. He presented him with a Certificate of Appreciation and a pin in recognition of his 10 years of service to Steuben County.

Chairman Hauryski asked Linda Herrington to come forward. Mrs. Herrington is an employee in the Risk Manager’s Department. He presented her with a Certificate of Appreciation and a watch in recognition of her retirement with 20 years of service to Steuben County. Congratulations!

Chairman Hauryski asked Anne Collson to come forward. Mrs. Collson is an employee in the Law Department. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement with 25 years of service to Steuben County. Mr. Reed stated that he would just like to make a few comments about Anne. When you serve publicly, it is the little things that make a big difference. Anne has made a big difference for many years. We will miss her dearly. Congratulations!

Chairman Hauryski asked Tom Sears to come forward. Mr. Sears is an employee in the Planning Department. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement with 32 years of service to Steuben County. Congratulations!

Chairman Hauryski opened the floor to comments by members of the public. There being none, he 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 for the Public Hearing Upon County of Steuben Local Law Tentatively No. One for the Year 2016, Amending Local Law No. Two of the Year 1978, Relative to Written Notice of Defect. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Relative to Land Submitted for Inclusion in Certified Agricultural Districts 1, 2, 3, 5 and 6 During the 2016 Annual Thirty-Day Review Period. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

Motion Adopting the Minutes of the Previous Meeting(s) made by Mr. Maio, seconded by Mrs. Ferratella and duly carried.

Mrs. Ferratella announced the Hall of Fame Committee will be holding the Annual Hall of Fame Banquet on Saturday, April 16th at the Bath Presbyterian Church. The reception begins at noon. All legislators will be receiving an invitation.
Mr. Wheeler informed the committee that the AdHoc Office Space Committee members will be touring the Hornell Courthouse and the Seneca Street facility on April 12th following the Finance Committee meeting. We will have two motor pool vehicles available and will begin the tour at the Hornell Courthouse at approximately 11:30 a.m.

Chairman Hauryisky announced the Youth In Government Simulated Session will be held in the Chambers on Thursday, April 7th at 11:00 a.m.

Ms. Mori announced the annual group photo of the Legislature will be done following the April Legislative Meeting.

Chairman Hauryisky asked Judy Hunter to come forward. Mrs. Hunter is the County Clerk. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Mr. Roush reminded the Legislators that it can be very difficult to hear the discussion in the Chambers, especially if they are hearing-impaired. He asked Legislators to be mindful of turning off their microphones when they are not speaking, and turning them on when they are making comments or asking questions.

RESOLUTION NO. 056-16

Introduced by S. Van Etten. Seconded by H. Lando.

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, the Chairman of the Steuben County Legislature is hereby authorized and empowered on behalf of this Legislature to execute the necessary document(s) for the acquisition of a permanent easement with respect to lands adjoining the Steuben County parcel(s) contained in Schedule “B”, to grant to Steuben County the right of ingress and egress to County property across the easterly portion of the servient estate, as it is in the best interests of the County to do so; and the Commissioner of Public Works is hereby authorized to pay landowner “Mullen Trust”, aka Mack J. and Verna C. Mullen, the sum of $1,500.00 as payment in full for the recited permanent easement, upon execution and filing of the easement agreement with the Steuben County Clerk; 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; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s); and a certified copy of this resolution contained in Schedule "B" shall be forwarded to the Commissioner of Public Works, the Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, and the grantor.
**SCHEDULE "A"**

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Name</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1</td>
<td>Tammy Hurd</td>
<td>197.11-06-016.000</td>
<td>Village of Canisteo</td>
<td>Split</td>
</tr>
<tr>
<td>A-2</td>
<td>Erastus, LLC</td>
<td>298.00-01-022.110</td>
<td>Town of Erwin</td>
<td>Court-ordered Assessment Correction</td>
</tr>
<tr>
<td>A-3</td>
<td>Erastus, LLC</td>
<td>298.00-01-022.120</td>
<td>Town of Erwin</td>
<td>Court-ordered Assessment Correction</td>
</tr>
<tr>
<td>A-4</td>
<td>Erastus, LLC</td>
<td>298.00-01-022.200</td>
<td>Town of Erwin</td>
<td>Court-ordered Assessment Correction</td>
</tr>
<tr>
<td>A-5</td>
<td>Erastus, LLC</td>
<td>298.00-01-022.300</td>
<td>Town of Erwin</td>
<td>Court-ordered Assessment Correction</td>
</tr>
<tr>
<td>A-6</td>
<td>Erastus, LLC</td>
<td>298.00-01-022.400</td>
<td>Town of Erwin</td>
<td>Court-ordered Assessment Correction</td>
</tr>
<tr>
<td>A-7</td>
<td>Erastus, LLC</td>
<td>298.00-01-022.500</td>
<td>Town of Erwin</td>
<td>Court-ordered Assessment Correction</td>
</tr>
<tr>
<td>A-8</td>
<td>Erastus, LLC</td>
<td>298.00-01-022.700</td>
<td>Town of Erwin</td>
<td>Court-ordered Assessment Correction</td>
</tr>
<tr>
<td>A-9</td>
<td>Erastus, LLC</td>
<td>298.00-01-022.800</td>
<td>Town of Erwin</td>
<td>Court-ordered Assessment Correction</td>
</tr>
</tbody>
</table>

**SCHEDULE “B”**

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Name</th>
<th>Dominant Estate Parcel Nos.</th>
<th>Servient Estate Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-1</td>
<td>Mullen Trust (Mack J. and Verna C. Mullen)</td>
<td>250.00-01-003.000 and 250.00-01-028.000</td>
<td>250.00-01-002.100</td>
<td>Town of Hartsville</td>
<td>Permanent Easement [ingress/egress roadway]</td>
</tr>
</tbody>
</table>

Mr. Mullen stated that he would be abstaining as his parents have property listed on this resolution.

**Vote:** Roll Call - Adopted. Yes – 7630; No – 0; Absent – 1645; Abstained – 597

(Absent – Legislators Booth, Hanna and Weaver; Abstained – Legislator Mullen)
RESOLUTION NO. 057-16

Introduced by J. Hauryski.  Seconded by G. Roush.

RECEIVING AND ACCEPTING THE MARCH 28, 2016 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:

**February 16, 2016**
NYS Homes and Community Renewal – Re: Grant Agreement 60-Day Completion Notice for the New York State Community Development Block Grant (NYS CDBG Project#1115HR3-13) ends April 10, 2016. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Department of Environmental Conservation – Re: Draft investigation work plan for the Brownfield Site is available for public comment on the Former Corning Hospital and Related Parcels located at 176 East Denison Parkway, Corning, N.Y. 14830. Written comments are being accepted from February 12, 2016 through March 14, 2016. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.

**February 17, 2016**
Southern Tier Central Regional Planning & Development Board – Re: Request for Steuben County to help sponsor the Regional Leadership Conference scheduled on March 31st at Corning Community College in the amount of $1,000. Referred to: Joseph Hauryski, Steuben County Legislature Chairman.

**February 19, 2016**
Bishop Sheen Ecumenical Housing Foundation – Re: Notification of available program services for Steuben County. Referred to: Human Services/Health & Education Committee; Patty Baroody, OFA Director; Dan McRae, Director of Veterans Services; and Amy Dlugos, Planning Director.

**February 22, 2016**
Assemblyman Joseph M. Giglio – Re: Correspondence letter on the concerns with the Executive Budget in determining the Tax Levy Growth Factor for local taxing jurisdictions and IDA projects. Referred to: A.I.P. Committee; Joseph Hauryski, Steuben County Legislature Chairman; and Jack Wheeler, County Manager.

**February 23, 2016**
Seagate Alliance – Re: Annual Disclosure Notice in compliance with the Medicare/Medicaid Fraud and Abuse Law. Referred to: Human Services/Health & Education Committee; Darlene Smith, Public Health Director and Kathryn Muller; Commissioner of Social Services.

**February 29, 2016**
Assemblyman Bill Nojay – Re: Correspondence letter on urging support for Assembly bill A.3611 in the adopted FY 2016-2017 State Budget. Referred to: A.I.P. Committee; Joseph Hauryski, Steuben County Legislature Chairman; and Jack Wheeler, County Manager.

Harris Beach, PLLC, Attorneys at Law — Re: Steuben County Industrial Development Agency and Corning Properties, Inc. distribution of RP-412-a form and tax agreement. Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.
March 2, 2016
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,452, which represents the January 2016 surcharge revenue for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

March 3, 2016
NYS Parks, Recreation and Historic Preservation – Re: Notification of the Temple Beth El located at 12 Church Street, Hornell, NY 14843 is now listed on the National Register of Historic Places. Referred to: A.I.P. Committee; and Eleanor Silliman, County Historian.

March 7, 2016
NYS Homeland Security and Emergency Services – Re: Notification of being awarded $130,000 under the FY2016 State Homeland Security Program (SHSP). As per Federal guidelines, 25 percent ($32,500) of your award must be directed towards law enforcement terrorism prevention activities. Referred to: Public Safety & Corrections Committee; Tim Marshall, EMO Director; and Sheriff Cole.

NYS Homeland Security and Emergency Services – Re: Notification of being awarded $42,080 under the FY2016 Emergency Management Performance Grant (EMPG). Referred to: Public Safety & Corrections Committee; and Tim Marshall, EMO Director.

NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the remaining SFY 2015-2016 Statewide Mass Transportation Operating Assistance (STOA) appropriation balances for the upstate formula bus systems. Referred to: Amy Dlugos, Planning Director.

March 11, 2016
NYS Department of Transportation – Re: Department of Transportation official order of abandonment #H2597. Referred to: Public Works Committee; Vince Spagnoletti, Commissioner of Public Works; Patrick Donnelly, Commissioner of Finance; and Alan Reed, County Attorney.

March 14, 2016
NYS Office for the Aging – Re: Second notification of grant award (NGA) for the federal fiscal year 2016 (FFY2016) Nutrition Services Incentive Program (NSIP). Referred to: Human Services/Health & Education Committee; and Patty Baroody, OFA Director.

New York State Electric & Gas – Re: Natural Gas Emergency Response Training. Referred to: Public Safety & Corrections Committee; and Tim Marshall, EMO Director.

NYS Department of Public Service – Re: Notice of public statement hearings on the proposed increases to delivery rates for New York State Electric & Gas Corporation and Rochester Gas & Electric Corporation electric and gas customers. Referred to: filed with the Clerk of the Legislature, Brenda Mori.

March 16, 2016
Steuben County Hunger Coalition – Re: 2015 Steuben County Hunger Coalition Statistics. Referred to: Human Services/Health & Education Committee; Patty Baroody, OFA Director; and Kathryn Muller, Commissioner of Social Services.

Mr. Van Etten asked with regard to correspondence received on March 11th from the New York State Department of Transportation, what was abandoned? Mr. Donnelly replied the NYS Department of Transportation (NYSDOT) had an old right-of-way that they abandoned back to the County.

Vote: Acclamation – Adopted.
RESOLUTION NO. 058-16

Introduced by B. Schu. Seconded by J. Malter.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2016, AMENDING LOCAL LAW NO. TWO OF THE YEAR 1978, RELATIVE TO WRITTEN NOTICE OF DEFECT.

Pursuant to Section 2.07(5) of the Steuben County Charter and Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on February 22, 2016, County of Steuben Local Law Tentatively No. One for the Year 2016, Amending Local Law No. Two of the Year 1978, Relative to Written Notice of Defect, and this Legislature by resolution, preliminarily adopted said Local Law on February 22, 2016, making the final adoption of said Local Law subject to a Public Hearing to be held on March 28, 2016; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on March 28, 2016, at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. One for the Year 2016, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2016

A Local Law, Amending Local Law No. Two of the Year 1978, Relative to Written Notice of Defect.

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

SECTION 1. No civil action shall be maintained against the County of Steuben, the Steuben County Superintendent Commissioner of Highways Public Works or any employee of the County of Steuben for damages or injuries to person or property sustained by reason of any highway, bridge, or culvert, or any other property owned by the County of Steuben or any property owned by any improvement district therein, being defective, out of repair, unsafe, dangerous, or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway bridge, or culvert or any other property owned by the County of Steuben, or any property owned by any improvement district, was actually given to the Clerk of the Steuben County Legislature or the Steuben County Superintendent Commissioner of Highways Public Works, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of; but no action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any town, state, or county highway, bridge, or culvert, or any other property owned by the County of Steuben or any property owned by any improvement district of the County of Steuben unless written notice thereof, specifying the particular place, was actually given to the Clerk of the Steuben County Legislature or the Steuben County Superintendent Commissioner of Highways Public Works and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

SECTION 2. No civil action shall be maintained against the County of Steuben and/or the Steuben County Commissioner of Public Works for damages or injuries to person or property sustained by reason of any defect in the sidewalks of the existence of snow or ice upon any of its sidewalks, unless such sidewalks have been constructed or are maintained by the County of Steuben and/or the Steuben County Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds pursuant to law, nor shall any action be maintained for damages or injuries to person or property sustained by reason of such defect or in consequence of such existence of snow or ice unless
written notice thereof, specifying the particular place, was actually given to the Clerk of the Steuben County Legislature or to the Steuben County Commissioner of Public Works and there was a failure or neglect to cause such defect to be remedied, such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

SECTION 3. The Steuben County Superintendent Commissioner of Highways Public Works shall transmit in writing to the Clerk of the Steuben County Legislature within five (5) days after the receipt thereof all written notices received by him pursuant to this local law and the Clerk of the Steuben County Legislature shall keep an indexed record, in a separate book, of all written notices which he shall receive of the existence of such defective, unsafe, dangerous or obstructed condition, or of such snow or ice, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. The Clerk of the Steuben County Legislature shall preserve the record of each notice for a period of at least five (5) six (6) years after the date it is received.

SECTION 4. The Clerk of the Steuben County Legislature shall transmit in writing to the Steuben County Superintendent of Highways Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds, as applicable, within five (5) days after receipt thereof a copy of any written notice of defect, unsafe, dangerous or obstructed conditions filed in accordance herewith, which has not previously been filed with the Steuben County Superintendent of Highways Commissioner of Public Works, and the notices shall be properly recorded in the records of the Steuben County Highway Department and the Steuben County Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds, as applicable, shall take any and all corrective action with respect thereto, as soon as reasonably practicable.

SECTION 5. This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

NOTE: Old law is strikeout and deleted; New matter is underlined.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on February 22, 2016 at 10:00 A.M. at the Legislative Chambers, 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. One for the Year 2016, 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, Commissioner of Public Works, Superintendent of Buildings and Grounds, Risk Manager, and the County Attorney.

Vote: Roll Call – Adopted.
RESOLUTION NO. 059-16

Introduced by G. Swackhamer. Seconded by H. Lando.

AUTHORIZING THE PURCHASE OF PROPERTY ADJACENT TO THE COUNTY’S CALL HILL PROPERTY IN THE TOWN OF HARTSVILLE.

WHEREAS, the County of Steuben (“the County”) owns a piece of landlocked property off Call Hill Road in the Town of Hartsville, designated as parcel no. 250.00-01-028.000; and

WHEREAS, the County desires to purchase a fifty (50) acre parcel of land, parcel no. 250.00-01-003.000, which lies adjacent to County parcel no. 250.00-01-028.000, from Joseph F. Townsend, for the purpose of accessing the County’s landlocked property in order to provide access for lawful uses thereon; and

WHEREAS, Joseph F. Townsend, the grantor, in consideration of ten thousand dollars ($10,000.00) to be paid by the County, the grantee, desires to sell this fifty (50) acre parcel of land to the County.

NOW THEREFORE, BE IT

RESOLVED, that this Steuben County Legislature duly convened does hereby approve of purchasing a fifty (50) acre parcel of land, parcel no. 250.00-01-003.000, from Joseph F. Townsend, for ten thousand dollars ($10,000.00) for the purpose of accessing the County’s landlocked parcel no. 250.00-01-028.000 in order to provide access for lawful uses thereon; and be it further

RESOLVED, that the County Manager is hereby authorized and directed to execute any and all documents necessary to acquire this parcel; and be it further

RESOLVED, that certified copies of this resolution shall be filed with the Steuben County Clerk, the Commissioner of Public Works, and the Director of the Real Property Tax Service Agency.

Mr. Roush stated this resolution pertains to 50 acres of land that is landlocked and is reforestation land that is not really saleable. He asked the Commissioner of Finance to provide an inventory of properties that the County owns. We currently own 395 acres with deed restrictions for reforestation and this resolution would add another 50 acres of deed restricted land. This is a bad investment as we are purchasing this property to gain a sliver of property that is needed for access to the landlocked parcel. There may be a less expensive way to solve this problem.

Mr. Wheeler stated we had a conversation about a less expensive way to obtain an easement, however, the property owner was not interested. This was the only option the property owner wanted. We also do not believe that this additional 50 acres would be part of the reforestation program. Our property on Call Hall is.

Vote: Roll Call – Adopted.

RESOLUTION NO. 060-16

Introduced by B. Schu and S. Van Etten. Seconded by H. Lando.

AUTHORIZING THE COUNTY TO PARTICIPATE IN TAX CERTIORARI PROCEEDINGS IN THE CITY OF CORNING.

Pursuant to Article 5 of the County Law of the State of New York.
WHEREAS, it is in the interest of the County to participate in the appraisals for Tax Certiorari Proceedings where the equalized full value is in excess of $2 million for roll section one and six parcels as previously set forth in Resolution 010-93, as amended in Resolution 132-03, and as amended in Resolution 047-12; and

WHEREAS, a requesting assessing unit should have completed in due course a town/city wide reassessment program and filed a cyclical reassessment plan; and

WHEREAS, the City of Corning has completed a cyclical reassessment plan and has further requested the County to participate in two (2) Tax Certiorari Proceedings pursuant to the County’s participation policy; and

WHEREAS, the recited requests comply with the policy of the County to so participate; and

WHEREAS, the counsel for the City of Corning has submitted initial preliminary appraisal estimates of $800 each and court-ready appraisal estimates of $10,000 each; and

WHEREAS, the Real Property Tax Service Agency has computed the County’s share of participation as set forth under the County’s policy to participate at $3,600 each.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized and directed to disburse to the properly credentialed and retained appraiser(s) a total sum not to exceed $3,600 in and for each recited proceeding; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Real Property Tax Service Agency; Commissioner of Finance; Mark L. Ryckman, Corning City Manager, 500 Nasser Civic Center Plaza, Corning, NY 14830; and Bryan J. Maggs, Esq., Corporation Counsel for the City of Corning, Barclay Damon LLP, 243 Lake Street, Elmira, NY 14901.

Vote: Roll Call – Adopted.

RESOLUTION NO. 061-16

Introduced by C. Ferratella. Seconded by R. Lattimer.

AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER COUNTY FOR STAFF DEVELOPMENT SERVICES.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the Human Services, Health and Education Committee approved an Inter-Municipal Agreement with Schuyler County for sharing the provision of Staff Development services; and

WHEREAS, the Staff Development Coordinator position is appropriated in the 2016 Department of Social Services Budget; and

WHEREAS, it is anticipated the services will require one full-time employee to complete, which will necessitate filling a vacant Staff Development Coordinator; and

WHEREAS, Schuyler County has agreed to support 40% of this position not to exceed $40,000; and

WHEREAS, the term of the agreement shall commence April 4, 2016 and is for the balance of 2016, with the option to renew and a thirty (30) day opt out provision; and
WHEREAS, it is desirable to enter into the agreement to share services with a neighboring county.

NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts these funds in the 2016 Steuben County Budget and approves a contract between said agencies as follows:

Contracts:
Schuyler County Department of Social Services
Revenues
60100 41811100 Repayments/Contracts $40,000

AND BE IT FURTHER RESOLVED, that the Commissioner of Social Services is hereby authorized to sign the Inter-Municipal Agreement with Schuyler County; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Tim O ’Hearn, Schuyler County Administrator, 105 Ninth Street, Unit 37, Watkins Glen, NY 14891; Dennis A. Fagan, Chair of the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, N.Y. 14891; JoAnn Fratarcangelo, Commissioner, Schuyler County Department of Social Services; 323 Owego Street, Unit 3, Watkins Glen, N.Y. 14865; Commissioner of the Department of Social Services; Commissioner of Finance; County Attorney; and County Manager.

Mr. Swackhamer asked for an explanation of how this would work. Mr. Wheeler replied we would hire the Staff Development Coordinator and they would also provide services for Schuyler County. It would be very similar to what we do with Livingston County for Weights & Measures services. We had not filled this position in five years and this agreement will fit in well with shared services.

Mr. Swackhamer asked does the 40 percent include benefits? Mr. Wheeler replied yes. The approximate all-in cost of the position is $100,000.

Mr. Mullen asked what is this position going to do? Ms. Muller replied they will provide staff training and will also continue to update our policies and procedures as required by the State. She stated that she has implemented a new supervisory model across the Services Unit and she would like to carry that over into the Temporary Assistance Unit and this position can assist with that.

Mr. Swackhamer asked will we receive any reimbursement for this position? Ms. Muller replied we will receive 30 percent reimbursement. She commented this is a state-mandated position.

Vote: Roll Call – Adopted.

RESOLUTION NO. 062-16

Introduced by D. Farrand and B. Schu. Seconded by S. Maio.

AUTHORIZING THE RECLASSIFICATION OF A POSITION WITHIN THE DISTRICT ATTORNEY’S OFFICE.

Pursuant to Steuben County Charter Section 2.07.

WHEREAS, a Typist in the District Attorney’s Office performs basic clerical work; and

WHEREAS, a Senior Typist will have added duties of collecting and compiling information for reports of a higher clerical level; and
WHEREAS, a Senior Typist position more appropriately performs these duties; and

WHEREAS, the Personnel Officer, the Public Safety and Corrections Committee and Administration Committee have reviewed said position within the District Attorney’s Office pursuant to a “desk audit” under the provisions of the Administrative Code and have approved the recommended change.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in the District Attorney’s Office is hereby reclassified as follows:

   Typist, Grade IV ($24,825 to $35,046) to
   Senior Typist, Grade VI ($26,867 to $37,928)

AND BE IT FURTHER RESOLVED, that the 2016 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 District Attorney.

Vote: Roll Call – Adopted.

RESOLUTION NO. 063-16

Introduced by R. Lattimer. Seconded by C. Ferratella.

APPROVING THE ADDITION OF AGRICULTURAL LANDS TO CERTIFIED AGRICULTURAL DISTRICTS.

Pursuant to Article 25-AA, Section 303-b, of the Agriculture and Markets Law of the State of New York and Section 2.07 of the Steuben County Charter.

WHEREAS, the Steuben County Legislature established a required annual period from January 15 to February 15 for landowners to submit requests to add agricultural land to certified Agricultural Districts; and

WHEREAS, landowners submitted requests to add land and said requests were forwarded to the Steuben County Agriculture and Farmland Protection Board for their review; and

WHEREAS, the Steuben County Agriculture and Farmland Protection Board has reviewed the matter, found the land to be viable for agricultural production, and submitted a report to this Legislature; and

WHEREAS, inclusion of these viable agricultural lands in certified agricultural districts will serve the public interest by helping to maintain the agricultural industry of Steuben County; and

WHEREAS, the Steuben County Legislature gave legal notice of and held the required public hearing of this matter on the 28th day of March, 2016 at 10:00 a.m.; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the addition of these parcels to existing agricultural districts is considered an Unlisted Action and an Environmental Assessment Form has been completed.

NOW THEREFORE, BE IT

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RESOLVED, the proposed action will not result in any significant adverse environmental impacts;

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No. 1:

468200 364.00-01-010.000
468200 364.00-01-017.112
468200 364.00-01-017.300

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No. 2:

462489 191.00-01-012.110
467600 092.00-01-025.120

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No. 3:

462489 129.00-01-046.300
462489 157.00-01-033.000
462489 171.00-01-010.215
462489 171.00-01-034.000
462489 172.00-01-012.000
462489 172.00-01-016.200
462489 172.00-01-018.112
462489 172.00-01-022.000
462489 172.00-01-024.000
462489 173.00-01-046.111

462489 186.00-01-015.000
462489 186.00-01-028.100
462489 187.00-01-006.500
462489 187.00-01-010.140
462489 187.00-01-010.161
465400 185.00-01-010.000
465400 185.00-01-036.210
466200 049.00-01-038.110
466200 062.00-01-013.100

AND BE IT FURTHER RESOLVED, that the following tax parcel shall be added to Agricultural District No. 5:

463689 069.00-01-012.000

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No. 6:

463400 390.00-01-039.200
463889 283.00-01-004.121
463889 283.00-01-035.110
463889 301.00-01-013.121
463889 301.00-01-048.100
463889 301.00-01-056.000
463889 319.00-01-037.100

463889 336.00-02-002.100
463889 336.00-02-034.000
463889 337.00-02-018.000
463889 337.00-02-019.100
465800 388.00-01-015.110
466400 347.00-02-002.120
467000 403.00-01-035.130

AND BE IT FURTHER RESOLVED, that certified copies of this resolution shall be forwarded to the Director of Planning; and Richard A. Ball, Commissioner, New York State Department of Agriculture and Markets, 10B Airline Drive, Albany, New York 12235.

Vote: Roll Call – Adopted.
RESOLUTION NO. 064-16


ESTABLISHING THE DATE AND TIME FOR THE 2016 DELINQUENT REAL PROPERTY TAX AUCTION.

WHEREAS, the County of Steuben has commenced the annual Delinquent Real Property Tax In-Rem procedure pursuant to Article 11 of the New York State Real Property Law; and

WHEREAS, it is desirable to establish the date and time of the County Delinquent Real Property Tax Auction.

NOW THEREFORE, BE IT

RESOLVED, the 2016 Delinquent Real Property Tax Auction shall be conducted on Friday, July 15, 2016, commencing at 10:00 A.M. at the Bath/Haverling High School, Bath, New York; and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to establish and publish the terms and conditions of the recited sale in advance of said sale; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 065-16

Introduced by J. Hauryski. Seconded by S. Van Etten.

APPOINTING A REPRESENTATIVE TO THE AD-HOC OFFICE SPACE COMMITTEE.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, it was necessary and desirable to establish an Ad-Hoc Office Space Committee to oversee the development, implementation, and completion of the Office Space Utilization Project; and

WHEREAS, the Legislature adopted Resolution No. 107-15 on July 27, 2015, ratifying the appointment by the Chairman of the Steuben County Legislature of an Ad-Hoc Office Space Committee; and

WHEREAS, one of the Legislative members of said committee has retired.

NOW THEREFORE, BE IT

RESOLVED, Gary D. Swackhamer hereby is appointed to fill the vacancy created by the retirement of Lawrence P. Crossett.

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the County Manager.

Vote: Acclamation – Adopted.
RESOLUTION NO. 066-16

Introduced by J. Hauryski.                        Seconded by R. Lattimer.

APPOINTING MEMBERS TO THE STEUBEN COUNTY FIRE ADVISORY BOARD.

Pursuant to Section 12.20 of the Steuben County Charter and Section 225-a of the County Law of the State of New York.

RESOLVED, the following persons are hereby appointed members of the Steuben County Fire Advisory Board for a term of two (2) years, commencing January 1, 2016 and ending December 31, 2017:

LEGISLATIVE MEMBER
1. Aaron I. Mullen, 9077 Reynolds Rd., Avoca, NY 14809

NON-LEGISLATIVE MEMBERS
2. John Ford, 58 Maple St., Addison, NY 14801
3. Dan Smith, 108 Broadway, Hornell, NY 14843
4. William Todd Hall, 226 Main St., Painted Post, NY 14870
5. Joseph Dick, 306 First St., Hornell, NY 14843
6. David M. Sereno, 4691 Colvin Hill Road, Woodhull, NY 14898
7. Brad Davies, 1 Civic Center Plaza, Corning, NY 14830
8. Douglas Heinemann, 8425 Jacobs Ladder Road, Avoca, NY 14809
9. Brian McCarthy, 3824 West Hill Road, Painted Post, NY 14870
10. William Waggoner, PO Box 243, Cohocton, NY 14826
11. Evan Brown, 2794 Forrest Hill Drive, Corning, NY 14830
12. J. David Sawyer, 1646 Jasper Street, Woodhull, NY 14898
13. Tom Jamison, 4 Eleventh Street, Canisteo, NY 14823
14. Larry Day, 9623 County Route 87, Hammondsport, NY 14840
15. Dan Hulbert, 8813 State Route 36, Arkport, NY 14807
16. William Fries, Chief DFC, 7344, Fish Hatchery Road, Bath, NY 14810
17. Donald Fredericy, DFC, 27 East Avenue, Wayland, NY 14572
18. Michael Wilson, DFC, 307 Grand Street, Hornell, NY 14843
19. Timothy Martin, DFC, 6300 CR 100, Addison, NY 14801
20. Glen Miller, 11 South Fowler Street, Bath, NY 14810
21. James Webster, Bath, VA, 76 Veterans Avenue, Bath, NY 14810

ADVISORY STAFF (Non-Voting)
22. Timothy D. Marshall, Director, Emergency Management Services
23. Kenneth Forenz, Deputy Director, Emergency Management Services
25. David Hopkins, Director, 911, /Tina Goodwin, Deputy Director 911 – Alternate
26. Michael Gilman, PO Box 274, Cohocton, NY 14826
27. Dean Patterson, DFC, 579 Victory Highway, Painted Post, NY 14870

BE IT FURTHER RESOLVED, members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Fire Advisory Board; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointees, the County Auditor and the Steuben County Emergency Management Office.

Vote: Acclamation – Adopted.
RESOLUTION NO. 067-16

Introduced by J. Hauryski. Seconded by H. Lando.

FILLING VACANCIES ON THE STEUBEN COUNTY CONFERENCE & VISITORS’ BUREAU BOARD OF DIRECTORS.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, the Steuben County Legislature adopted Resolution No. 056-93 on October 25, 1993, authorizing and directing the creation of the Steuben County Conference and Visitors’ Bureau and establishing the appointment of voting members on the Board of Directors as staggered three (3) year terms; and

WHEREAS, the term for some Board members expired December 31, 2015.

NOW THEREFORE, BE IT

RESOLVED, the following individuals, as recommended by the Chairman of the Legislature, are hereby appointed as members of the Steuben County Conference and Visitors’ Bureau Board of Directors for the terms as indicated and shall hold office until reappointed or a successor is appointed and qualified to wit:

VOTING MEMBERS

<table>
<thead>
<tr>
<th>Accommodations</th>
<th>TERMS</th>
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<tbody>
<tr>
<td>Jan Ebeling, President/COO, Radisson Hotel, Corning</td>
<td>01/01/14 – 12/31/16</td>
</tr>
<tr>
<td>Brett Bixby, General Manager, Hampton Inn, Corning – Painted Post</td>
<td>01/01/15 – 12/31/17</td>
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<tr>
<td>Edward Marden, Owner/General Partner, Camp Bell Campground</td>
<td>01/01/16 – 12/31/18</td>
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<thead>
<tr>
<th>Attractions</th>
<th>TERMS</th>
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<tbody>
<tr>
<td>Coleen Fabrizi, Executive Director, Corning’s Gaffer District</td>
<td>01/01/16 – 12/31/18</td>
</tr>
<tr>
<td>Kerry Miller, Tourism Sales Specialist, Corning Museum of Glass</td>
<td>01/01/14 – 12/31/16</td>
</tr>
<tr>
<td>Erin Rafalowski, Marketing Manager, Heron Hill Winery</td>
<td>01/01/15 – 12/31/17</td>
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<tr>
<th>Community-at-Large</th>
<th>TERMS</th>
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<tbody>
<tr>
<td>Ronald F. Leonard, President, Keuka Lakeside Inn</td>
<td>01/01/14 – 12/31/16</td>
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<tr>
<td>Ken Mortensen, Keuka Brewing Company</td>
<td>01/01/16 – 12/31/18</td>
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<tr>
<td>Shelly Stevens, Executive Director, Hornell Partners for Growth</td>
<td>01/01/15 – 12/31/17</td>
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<tr>
<th>Chamber of Commerce Representative</th>
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<tr>
<td>Sue Van Stine, Hornell Chamber of Commerce</td>
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<tr>
<th>County Manager Designee</th>
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<tr>
<td>Amy Dlugos, Planning Director</td>
<td>01/01/16 – 12/31/18</td>
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<th>County Legislators</th>
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<tr>
<td>K. Michael Hanna, District 5</td>
<td>01/01/16 – 12/31/18</td>
</tr>
<tr>
<td>Hilda T. Lando, District 2</td>
<td>01/01/15 – 12/31/17</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED, the above-named appointees shall serve without compensation, other than necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Conference and Visitors’ Bureau Board of Directors; and be it further
RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and Jacob Buganski, Executive Director, Steuben County Conference and Visitors’ Bureau, Inc., 1 West Market Street, Baron Steuben Building, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 068-16

Introduced by G. Swackhamer. Seconded by R. Nichols.

MEMORIALIZING THE GOVERNOR, THE NEW YORK STATE LEGISLATURE AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO MAKE MUNICIPALITIES AND LANDFILL OPERATORS WHOLE FOR THE ADDITIONAL COSTS OF ELECTRONICS WASTE RECYCLING.

WHEREAS, the New York State Electronic Equipment Recycling and Reuse Act (Act) was adopted by the State Legislature in 2010 in order to assist local governments with managing the fast-growing electronics waste stream by requiring electronics manufacturers to fund electronics recycling and relieve municipalities from the costs; and

WHEREAS, the Act also created a ban on disposal of electronic waste in landfills, effective January 2015; and

WHEREAS, once manufacturers met their performance goal, which in a number of cases is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting a cost of $47,000 to Steuben County Government; and

WHEREAS, while the Act has succeeded in significantly increasing electronics recovery and recycling in the state, local governments are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs); and

WHEREAS, the Act empowers the New York State Department of Environmental Conservation (NYSDEC) to promulgate regulations to address shortcomings in the law, and in October 2015 NYSDEC officials indicated that such rules were being drafted by department officials.

NOW THEREFORE, BE IT

RESOLVED, that Steuben County calls upon New York State and NYSDEC to restore the recycling channel for all electronic waste as a no-cost service to residents or local municipalities, thereby ending this unfunded mandate upon the citizens; and be it further

RESOLVED, that 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 John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Carl Heastie, Speaker, New York State Assembly, 522 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; 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 Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Honorable Tom Reed, 89 West Market Street, Corning, NY 14830; Honorable Charles E. Schumer, 15 Henry Street, Room 100 A-F, Binghamton, NY 13901; Honorable Kirsten Gillibrand, Kenneth B. Keating Federal Office Building, 100 State Street, Room 4195, Rochester, NY 14614; Honorable John Marren, President, InterCounty
MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE IN SUPPORT OF A BASE AID INCREASE FOR CORNING COMMUNITY COLLEGE.

WHEREAS, Chancellor Zimpher of the State University of New York, with the support of the State University of New York Board of Trustees, has launched an advocacy plan across the State to “Stand Up for SUNY”; and

WHEREAS, included in this “Stand up for SUNY” initiative, is a request to increase base aid support for our community colleges in 2016-2017 by $285/Full Time Equivalent (FTE) student; and

WHEREAS, the New York State Association of Counties, SUNY Board of Trustees, CUNY and SUNY Presidents’ Associations, Community College Trustees Association, SUNY Faculty Council, and others have expressed their support for this advocacy plan; and

WHEREAS, recent base aid increases have not kept pace with ongoing increased costs of Corning Community College’s basic operations in spite of substantial staff and other operational reductions in recent years; and

WHEREAS, Corning Community College’s current (2015-2016) base aid, in spite of recent State increases, remains $78/FTE student lower than it was in 2008-2009 and has not kept pace with mandated increases in health insurance and many other contractual obligations; and

WHEREAS, State support for community college operating budgets, currently at approximately 26.7 percent for Corning Community College, is far below 1/3 of our operating costs or 40 percent for those with full opportunity access that all SUNY community colleges have embraced for decades (see Education Law Article 26, Section 6304); and

WHEREAS, as one of the three counties served by Corning Community College’s Regional Board of Trustees, we find it difficult to support our community college to the extent that we would like due to the limitations imposed by the property tax cap and other financial costs associated with State and Federal mandates, and

WHEREAS, we recognize that Corning Community College is a vital part of the overall economic and workforce development of our communities; and

WHEREAS, our ability to continue to attract and grow business in our community is dependent on an educated and qualified workforce which is provided in large part by the services of Corning Community College; and

WHEREAS, all these circumstances for our SUNY community colleges and their respective regional and county sponsors are similar throughout the SUNY system.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby requests the Governor and New York State Legislature to support a $285/FTE student base aid increase for SUNY’s community colleges, while leaving counties fiscally harmless for said cost increase; and be it further
**RESOLVED**, that 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 John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Carl Heastie, Speaker, New York State Assembly, 522 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; 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 Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Honorable John Marren, President, InterCounty Association of Western New York, c/o Ontario County Board of Supervisors, Ontario County Office Building, 20 Ontario Street, Canandaigua, NY 14424; and Dr. Katherine P. Douglas, President, Corning Community College, One Academic Drive, Corning, New York 14830.

Mr. Mullen stated that he distributed a copy of See Through NY which shows some of the salaries for SUNY employees, not including Corning Community College. This resolution is asking the State to support a $285 FTE student payment, and he thinks the State needs to get their own house in order more.

**Vote:** Acclamation – Adopted. (Legislator Mullen Opposed)

**Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7§ 105.1.F. The Medical, Financial, Credit or Employment of a Particular Person, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person and Article 7§ 105.1.D. Discussions regarding Proposed, Pending or Current Litigation made by Ms. Lattimer, seconded by Mr. Schu and duly carried.**

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

**Motion to Adjourn made by Mr. Van Etten, seconded by Mr. Swackhamer and duly carried.**
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 25th day of April, 2016, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Haursky.

Roll Call and all members were present except Legislators Booth, Ferratella, and Weaver.

Mr. Swackhamer provided the Invocation and the Pledge of Allegiance was led by Mr. Roush.

Chairman Haursky opened the floor to comments by members of the public.

Wayne Wells, Cameron, presented his opinions regarding the Republican Party and the upcoming Presidential Election.

There being no further comments by members of the public, Chairman Haursky declared the opportunity for public comment closed.

Ms. Muller stated nationally, April is recognized as Child Abuse Prevention Month. I would like to thank the Chairman of the Legislature for signing a proclamation recognizing April as Child Abuse Prevention Month, and for attending and presenting at the annual Pinwheels and Promises kickoff campaign sponsored by the Task Force. I would also take the opportunity to thank this Board and Mr. Wheeler for your continued support of this initiative and for all of the prevention programs operated by the County Youth Bureau and the Department of Social Services.

This marks the 22nd year for Steuben County’s Task Force who is charged with promoting child abuse education and prevention activities throughout the year. A multitude of thanks go out to many including, Bill Caudill, our Youth Bureau Coordinator who chairs the Task Force; the Task Force members with representation from various youth agencies, schools, local business and other County departments; Edna Kayes, Assistant Director of Social Services who oversees the Child Protective/Preventive Division, and who also serves on the Task Force; and finally, a huge thanks to the rest of my staff; administration and both direct and indirect services staff.

This is not easy work. It comes with a multitude of challenges, system barriers and often heartbreak. In Steuben County, we have between 22,000 and 23,000 youth. Approximately 25 percent of these youth live in families whose incomes are below the federal poverty level, which for a family of four is $24,300. Fifty percent of these children living below the federal poverty level are living in extreme poverty where the family income is below 50 percent of the federal poverty level, which equates to $12,150 for a family of four. Another interesting statistic is that 50 percent of the total school-age children across Steuben County are in receipt of free or reduced school lunches. This does not account for those who are eligible but are too embarrassed or too proud to receive them.

The stress of poverty is often a factor in child abuse. We receive on average, upwards of 1,800 unduplicated child protective hotline reports each year. Strikingly, this represents reports made on 8 children out of every 100 children in our county. Approximately 25 percent of these reports are indicated with some credible evidence of abuse and/or neglect. The overall severity of our cases has dramatically increased. Behavioral health issues are most prevalent; alcohol and substance abuse, specifically Heroin, Crack, Cocaine and Opiates are at an all-time high. Mental health and developmental disabilities are also significant. While the work often appears insurmountable, we have proven prevention works. It requires commitment, perseverance and partnerships. Over the last several years, we have reduced foster care
placements over 50 percent by developing and implementing prevention services. This has been a collaborative effort. These outcomes result from individuals dedicating themselves to their work in serving the welfare of children. They give of themselves and of their time both in and outside normal work hours to help our communities to not only become educated, but to become part of the solution.

Having said that, I would like to recognize one of these individuals who has devoted her career to working with children and families in Steuben County. I would ask Sally Diaz to come to the podium. Sally Diaz was nominated for the Child Abuse Prevention Award by Susan Hooker who is the Director of Hornell Concern for Youth. Sally has served on the Task Force since its inception in 1994. For over 23 years, she has been employed by Arbor Development working in the domestic violence shelter. While her employment experiences varied, one area of her work remained constant. Recognizing her skills, her strengths and her compassion, she was assigned to work with the children and the families living at the shelter. Many years ago, while continuing to work, she attended Corning Community College and through the Honors Program, developed a support group for the kids at the shelter. This group continues today. Her nominator describes Sally as a special person. For years, she has volunteered her time at multiple events, including the Strong Kids/Safe Kids and Family Fling functions. She goes the extra mile. Not only does she volunteer her time, but she also donates supplies to make these events successful. She is described as patient, kind and friendly. She is a teacher to both the children and parents. Her smile is warm, accepting and contagious. She brings comfort to those around her. Her commitment is demonstrated by the time she gives of herself through the endless hours of volunteering and her belief in the cause. In her words, she likes what the Task Force stands for, promoting awareness.

Ms. Muller stated it is her pleasure, on behalf of the Steuben County Task Force for the Prevention of Child Abuse, to present the Child Abuse Prevention Award to Sally Diaz. Congratulations!

Ms. Diaz stated this is very thoughtful and she is honored to receive this. It was a total surprise.

Motion approving the minutes of the previous meeting(s) made by Mr. Van Etten, seconded by Mr. Hanna and duly carried.

Mrs. Hunter reminded the Legislature that April and May are Organ Donation Month. She also stated that today the Legislature will be considering a resolution memorializing the Governor and State Legislature to increase the amount of revenue counties receive from providing State DMV services. She stressed the importance of this as revenue generated from DMV is often used to offset other County costs.

Mr. Reed stated last month his Confidential Secretary, Anne Collson retired and is happily enjoying retirement. He is happy to introduce his new Confidential Secretary, Lisa Rodburn. She is already doing fabulous work and he thanked all of the departments for assisting with the transition.

RESOLUTION NO. 070-16

Introduced by S. Van Etten. Seconded by H. Lando.

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, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to execute the necessary documentation to convey the recited parcel(s) to the grantee(s) upon receipt of the consideration indicated, pursuant to Real Property Tax Law §1166 and as approved by the Steuben County Finance Committee on April 12, 2016; and be it further

RESOLVED, the said grantee(s) must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be, and as upon the "Notice to Bidders and Terms of Sale" as applicable; and be it further

RESOLVED, as it appears to be in the best interest of the County to convey the property listed on Schedule "C" to the Village of Wayland, the Steuben County Commissioner of Finance is hereby authorized and directed to enter into an agreement by tax districts pursuant to Real Property Tax Law § 1136 and § 1150 (1), to convey the recited parcel to the Village of Wayland as approved by the Steuben County Finance Committee on October 13, 2015 and approved by resolution of the Board of Trustees of the Village of Wayland on November 9, 2015; and be it further

RESOLVED, the said grantee(s) must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be, and as upon the "Notice to Bidders and Terms of Sale" as applicable; 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; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s); and certified copies of this resolution contained in Schedule "C" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

### SCHEDULE "A"

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<thead>
<tr>
<th>Resolution No.</th>
<th>Resolution No.</th>
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<tbody>
<tr>
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<tr>
<td>Parcel No.</td>
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<tr>
<td>Municipality</td>
<td>Municipality</td>
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<tr>
<td>Disposition</td>
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### SCHEDULE “B”

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<tbody>
<tr>
<td>Former Owner</td>
<td>West, Richard L. Sr.</td>
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<tr>
<td>In Rem Index No.</td>
<td>2014-1414CV</td>
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<tr>
<td>Parcel No.</td>
<td>247.16-01-020.110</td>
</tr>
<tr>
<td>Municipality</td>
<td>Town of Hornby</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Corning Beaver Dams Village, LLC</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>605 County Route 24, East Chatham, NY 12060</td>
</tr>
<tr>
<td>Consideration</td>
<td>$15,305.00 including recording fees</td>
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### SCHEDULE “C”

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<tr>
<td>Former Owner</td>
<td>Frank and Vanette Wadsworth</td>
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<tr>
<td>In Rem Index No.</td>
<td>78446</td>
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<tr>
<td>Parcel No.</td>
<td>003.13-02-044.000</td>
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<tr>
<td>Municipality</td>
<td>Village of Wayland</td>
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<tr>
<td>Grantee(s)</td>
<td>Village of Wayland</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>15 N. Main Street, Wayland, NY 14572</td>
</tr>
<tr>
<td>Consideration</td>
<td>Conveyance pursuant to RPTL § 1150 (1)</td>
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Mr. Mullen asked about the transaction to the Village of Wayland. Mr. Donnelly explained this was previously the site of an old gas station that had some environmental contamination that was cleaned up. We are conveying this property to the Village of Wayland in satisfaction of tax liens.

**Vote:** Roll Call – Adopted.

### RESOLUTION NO. 071-16

Introduced by J. Hauryski.  
Seconded by G. Roush.

**RECEIVING AND ACCEPTING THE APRIL 25, 2016 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:

**March 21, 2016**

NYS Department of Taxation & Finance, Office of Real Property Tax Services – Re: Notice of 2016 Oil and Gas unit of Production Values. *Referred to: Wendy Flaitz, Real Property Director; and Patrick Donnelly, Commissioner of Finance.*

**March 28, 2016**

Steuben Tobacco Asset Securitization Corporation – Annual report from the Steuben Tobacco Asset Securitization Corporation for the fiscal year ending 12/31/2015. *Referred to: Joseph Hauryski, Steuben County Legislature Chairman.*

NYS Department of Public Service – Re: Notice of public hearings regarding New York State Electric & Gas Corporation and Rochester Gas & Electric Corporation’s proposal to close three walk-in offices. *Referred to: filed with the Clerk of the Legislature, Brenda Mori.*
March 30, 2016
New York State Association of Counties – Re: Notification of available grant funding in the FY2016 Federal Budget through the POWER (POWER+) Plus program to ensure economic stability to communities seeking clean, renewable energy sources. To submit a pre-application for funding, visit https://power.arc.gov/ or to view the complete funding announcement of the POWER+ Plan visit http://eda.gov/power/power2016funds. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

April 4, 2016
Town of Trroupsburg – Re: Correspondence letter on the reconstruction of the Cook Hollow Road Bridge. Referred to: Public Works Committee; and Vincent Spagnoletti, Commissioner of Public Works.

NYS Office for the Aging – Re: Notification of Grant Award and approved application the New York Connects Program for the period of October 1, 2015 through September 30, 2016. Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.

NYS Office for the Aging – Re: Notification of revised Grant Award and Annual Implementation plan budget for the Title III-B, Title III-C-1, Title III-C-2, Title III-D and Title III-E programs for the period of January 1, 2015 through December 31, 2015. In addition, revised Notification of Grant Awards and Annual Implementation Plan budgets for CSE, WIN, and EISEP programs for the period of April 1, 2015 through March 31, 2016. Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.

Western Regional Off-Track Betting Corporation – Re: Check #57386 in the amount of $2,489, which represents the February 2016 surcharge revenue for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

April 6, 2016
NYS Agriculture and Markets – Re: Notification of the eight (8) year review of the Steuben County Agricultural District#7 is due. Forms and review procedures are available on the following links: http://www.agmkt.state.ny.us/Programs.html and http://www.agmkt.state.ny.us/AP/agservices/agdistricts.html. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

April 11, 2016
New York State Association of Counties – Re: Announcing the 2016-2017 New York State budget provides important new opportunities for financing projects at the local government level. NYSAC encourages local governments to submit projects and funding needs at your earliest opportunity. Referred to: Jack Wheeler, County Manager.

Binghamton University – Re: Binghamton University Start-up NY Campus Plan Amendment 4 dated 3/10/2016. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 072-16

Introduced by G. Swackhamer. Seconded by R. Nichols.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ESTABLISH A TIPPING FEE FOR PUBLIC SECTOR LOADS OF MIXED MUNICIPAL SOLID WASTE DELIVERED TO STEUBEN COUNTY TRANSFER STATIONS.

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

WHEREAS, the County operates municipal solid waste transfer stations in the Towns of Erwin, Hornell and Wayland with combined registered permitted capacity of 37,500 tons per year; and
WHEREAS, the transfer stations receive a combined estimated 16,000 tons per year, making available a combined estimated 21,500 tons per year of permitted capacity; and

WHEREAS, there are local and regional public sector entities engaged in the collection of mixed municipal solid waste that are not currently delivering to County facilities; and

WHEREAS, the County desires to encourage local and regional public sector entities to contract with the County for the disposal of municipal solid waste through the County transfer stations; and

WHEREAS, the current tip fee at the transfer stations is $59.00/ton and the County wants to establish a contractual public sector tip fee of $44.00/ton delivered to said transfer stations; and

WHEREAS, for consideration of the reduced tip fee the public sector entity must enter into a three (3) year disposal agreement with provisions for renegotiating terms and conditions mutually agreed to by and of the parties for an additional two (2), one (1) year extensions with the County.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby authorize the Commissioner of Public Works to establish a contractual tip fee of $44.00/ton for disposal of mixed MSW from public sector entities at said transfer stations; and be it further

RESOLVED, the $44.00/ton tip fee will be granted upon execution of a contract with the County; and be it further

RESOLVED, the new tip fee for mixed MSW delivered at said transfer stations shall take effect on May 1, 2016; and be it further

RESOLVED, that the Legislature delegates the authority to approve public sector solid waste agreements to the Public Works Committee in accordance with this resolution; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 073-16

Introduced by G. Swackhamer. Seconded by D. Farrand.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH ALFRED STATE COLLEGE.

WHEREAS, Steuben County owns and operates a solid waste transfer facility located in the Town of Hornellsville designed and permitted for the transfer of municipal solid waste to the County landfill located in the Town of Bath; and

WHEREAS, the transfer facility is authorized to transfer 12,500 tons per year of solid waste, the transfer facility currently has excess capacity within that annual limit of approximately 9,000 tons per year, and the landfill has capacity available; and

WHEREAS, Steuben County is willing to make capacity available for the transfer of municipal solid waste from Alfred State College or from those with whom Alfred State College contracts with for the disposal of solid waste; and
WHEREAS, Alfred State College desires to contract with Steuben County to provide for the disposal of approximately 600 tons per year of municipal solid waste at a rate of $44.00/ton at the transfer station for a period of three (3) years with provisions for renegotiating terms and conditions mutually agreed to by and of the parties for an additional two (2), one (1) year extensions; and

WHEREAS, the parties are desirous of entering into an intergovernmental cooperation agreement for said purposes.

NOW, THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized to enter into an intergovernmental cooperation agreement with Alfred State College or with those whom Alfred State College contracts with for the disposal of municipal solid waste at the Steuben County Hornell Transfer Station for $44.00/ton; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 074-16

Introduced by D. Farrand. Seconded by J. Malter.

AUTHORIZING AN AGREEMENT FOR THE INSTALLATION AND OPERATION OF THE NEW YORK STATE EARLY WARNING WEATHER DETECTION SYSTEM AT THE CALL HILL TOWER SITE.

WHEREAS, The Research Foundation, on behalf of University at Albany, is the recipient of a New York State Division of Homeland Security and Emergency Services grant to support the development of the New York State Early Warning Weather Detection System; and

WHEREAS, the network will provide state and local government officials with access to real-time data and robust predictive models, enabling emergency management decision-makers to better plan and mitigate for extreme and devastating weather events; and

WHEREAS, Steuben County is the fee simple owner of a certain parcel of land, located at 942 Call Hill Road, Hartsville, New York, hereinafter referred to as the Call Hill Tower Site, deemed suitable for locating a mesonet station; and

WHEREAS, the parties recognize the benefits and importance to observe mesoscale meteorological and environmental data; and

WHEREAS, Steuben County will provide the Foundation the right to access, use and occupy, at no cost, the Site for the purposes of the Project for 30 years from the date of execution; and

WHEREAS, Installation, maintenance, operation, inspection, repair, replacement, and removal of the Facilities, and any work which may subsequently become necessary with respect thereto, shall be performed only at such time or times as may be acceptable to Steuben County or its duly authorized officer or representative.

NOW, THEREFORE, BE IT

RESOLVED, The Steuben County Legislature authorizes the County Manager to sign the said agreement and thereby bind the respective parties.
RESOLVED, that a certified copy of this resolution shall be forwarded to Director of the Emergency Management Office; and The Research Foundation for the State University of New York, 1400 Washington Ave., MSC 216, Albany, NY 12222.

Vote: Roll Call – Adopted.

RESOLUTION NO. 075-16

Introduced by R. Lattimer. Seconded by H. Lando.

DESIGNATING THE COUNTY OF STEUBEN AS THE LEAD AGENCY FOR THE SEQRA COMPLIANCE FOR THE PROPOSED REPLACEMENT OF THE STEUBEN COUNTY COURTHOUSE ROOF.

WHEREAS, the County has proposed a replacement project for the Steuben County Courthouse roof; and

WHEREAS, planning of said project necessitates compliance with the State Environmental Quality Review Act (SEQRA).

NOW THEREFORE BE IT

RESOLVED, the County of Steuben acting through its Agriculture, Industry and Planning Committee be, and the same hereby is, designated as the lead agency for purposes of compliance with SEQRA; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Planning Director.

Mr. Van Etten commented the Courthouse has a roof and we are putting another roof on. How does that have anything to do with SEQRA? Mr. Reed replied this is a Type II maintenance action and under SEQRA we are required to file a designation of Steuben County as the lead agency. Since we are represented by a Board of Legislators, the law requires a resolution.

Mr. Wheeler stated we are looking at a potentially different roofing material and that ties in both with SEQRA, as well as the State Historic Preservation Office. We are looking at more sustainable options that will also retain the historic integrity of the courthouse.

Vote: Roll Call – Adopted.

RESOLUTION NO. 076-16


ACCEPTING AND APPROPRIATING THE ELDER ABUSE AND OUTREACH PROGRAM GRANT.

WHEREAS, as part of the NYS Office for the Aging’s Elder Abuse Education and Outreach Program, (EAEOP) funding is being provided through the Monroe County Office for the Aging to be administered by Lifespan of Greater Rochester for elder abuse prevention, education and training programs across New York State; and

WHEREAS, Lifespan has awarded Steuben County $6,253.43 as requested and additionally approved the plan detail as submitted by Steuben County Department of Social Services; and

WHEREAS, the Steuben County Department of Social Services plan states EAEOP funds will help provide for training and coordination that enlists others in these efforts, easing the burden of effective response while also mobilizing
the community, and includes distribution of educational materials, training, advertising and support for previously appropriated Salary and Fringe ($2,378.43); and

WHEREAS, the partners involved in this project include the Institute for Human Services and TRIAD, a SALT Council (Seniors and Lawmen Together), a joint venture of police agencies, senior service organizations, Steuben County Office for the Aging and RSVP and older persons, designed to educate and reduce crime against our county’s older residents; and

WHEREAS, the Steuben County Office for the Aging acts as lead for the TRIAD committee and is designated to assist in 5 community trainings; and

WHEREAS, the Steuben County Department of Social Services desires to enter into a contract with the Steuben County Office for the Aging to provide and assist in the 5 community trainings, and

WHEREAS, Steuben County Office for the Aging and RSVP will utilize the funds to support TRIAD’s collaborative involvement in the 5 community trainings;

NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts and appropriates these funds in the 2016 Steuben County Budget as follows:

Expenditures:

- 677900 5440121 IHS Project CARE (OFA) $500.00
- 677900 5471000 Employee Mileage (OFA) $100.00
- 677900 5479300 Volunteer Training (OFA) $650.00
- 601000 5444000 Contracts for Services (DSS) $1,250.00
- 601000 5407200 Conference & Training $625.00
- 601000 5406000 Supplies $1,650.00
- 601000 5419100 Advertising $350.00

Revenues:

- 601000 4361000 State Revenues $6,253.43
- 677900 42801900 Interdepartmental/ Fund Revenue $1,250.00

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Commissioner of Social Services, the Director of the Office for the Aging and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 077-16

Introduced by J. Haursky. Seconded by G. Roush.

APPOINTING MEMBERS TO THE SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS.

Pursuant to Section 12.20 of the Steuben County Charter and Section 7 of the Soil Conservation District Law of the State of New York.

WHEREAS, the Chairman of the Steuben County Legislature has recommended that Robert V. Nichols, District 11, be appointed to fill the Legislative Representative Vacancy on the Soil and Water Conservation District Board of Directors.
NOW THEREFORE, BE IT

RESOLVED, that Robert V. Nichols, District 11, be appointed to fill the unexpired term of William A. Peoples, Jr. as Legislative Representative to the Soil and Water Conservation District Board of Directors through December 31, 2016; and be it further

RESOLVED, the member shall serve without compensation except for necessary expenses, upon presentation of receipts related to the fulfillment of their duties on the Soil and Water Conservation District Board of Directors; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee; the County Auditor, and the Steuben County Soil and Water Conservation District Office, 415 West Morris Street, Bath, NY 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 078-16

Introduced by B. Schu. Seconded by A. Mullen.

MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO INCREASE THE SHARE OF REVENUE COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES.

WHEREAS, 51 of the 62 New York counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office; and

WHEREAS, this local DMV operation is one of many examples of shared services that counties provide for the state; and

WHEREAS, under current law the Steuben County Clerk pays 87.3% of the fees collected from work performed by the County operated DMV to the State; and

WHEREAS, the remaining 12.7% county share has not been increased since 1999, yet the amount of work required by the local DMV offices has increased in that same time period; and

WHEREAS, local DMV offices process many no fee transactions on behalf of the state and provide numerous customer services; and

WHEREAS, the Governor and State Legislature have repeatedly stated that lowering property tax burden on local residents is a key priority; and

WHEREAS, increasing the county DMV revenue sharing rate will provide counties with needed revenue to continue to provide necessary local government services and reduce pressure on property taxes without increasing costs or fees to local residents; and

WHEREAS, there is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs, to fulfill these DMV services needed for state residents, yet the State takes 87.3% of the revenue generated from providing these services; and

WHEREAS, the New York State Association of County Clerks (NYSACC) strongly supports Senate Bill S4964B (Ritchie)/Assembly Bill A8201 (Brindisi) which would increase the DMV revenue to counties and provide a more equitable share in order to run DMV offices and help offset county property taxes.
NOW, THEREFORE, BE IT RESOLVED that the Steuben County Legislature supports New York State Senate Bill S4964B and New York State Assembly Bill A8201, which would increase the counties’ share of Department of Motor Vehicles (DMV) Revenue to provide a more equitable share for counties and to urge the NYS Senate and Assembly to approve Senate Bill S4964B and Assembly Bill A8201; and


Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7 § 105.1.F. The Medical, Financial, Credit or Employment of a Particular Person, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person and Article 7 § 105.1.D. Discussions regarding Proposed, Pending or Current Litigation made by Mr. Mullen, seconded by Mr. Malter and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Swackhamer, seconded by Mr. Van Etten and duly carried.

Motion to Adjourn made by Mr. Roush, seconded by Mr. Malter and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 23rd day of June, 2016, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present.

Mr. Mullen provided the Invocation and the Pledge of Allegiance was led by Mrs. Ferratella.

Chairman Haurski asked Teresa Stever to come forward. Ms. Stever is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 25 years of service to Steuben County.

Chairman Haurski asked Jan Kenyon to come forward. Ms. Kenyon is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a watch in recognition of her retirement with 21 years of service to Steuben County. Congratulations!

Chairman Haurski opened the floor for comments by members of the public. There being none, he declared to the opportunity for public comment closed.

Motion approving the minutes of the previous meeting(s) made by Mr. Malter, seconded by Ms. Lattimer and duly carried.

Ms. Mori reminded the Legislators to stay after the conclusion of the meeting for the group photo.

RESOLUTION NO. 079-16

Introduced by S. Van Etten. Seconded by H. Lando.

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.
Resolution No. A-1  Resolution No. A-2
Name Robert L. & Cynthia A. Folmar             Name Helen L. Rodger
Parcel No. 192.00-01-022.122                       Parcel No. 263.01-01-032.111
Municipality Town of Bradford                 Municipality Town of Hornby
Disposition Correction / Refund             Disposition Correction / Refund

Vote: Roll Call – Adopted. Yes – 9275; No – 0; Absent – 0; Abstained – 597
(Legislator Mullen abstained as client was listed on resolution)

RESOLUTION NO. 080-16

Introduced by J. Hauryiski. Secended by G. Roush.

RECEIVING AND ACCEPTING THE MAY 23, 2016 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:

April 15, 2016
NYS Assemblyman, Joseph M. Giglio – Re: Notification of the 2016-2017 State Budget includes $100 million statewide for the new PAVE-NY program ($1,011,150.07). This is in addition to the annual CHIPS aid ($4,429,818.11) and the Aid & Incentive for Municipalities (AIM) funding that was provided at the same level as last year. Referred to: Public Works Committee and Vince Spagnoletti, Commissioner of Public Works.

April 22, 2016
NYS Department of Public Service – Re: Notice of upcoming information sessions and public statement hearings on the Clean Energy Standard (CES) program. Referred to: A.I.P. Committee and Amy Dlugos, Planning Director.

April 25, 2106
NYS Department of Transportation – Re: In pursuant to the hold-harmless provision, the New York State Department of Transportation is deferring any corresponding reductions in Statewide Mass Transportation Operating Assistance (STOA) formula earnings for one additional year due to significant unforeseen circumstances related to the implementation of regionally administered Medicaid Transportation Management services. Referred to: A.I.P. Committee and Amy Dlugos, Planning Director.

April 29, 2016
Tectonic – Re: Notice of intent to request release of funds (NOIRROF) under the New York State Housing Trust Fund Corporation (HTFC) division of Homes and Community Renewal (HCR) 2015 Home LPA Program. Referred to: A.I.P. Committee and Amy Dlugos, Planning Director.

May 2, 2016
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $17,522 which represents the first quarter of 2016 ($14,864) combined with the March 2016 surcharge revenue ($2,658) for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

May 6, 2016
Labella – Re: Notification of the Round (6) funding availability through the Consolidated Funding Application (CFA) is due July 29, 2016. Referred to: A.I.P. Committee and Amy Dlugos, Planning Director.
May 9, 2016
New York State Department of Environmental Conservation – Re: Notification of the acceptance of written comments on the proposed Interim Remedial Measures (IRM) from May 5, 2016 through June 6, 2016 and fact sheet on the NYSDEC Project ID#851046 (Operable Unit 03) located at Corning Boulevard, Corning, NY 14830. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.

Corning Inc. – Re: The fact sheet for the NYSDEC Project ID#851046 located in Corning, New York. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.

May 12, 2016
New York State Association of Counties – Re: Notification of the partnership with the Solar Foundation to launch the SolSmart program. Referred to: Administration Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 081-16

Introduced by D. Farrand. Seconded by H. Lando.

PRESENTING LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2016, ESTABLISHING RESIDENCY REQUIREMENTS FOR PART-TIME ASSISTANT DISTRICT ATTORNEYS IN STEUBEN COUNTY.

WHEREAS, Public Officers Law §3 establishes residency requirements of public officers including but not limited to, Assistant District Attorneys; and

WHEREAS, Public Officers Law makes exception to the residency requirement of certain Assistant District Attorneys in specified counties, making such law a special law pertaining to the residence of the Assistant District Attorney; and

WHEREAS, the County of Steuben and County of Schuyler are desirous of entering into an inter-municipal agreement for the sharing of competent prosecutorial legal services; and

WHEREAS, absent a local law allowing for broadening the residency provisions, an Assistant District Attorney may only serve in a single county.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Two for the Year 2016, modifying the residency requirement for part-time Assistant District Attorneys in Steuben County.

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2016

A Local Law, Establishing residency requirements for part-time Assistant District Attorneys in Steuben County.

SECTION 1: INTENT

It is the intent of this local law to expand the area of residence for eligibility for the office(s) of part-time Assistant District Attorney in Steuben County, to include Steuben County or an adjoining county within the State of New York.
SECTION 2: RESIDENCY REQUIREMENT

In the County of Steuben, the provisions of Public Officers Law §3 which require a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen, or within which his or her official functions are required to be exercised, shall not prevent a person regularly admitted to practice as an attorney or counselor in the courts of record of this state from holding the office of Assistant District Attorney provided:

a. The office has been designated as “part-time”; and
b. The person resides in Steuben County or an adjourning county within the State of New York.

SECTION 3: EFFECTIVE DATE

This local law shall become effective upon filing with the New York State Secretary of State.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on June 27, 2016 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 shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 082-16


AUTHORIZING THE COLLECTION OF FINES, CIVIL PENALTIES, RENT, RATES, TAXES, FEES, CHARGES AND OTHER AMOUNTS VIA THE INTERNET.

Pursuant to Section 5 of the General Municipal Law and the Steuben County Charter, Section 2.07.

WHEREAS, it is in the public interest to provide for the acceptance of penalties, rents, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessments or interest via a municipal internet website; and

WHEREAS, the Commissioner of Finance is seeking proposals from vendors to provide the technology and software interface to enable payments to the County via the internet; and

WHEREAS, any such method used to receive internet payments shall comply with Article Three of the State Technology Law and any rules and regulations promulgated and guidelines developed thereunder; and

WHEREAS, any such method used to receive the payment of taxes via the internet shall provide a confirmation page to the taxpayer following the completion of the internet transaction and such confirmation page shall include, at least, the following: (a) the date the internet transaction was completed and sent by the taxpayer; (b) the amount paid; (c) a
unique confirmation number; and (d) a notice to the taxpayer to print out and retain the confirmation page as his or her receipt.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance and any other County Officer as designated by the County Manager is authorized to accept payments via the internet; and be it further

RESOLVED, that payments received via the internet shall be considered received by the Commissioner of Finance and paid by the taxpayer at the time the internet transaction is completed, as evidenced by the unique confirmation number assigned at the time the transaction is completed; and be if further

RESOLVED, that the underlying debt, lien, obligation, bill, account or other amount owed to the County for which payment by internet is accepted by the County shall not be expunged, cancelled, released, discharged or satisfied, and any receipt or other evidence of payment shall be deemed conditional, until the County has received final and unconditional payment of the full amount due; and be it further

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

Mr. Weaver asked is there a fee attached to make payments online? Mr. Wheeler replied yes, the user pays the fee. Mr. Donnelly explained in most cases, the fee is 2 percent. We have issued the RFP and are evaluating the responses.

Vote: Roll Call – Adopted.

RESOLUTION NO. 083-16

Introduced by G. Swackhamer. Seconded by R. Nichols.

AMENDING THE COUNTY HIGHWAY MAP.

Pursuant to Highway Law Section 115 and the Steuben County Charter, Article II, Section 2.07.

WHEREAS, upon completion of the County Route 73 over Tioga River Bridge (“the bridge”) replacement project in 2009, the County took over the 0.4 mile section of Morgan Creek Road between US 15 and “the bridge” from the Town of Lindley, and renamed the new section of County Route 73 as River Road; and

WHEREAS, the entire length of County Route 73 from its intersection with County Route 115 in Presho to its intersection with County Route 115 (previously US 15) in Lindley is currently officially named and addressed as River Road; and

WHEREAS, County Route 116 from its intersection with County Route 73 in Lindley to the Pennsylvania border is also officially named and addressed as River Road; and

WHEREAS, the Town of Lindley has passed a resolution requesting that the 0.4 mile section of County Route 73 between County Route 115 in Lindley and “the bridge” be renamed Morgan Creek Road; and

WHEREAS, the County desires to change the name of County Route 73, between County Route 115 in Lindley and County Route 116, to Morgan Creek Road to eliminate confusion for emergency services personnel arising from having two separate River Roads diverging from the same intersection (County Route 73/County Route 116 intersection).

NOW THEREFORE, BE IT
RESOLVED, that the Steuben County Legislature, duly convened, does hereby approve changing the official name of County Route 73, between County Route 115 in Lindley and County Route 116, to Morgan Creek Road and amending the County Highway Map to reflect this change; and be it further

RESOLVED, that the Commissioner of Public Works is directed to make this name change and amendment to the County Highway Map and this change shall take effect immediately; and be it further

RESOLVED, that a certified copy of this resolution shall be filed with the New York State Department of Transportation, 107 Broadway, Hornell, NY 14843, the New York State Police, the Steuben County Sheriff, the Director of the Steuben County Office of Emergency Services, the Director of the Steuben County 911 Department, and the Commissioner of the Steuben County Department of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 084-16

Introduced by B. Schu and S. Van Etten. Seconded by R. Weaver.

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS.

Pursuant to Section 261 of the Tax Law of the State of New York and the Steuben County Charter, Article II, Section 2.07.

RESOLVED, that the apportionment of tax on mortgages in the County of Steuben collected by the County Clerk from October 1, 2015 to March 31, 2016, pursuant to provisions of Section 261 of the Tax Law, as made by the Clerk of this Legislature be and the same hereby is ratified and confirmed, and the statement of such apportionment in compliance with the provisions of said Law, filed with the Commissioner of Finance of this County, is hereby and in all things ratified and confirmed and such statement shall be to the said Commissioner a sufficient Warrant for the payment by him of the various sums as apportioned for the various purposes as designed by Law; and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to the Steuben County Commissioner of Finance, the Steuben County Real Property Tax Service Agency, and the Steuben County Clerk:

MORTGAGE TAX APPORTIONMENT

The amount of money in your hands on March 31, 2016, which was received by you from the County Clerk as taxes paid to her upon the real property mortgages filed in her office since October 1, 2015, the date of the last apportionment, and which must be distributed to the various tax districts of the County of Steuben, pursuant to Section 261 of the Tax Law, is the sum of $576,899.16.

You are therefore commanded to pay the various towns and cities the amount placed opposite the name of said towns and cities and pay over to the various village officers the amount hereinafter stated to be the distributive amounts due said districts for village purposes, as follows:

MORTGAGE TAX DISTRIBUTION - May 2016

<table>
<thead>
<tr>
<th>TOWN &amp; CITIES</th>
<th>TOWN/CITY</th>
<th>AMT DUE</th>
<th>VILLAGES</th>
<th>AMT DUE</th>
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Monday, May 23, 2016
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<td>TOTAL</td>
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<td>TOTAL</td>
<td>38,348.52</td>
<td>TOTAL</td>
<td>576,899.16</td>
</tr>
</tbody>
</table>

Foregoing shall be your sufficient warrant for the payment of said sums as above directed.

DATED at Bath, New York: May ___, 2016

STEUBEN COUNTY LEGISLATURE

By: Joseph J. Hauryski, Chairman
I, Brenda K. Mori, Clerk of the County Legislature of Steuben County, DO HEREBY CERTIFY that the foregoing apportionment of Mortgage Tax, pursuant to Law, is correct.

DATED: May ____, 2016  ____________________________________
Brenda K. Mori, Clerk of the Legislature

Vote: Roll Call – Adopted.

RESOLUTION NO. 085-16

Introduced by R. Lattimer.  Seceded by C. Ferratella.

COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 7

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

WHEREAS, owners of certain land in the Towns of Canisteo, Dansville, Fremont, Hartsville, Hornellsville and Howard did submit to the Steuben County Board of Supervisors proposals to create agricultural districts within specified areas of said Towns; and

WHEREAS, said proposals were filed with the Steuben County Board of Supervisors and the appropriate procedures were thereafter followed which led to the creation of said districts to be reviewed every eight years; and

WHEREAS, District No. 7 was most recently reviewed and certified in 2009; and

WHEREAS, a Notice of Review from the State of New York Department of Agriculture and Markets has been received pursuant to said Law, and the necessary review of the Steuben County Agricultural District No. 7 is required to commence; and

WHEREAS, said review must be completed by the Review Date of February 6, 2017.

NOW, THEREFORE, BE IT

RESOLVED, that the Review period of Agricultural District No.7 located in the Towns of Canisteo, Dansville, Fremont, Hartsville, Hornellsville and Howard, 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; Chairman, Steuben County Agricultural and Farmland Protection Board; the Director of the Steuben County Planning Department; and Cornell Cooperative Extension-Steuben.

Vote: Acclamation – Adopted.

RESOLUTION NO. 086-16

Introduced by S. Van Etten. Seconded by R. Lattimer.

RATIFYING AND CONFIRMING THE NOTICE TO BIDDERS AND TERMS OF SALE 2016.

Pursuant to the Steuben County Charter, Article II, Section 2.07.

WHEREAS, on March 28, 2016 the Steuben County Commissioner of Finance was authorized and directed to establish and publish the terms and conditions of the 2016 Delinquent Tax Auction; and

WHEREAS, on May 4, 2016 the Steuben County Commissioner of Finance did present the revised Notice to Bidders and Terms of Sale 2016 to the Finance Committee of the County Legislature for review and approval; and

WHEREAS, on May 10, 2016 the said Finance Committee did unanimously approve the said revised Notice to Bidders and Terms of Sale 2016.

NOW THEREFORE, BE IT

RESOLVED, that the revised Notice to Bidders and Terms of Sale 2016 be and the same hereby is ratified and confirmed; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 087-16

Introduced by C. Ferratella and B. Schu. Seconded by H. Lando.

RECLASSIFICATION OF SENIOR ACCOUNT CLERK TYPIST, GRADE X POSITION TO A SUPERVISING CLERK, GRADE XI POSITION WITHIN THE OFFICE OF COMMUNITY SERVICES.

Pursuant to Steuben County Charter Section 2.07.

WHEREAS, this Senior Account Clerk-Typist in the Office of Community Services performs higher level account keeping; and

WHEREAS, this Senior Account Clerk-Typist will have added duties of highly responsible clerical, account-clerical, and office management duties which require an extensive knowledge of specific department functions and applicable laws, rules, policies and procedures. This Senior Account Clerk-Typist will have direct supervision over the work of supporting clerical and account-clerical employees; and

WHEREAS, a Supervising Clerk position 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:

Senior Account Clerk-Typist, Grade X ($31,880 to $45,006) to Supervising Clerk, Grade XI ($33,326 to $47,047)

AND BE IT FURTHER RESOLVED, that the 2016 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 Office of Community Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 088-16

Introduced by D. Farrand and B. Schu. Seconded by S. Maio.

RECLASSIFICATION OF TYPIST, GRADE IV POSITION TO A SENIOR TYPIST, GRADE VI POSITION WITHIN THE PROBATION DEPARTMENT.

Pursuant to Steuben County Charter Section 2.07.

WHEREAS, this Typist in the Probation Department performs basic clerical work; and

WHEREAS, this Typist will have added duties of collecting and compiling information for reports of a higher clerical level; and

WHEREAS, a Senior Typist position more appropriately performs these duties; and

WHEREAS, the Personnel Officer, the Public Safety Committee and Administration Committee have reviewed said position within the Probation Department 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 Probation Department is hereby reclassified as follows:

Typist, Grade IV ($24,825 to $35,046) to Senior Typist, Grade VI ($26,867 to $37,928)

AND BE IT FURTHER RESOLVED, that the 2016 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 Director of Probation.
Mr. Swackhamer asked why are we doing so many reclassifications? Mr. Wheeler replied we are reaching a point where we are down staff; about 350 less than six years ago. The remaining staff is assuming more responsibility. The department heads have looked at these positions and asked Personnel to review. Personnel has done a thorough review and recommended the reclassifications. We are still money ahead and the remaining staff is performing higher level job functions.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 089-16**

Introduced by D. Farrand and B. Schu. Seconded by G. Roush.

**RECLASSIFICATION OF TYPIST, GRADE IV POSITION TO A SENIOR TYPIST, GRADE VI POSITION WITHIN THE PUBLIC DEFENDER’S OFFICE.**

Pursuant to Steuben County Charter Section 2.07.

**WHEREAS,** this Typist in the Public Defender’s Office performs basic clerical work; and

**WHEREAS,** this Typist will have added duties of collecting and compiling information for reports of a higher clerical level; and

**WHEREAS,** a Senior Typist position more appropriately performs these duties; and

**WHEREAS,** the Personnel Officer, the Public Safety Committee and Administration Committee have reviewed said position within the Public Defender’s Office 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 Public Defender’s Office is hereby reclassified as follows:

Typist, Grade IV ($24,825 to $35,046) to Senior Typist, Grade VI ($26,867 to $37,928)

AND BE IT FURTHER RESOLVED, that the 2016 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 Public Defender.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 090-16**

Introduced by D. Farrand and B. Schu. Seconded by G. Roush.

**RECLASSIFICATION OF DEPUTY SHERIFF CORPORAL, GRADE XII POSITION TO A DEPUTY SHERIFF SERGEANT, GRADE XIII POSITION WITHIN THE SHERIFF’S OFFICE.**

Pursuant to Steuben County Charter Section 2.07.
WHEREAS, this Deputy Sheriff Corporal in the Sheriff’s Office performs basic and more complex Law Enforcement work; and

WHEREAS, this Deputy Sheriff Corporal will have added duties of supervising the activities of Deputy Sheriffs on an assigned shift or in a certain geographical area of the county. The work is performed under the general supervision of the Sheriff and/or Undersherriff; and

WHEREAS, a Deputy Sheriff Sergeant position more appropriately performs these duties; and

WHEREAS, the Personnel Officer, the Public Safety Committee and Administration Committee have reviewed said position within the Sheriff’s Office 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 Sheriff’s Office is hereby reclassified as follows:

Deputy Sheriff Corporal, Grade XII ($37,638 to $58,143) to
Deputy Sheriff Sergeant, Grade XIII ($39,878 to $60,299)

AND BE IT FURTHER RESOLVED, that the 2016 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.

Mr. Weaver asked for an explanation. Mr. Wheeler replied after discussing with the Sheriff, the Sergeant title allows for more supervision of staff. The ultimate goal is to move away from Corporal positions. Undersherriff Allard commented the Corporal positions are doing the responsibilities of a Sergeant position and to keep those positions listed as Corporals would leave the department at a disadvantage.

Vote: Roll Call – Adopted.

RESOLUTION NO. 091-16


AUTHORIZING THE SHERIFF TO ACCEPT A DONATION FROM THE WINEGLASS MARATHON.

Pursuant to the Steuben County Charter, Article II, Section 2.07.

WHEREAS, the Sheriff provides patrols and security for the Wineglass Marathon every year; and

WHEREAS, the Wineglass Marathon has offered to provide bicycles and uniforms for two Road Patrol Deputies.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff hereby is authorized and directed to accept the donation of (2) bicycles and (2) uniforms, including (2) helmets; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance and the Sheriff.
RESOLUTION NO. 092-16

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A DONATION FROM THE FINGER LAKES SPCA, INC.

Introduced by D. Farrand and S. Van Etten. Seconded by G. Swackhamer.

Pursuant to the Steuben County Charter, Article II, Section 2.07.

WHEREAS, the Finger Lakes SPCA, Inc. has offered to provide all necessary items to outfit a new SPCA Deputy vehicle; and

WHEREAS, the Finger Lakes SPCA, Inc. has offered to donate equipment totaling $5,000.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff hereby is authorized and directed to accept this donation; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 093-16

MEMORIALIZING THE GOVERNOR AND STATE LEGISLATURE IN SUPPORT OF BILL NO. S07209, ALLOWING FOR FLEXIBILITY IN OFF-HOUR ARRAIGNMENTS AT LOCAL COURTS.

Introduced by D. Farrand. Seconded by H. Lando.

WHEREAS, the State’s settlement of the Hurrell-Harring suit identified the presence of counsel at arraignments as a priority for the indigent defense system in New York; and

WHEREAS, with the vast geography and number of local courts in counties such as Steuben, makes achieving this goal, specifically in off-hours, unduly operationally and fiscally burdensome; and

WHEREAS, the New York State Senate has introduced Bill No. S07209, which broadens the jurisdiction of local courts to conduct off-hours arraignments in a few select locations, potentially on a rotating basis; and

WHEREAS, this bill would allow the County to partner with the County Magistrate’s Association; County Bar Association and others to develop a plan that would improve the efficiency of arraignments.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature calls upon the Governor and State Legislature to support Bill No. S07209 and enact this legislation prior to the close of the current legislative session; and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-Leader, 913 Legislative Office Building, Albany, NY 12247;

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 Mr. Mullen, seconded by Mr. Farrand and duly carried.

RESOLUTION NO. 094-16

Introduced by G. Swackhamer. Seconded by B. Schu.

MATTER(S) PERTAINING TO THE SETTLEMENT OF CLAIM(S) BY OR AGAINST THE COUNTY.

Pursuant to Article 5 of the County Law of the State of New York; General Municipal Law 6-n; Steuben County Charter Article II, Section 2.07 (12); and Administrative Code Part IX (C) (2).

WHEREAS, the following civil action has been initiated in the U.S. Equal Employment Opportunity Commission (EEOC):

JENNIFER (CARLSON) REED,

Plaintiff,

v.

THE COUNTY OF STEUBEN, NEW YORK,

Defendant.

; and

WHEREAS, the parties are desirous of settling the claim arising from the recited EEOC charge.

NOW THEREFORE, BE IT

RESOLVED, the County does hereby ratify the Settlement Agreement and General Release to be executed by the respective parties to the above-entitled claim requiring the payment of Two Hundred Twenty Five Thousand Dollars ($225,000.00) on the part of the County, and any necessary documents, the Chairman to execute on behalf of the County; and be it further
RESOLVED, the County Attorney or counsel designated by him shall make application to Supreme Court for approval of the recited settlement terminating the litigation of the above-entitled claim; and be it further

RESOLVED, the County does hereby ratify the settlement of the above-entitled claim in the amount of Two Hundred Twenty Five Thousand Dollars ($225,000.00); and be it further

RESOLVED, the within resolution shall be reported out promptly following the Supreme Court’s approval of the recited settlement; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Phillips Lytle LLP, Attention: James R. Grasso, Esq., One Canalside, 125 Main Street, Buffalo, New York 14203-2887; and Scott Sprague, Steuben County Risk Manager.

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

Motion to Adjourn made by Mr. Roush, seconded by Mr. Swackhamer and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on the 27th day of June, 2016, 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 for Legislator Booth.

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

The Clerk of the Legislature read the following Memoriam:

ROBERT L. McALLISTER
1919 – 2016

The death of our former colleague, Bob McAllister, who passed away on June 16, 2016, is acknowledged by this Legislature with sadness.

Born in Olean on November 21, 1919, to Linnie and Patrick McAllister, Bob was raised in Hornell and graduated from St. Anne’s Parochial School and Hornell High School where he met his wife, Lois Granger. They were married in Hornell on April 21, 1943, and celebrated their 67th anniversary in 2010 before Lois passed away in November of that year.

Following his graduation from Niagara University, Bob served in World War II as Message Center Chief in the Signal Company assigned in support of the Army’s 301st heavy bombardment wing in Tunisia and Italy. He was a cryptologist and was awarded the Bronze Star for outstanding service. After the war, Bob and Lois moved to Ithaca where he earned his law degree from Cornell University in 1948. They then settled in Wayland where Bob was a partner of Attorney Edward Gilroy, and later established his own successful law practice.

Bob served his community in many different aspects; as Justice of the Peace, Village Attorney, attorney for Wayland, Naples and Cohocton Central School Districts, trustee for Wayland Free Library and was the Wayland Town Supervisor. He was also a member of the Steuben County Board of Supervisors from 1960 to 1965, where he served as a member of the Grade Crossings Committee, Insurance & Laws Committee, Equalization Committee, Veterans’ Service Committee, Appropriations Committee and the Fire Council. He was dedicated and generous to St. Joseph’s Church and School, to the Vincent House and to the St. Vincent DePaul Society in Wayland and was a lifelong member of the Wayland Lion’s Club.

Public service and community spirit were important to Bob; he will be remembered for his many contributions to Wayland and Steuben County, which were always characterized by faith, good will and loyalty, as well as a high regard for others.

The members of this Steuben County Legislature respectfully move that the above “Memoriam” be spread upon the minutes of this meeting and that the Clerk of the Legislature forward a copy of this Memoriam to his children: Linnie, Mary, Robert, Margaret, Anne, Patrick, Jo Ellen, Elise, Catherine and Therese, as an expression of the sympathy felt by this Legislature on the passing of their loved one.

Adopted by rising silent affirmation.
Chairman Hauryski asked Diane Putnam to come forward. Ms. Putnam is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Hauryski asked Peter Mohr to come forward. Mr. Mohr is an employee in the Department of Social Services. He presented him with a Certificate of Appreciation and a pin in recognition of his 25 years of service to Steuben County.

Chairman Hauryski asked Stephanie Easterbrook to come forward. Ms. Easterbrook is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 25 years of service to Steuben County.

Chairman Hauryski asked Susan Neu to come forward. Ms. Neu is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 30 years of service to Steuben County.

Chairman Hauryski asked Patricia Kelly to come forward. Ms. Kelly is an employee in the Buildings & Grounds Department. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 33 years of service to Steuben County.

Chairman Hauryski asked Cynthia Spallone to come forward. Ms. Spallone is an employee in the Probation Department. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 38 years of service to Steuben County.

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

Wayne Wells, Cameron, stated he is disturbed about the efforts of the scientific community not being fully appreciated by politicians. An example of this is the use of fossil fuels driving global warming. Approximately half of tribal politics believe global warming to be a hoax. Science is defined as the knowledge about, or the study of, the natural world. He would appeal to our sense of sanity that no matter how passionate you may be on many issues, we must let scientific data help us make our determinations.

Kristin Klemenz, Owner of B&W Towing, Painted Post, thanked the Legislature for reopening the bid for towing on limited access highways. In addition, she would also ask that this just be a simple rotation for all interested companies. This would allow for a more efficient response and would also be favorable for new companies just getting started. There are several counties, including Allegany and Livingston, that do a rotation. We already do a rotation for non-limited access highways and that process seems to be going well. She asked the Legislature to consider this option.

Roger Miller, Vice President, Bill Carpenter Service, Dansville, stated whoever wrote this 32-page RFP knows nothing about the towing business. There are many contradictions throughout the document. In Livingston County they have a rotating list and the application was three pages. Before you close the submission of RFP’s on July 21, 2016, you need to clarify the document and revisit what it is that you are trying to do.

Robert Dickinson, Cajun Towning, Arkport, stated this system is really not working. The rotating list is an effort to try to make it work, but it really is not working. Four years ago when David Cole took over as Sheriff, he asked to meet with the tow companies to set up something that would work. Allegany County has no package and he can tow anywhere in the county. They don’t ask me to justify that I have insurance or ask me to resubmit an application package every three years. He stated that he cannot come into Steuben County because of what has been done in this room. We go to the Public Safety &
Corrections Committee meetings and we are not allowed to voice our opinion. Why is it that the County wants to get so far up in my towing business, but yet there is no freedom of speech?

Chairman Hauryski thanked everyone for their comments and 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 for the Public Hearing relative to hearing public comments on the community development needs of Steuben County and to discuss the possible submission of one or more Community Development Block Grant applications for the 2016 program year. Chairman Hauryski asked if anyone wished to address the Legislature relative to this Public Hearing.

Kathleen Dear, Labella Associates, informed the Legislature that their company was hired by Green Acres Mobile Home Park to prepare an application for Community Development Block Grant funding. Green Acres is in the process of purchasing the mobile home park from the current owner and becoming a cooperative. Once they do that, they will become responsible for the infrastructure, and currently there are some significant issues with the water and sewer system. With the water system, the current 1” lines are inadequate to serve the number of homes and needs to be upgraded. The sewer system is comprised of several septic tanks, a number of which are failing. The best approach to fixing this issue is to construct a public collection system and connect it to the City of Hornell. As a private entity, they are not allowed to apply for these funds and need a municipal sponsor. The Town of Hornellsville declined to sponsor and they have asked the County to sponsor. The Town of Hornellsville held a public hearing and authorized the County to sponsor the submission of the application.

Andrea Miller of the PathStone Corporation in Rochester, stated their organization is helping the residents of Green Acres to become a resident-owned community. They require $2.8 million in infrastructure needs and we are looking for your support to sponsor their application for funding from the Community Development Block Grant.

Chairman Hauryski thanked everyone for their comments and declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Upon Local Law Tentatively No. Two for the Year 2016, Establishing Residency Requirements for Part-Time Assistant District Attorneys in Steuben County. Chairman Hauryski asked if anyone wished to address the Legislature relative to this Public Hearing. There being no comments, he declared the Public Hearing closed.

Motion adopting the minutes of the previous meeting(s) made by Mr. Van Etten, seconded by Mr. Mullen and duly carried.

Mrs. Ferratella stated that she would like to thank Commissioner Muller and her staff for a successful Foster Parent Recognition Dinner. She also congratulated Legislator Mullen and his wife on the adoption of their son.

RESOLUTION NO. 095-16

Introduced by S. Van Etten. Seconded by R. Nichols.

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 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, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to execute the necessary documentation to convey the recited parcel(s) to the grantee(s) upon receipt of the consideration indicated, pursuant to Real Property Tax Law §1166 and as approved by the Steuben County Finance Committee on April 12, 2016; and be it further

RESOLVED, the said grantee(s) must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be, and as upon the "Notice to Bidders and Terms of Sale 2016" as applicable; 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; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, the grantee(s), and Counsel for the Mortgagee.

SCHEDULE "A"

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Name</th>
<th>Parcel No.</th>
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<tbody>
<tr>
<td>A-1</td>
<td>Fairside Apartment Ltd Partnership</td>
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<td>Village of Bath</td>
<td>Court-ordered Refund 2016</td>
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<tr>
<td>A-2</td>
<td>Fairside Apartment Ltd Partnership</td>
<td>159.10-02-001.200</td>
<td>Village of Bath</td>
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SCHEDULE "B"

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<th>Resolution No.</th>
<th>Former Owner</th>
<th>In Rem Index No.</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Grantee(s)</th>
<th>Grantee(s) Address</th>
<th>Mortgagee’s Counsel</th>
<th>Consideration</th>
</tr>
</thead>
</table>

Vote: Roll Call – Adopted.
RESOLUTION NO. 096-16

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE JUNE 27, 2016 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:

May 16, 2016
New York State Homes and Community Renewal – Re: Single Audit Management Decision letter for the fiscal year period ending December 31, 2014. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

May 19, 2016
Municipal Electric & Gas Alliance (MEGA) – Re: SolarCity is the preferred provider for solar procurement. Referred to: Administration Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.

May 31, 2016
New York State Department of Transportation – Re: Notification of approval of the 2015-2016 Consolidated Grant Application through the New York State Department of Transportation (NYSDOT) and the Federal Transit Administration (FTA). Referred to: Amy Dlugos, Planning Director.

June 2, 2016
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,855, which represents the April 2016 surcharge revenue for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

June 3, 2016
NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the first quarter SFY 2016-2017 Statewide Mass Transportation Operating Assistance (STOA) payments. Referred to: Amy Dlugos, Planning Director.

June 6, 2016
Everpower – Re: Announcement of upcoming submittal of the Preliminary Scoping Statement (PSS) to the New York State Board on Electric Generation, Siting and the Environment (Siting Board) for the Baron Winds Project. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

June 7, 2016

June 13, 2016
NYS Department of Public Service – Re: Notification of public statement hearings on the proposed increases for the National Fuel Gas Distribution Corporation’s (NFG) gas delivery rates. Referred to: filed with the Clerk of the Legislature, Brenda Mori.

June 15, 2016
City of Corning – Re: Notification of the Corning City Council unanimously approved the agreement to dispose of solid waste at the Erwin Transfer Station. Referred to: Public Works Committee; and Vince Spagnoletti, Commissioner of Public Works.
Nextera Energy – Re: Eight Point Wind, LLC (Eight Point Wind Energy Center Project) has proposed to be located in the southwestern part of Steuben County and intends to comply with the New York State’s General Code of Conduct agreement for the Wind Farm Development. **Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Alan Reed, County Attorney.**

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 097-16**

Introduced by B. Schu. Seconded by H. Lando.

**FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2016, ESTABLISHING RESIDENCY REQUIREMENTS FOR PART-TIME ASSISTANT DISTRICT ATTORNEYS IN STEUBEN COUNTY.**

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on May 23, 2016, County of Steuben Local Law Tentatively No. Two for the Year 2016, Establishing residency requirements for part-time Assistant District Attorneys in Steuben County, making the final adoption of said Local Law subject to a Public Hearing to be held on June 27, 2016; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on June 27, 2016, at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Two for the Year 2016, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

**COUNTY OF STEUBEN LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2016**

A Local Law, Establishing residency requirements for part-time Assistant District Attorneys in Steuben County.

**SECTION 1: INTENT**

It is the intent of this local law to expand the area of residence for eligibility for the office(s) of part-time Assistant District Attorney in Steuben County, to include Steuben County or an adjoining county within the State of New York.

**SECTION 2: RESIDENCY REQUIREMENT**

In the County of Steuben, the provisions of Public Officers Law §3 which require a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen, or within which his or her official functions are required to be exercised, shall not prevent a person regularly admitted to practice as an attorney or counselor in the courts of record of this state from holding the office of Assistant District Attorney provided:

a. The office has been designated as “part-time”, and
b. The person resides in Steuben County or an adjoining county within the State of New York.

c. The office has been designated as “part-time”, and
d. The person resides in Steuben County or an adjoining county within the State of New York.

**SECTION 3: EFFECTIVE DATE**

This local law shall become effective upon filing with the New York State Secretary of State.
AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on June 27, 2016 at 10:00 A.M. at the Legislative Chambers, 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. Two for the Year 2016, 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, District Attorney, Personnel Officer, County Attorney and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 098-16

Introduced by D. Farrand.  Seconded by J. Malter.

AUTHORIZING THE STEUBEN COUNTY DISTRICT ATTORNEY TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER COUNTY FOR A PART-TIME ASSISTANT DISTRICT ATTORNEY.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the Public Safety and Corrections Committee approved an Inter-Municipal Agreement with Schuyler County for sharing the provision of an Assistant District Attorney; and

WHEREAS, the Assistant District Attorney position is appropriated in the 2016 District Attorney budget; and

WHEREAS, Steuben County has agreed to support 50% of this position not to exceed $50,000; and

WHEREAS, the term of the agreement shall commence July 1, 2016 through June 30, 2017, with the option to renew and a sixty (60) day opt out provision; and

WHEREAS, it is desirable and in the best interest of the County to enter into the agreement to share the recited services with a neighboring county.

NOW THEREFORE, BE IT

RESOLVED, that this Legislature approves an Agreement with Schuyler County for a shared Assistant District Attorney; and be it further
RESOLVED, that the District Attorney is hereby authorized to sign the Inter-Municipal Agreement with Schuyler County; such agreement being subject to the approval of the County Attorney; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Tim O’Hearn, Schuyler County Administrator, 105 Ninth Street, Unit 37, Watkins Glen, NY 14891; Dennis A. Fagan, Chair of the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, N.Y. 14891; Joseph G. Fazzary, District Attorney; 105 Ninth Street, Unit 26, Watkins Glen, NY 14891; the Steuben County District Attorney; Personnel Officer; Commissioner of Finance; County Attorney; and County Manager.

Vote: Roll Call – Adopted.

RESOLUTION NO. 099-16


ACCEPTING FEDERAL 5311 CAPITAL PROJECTS FUNDING, AND ADJUSTING VARIOUS CAPITAL PROJECT ACCOUNTS.

WHEREAS, the Planning Department is responsible for the administration of grants, contracts, and finances related to the countywide bus system; and

WHEREAS, due to the multi-year funding cycles of these state and federal grants, these funds should be placed in capital projects to allow for more efficient tracking of expenditures; and

WHEREAS, Steuben County has been approved for a grant of funds by the New York State Department of Transportation pursuant to Section 53 Federal Programs, Title 49, United States Code, under a Supplemental Agreement to Comptroller’s Contract #C003788, Section 5311 Capital; and

WHEREAS, the specific funds awarded are as follows:

<table>
<thead>
<tr>
<th>PIN</th>
<th>Description</th>
<th>Project Cost</th>
<th>Federal Share</th>
<th>State Share</th>
<th>Local Share</th>
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</thead>
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<tr>
<td>6795.35.304</td>
<td>Support vehicle</td>
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<td>$40,000</td>
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<tr>
<td>6796.34.304</td>
<td>replacement buses</td>
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<td>$360,000</td>
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<tr>
<td>6795.36.304</td>
<td>Mobility Management</td>
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<td>$401,499</td>
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<td>6795.80.104</td>
<td>Transp. Research &amp; Planning</td>
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<td>$31,906</td>
<td>$25,525</td>
<td>$3,191</td>
<td>$3,190</td>
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</tbody>
</table>

WHEREAS, Steuben County and the State of New York will be entering into an agreement which authorizes the undertaking of the Projects and payment of the federal and state shares.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is directed to modify the Bus Operations Capital Project (5630H1) to reflect additional appropriations and revenues of $500,000, to establish a capital project entitled ‘Mobility Management Services Capital Project’ (5630H2) and appropriate $501,811 of revenues and expenditures and to establish a capital project entitled ‘Transportation Research Capital Project’ (5630H3) and appropriate $63,749 of revenues and expenditures; and be it further
RESOLVED, that the Planning Director is hereby authorized to sign any and all agreements with the State of New York, third party subcontractors, and any vendors for the purposes of fulfilling the grant requirements; and be it further

RESOLVED, that Steuben County certifies through this Resolution that the local share for the support vehicle and the replacement buses shall be provided by First Transit; and be it further

RESOLVED, that Steuben County certifies through this Resolution that the local share for Mobility Management and the Transportation Research & Planning Project shall be provided by the Institute for Human Services, Bath NY; and be it further

RESOLVED, that four certified copies of this resolution shall be sent to Amy Dlugos, Planning Director.

Mr. Mullen asked for a description of the project. Mr. Wheeler replied this is for the transportation bus program that we sponsor and the funding is run through the County. The local share is picked up from the companies receiving the buses.

Vote: Roll Call – Adopted.

RESOLUTION NO. 100-16

Introduced by R. Lattimer. Seconded by H. Lando.

APPROVING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION THROUGH THE CONSOLIDATED FUNDING APPLICATION PROCESS.

WHEREAS, it is in the best interests of Steuben County to maintain its housing stock; and

WHEREAS, this Legislature remains committed to furthering fair housing in Steuben County; and

WHEREAS, residents of the former Green Acres Mobile Home Park in the Town of Hornellsville, have obtained funding and made the necessary investments to purchase said mobile home park that is now known as The Woodlands Community, Inc.; and

WHEREAS, The Woodlands Community, Inc. development needs significant infrastructure upgrades, including sewer and water lines, to remain habitable; and

WHEREAS, The Woodlands Community, Inc. has secured some funding for infrastructure improvements but is still in need of further funding; and

WHEREAS, Community Development Block Grant funding for water and sewer infrastructure is available through the Southern Tier Regional Economic Development Council Consolidated Funding Application process; and

WHEREAS, the Town of Hornellsville intends to adopt a resolution authorizing Steuben County to apply on their behalf and enter into a cooperation agreement with Steuben County.

NOW THEREFORE BE IT,

RESOLVED, that the Steuben County Planning Department shall assist with the preparation of a grant application not to exceed $1 million for the improvement of water and sewer infrastructure at The Woodlands Community, Inc. in the Town of Hornellsville; and be it further
RESOLVED, that the County Manager, Steuben County, New York, is hereby authorized as the official representative of Steuben County to execute and submit a Consolidated Funding Application for Community Development Block Grant and/or other funding to the administrative agency for the Fiscal Year 2016 program, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required; and be it further

RESOLVED, that the County Manager is hereby authorized to execute a cooperation agreement with the Town of Hornellsville.

Mr. Swackhamer stated at one time, Green Acres was one of the most beautiful mobile home parks in the County. The residents of the park want to take the park over, develop it and make it great again. It is to our advantage to sponsor their application.

Mr. Mullen asked what will be the effect of County sponsorship? Mr. Wheeler replied the cost is negligible, and really it is more time on our end. A municipality needs to sponsor the application and the Town of Hornellsville declined and the mobile park has asked the County to sponsor. The Planning Department will need to work on the paperwork and do site visits to make sure everything is going well. We have done this for other grant applications.

Mr. Mullen asked what is the role of Labella? Mr. Wheeler replied they are working for the mobile home park community.

Ms. Fitzpatrick commented it bothers her that we are applying for a grant which equates to $30,000 per resident to clean up things the previous owner should have done. Mr. Weaver stated the biggest issue was that the park was in foreclosure and nobody was running the park. Mr. Swackhamer stated the bank owned the park for a number of years and the membership decided to purchase and make it a community in order to do the upgrades.

Mr. Van Etten asked we assume no responsibility or liability by doing this? Mr. Wheeler replied in his view, no. We have done this with World Kitchen, Arbor Development and others. He is assuming that the contract, if awarded, will be the same as in the past. Based on prior history with these applications, there has never been a liability concern. Mr. Weaver asked is this application similar to the CDBG Well and Septic System program? Mr. Wheeler replied yes, this will be the same type of project.

Mr. Mullen asked when the residents purchased the park, they were not taking into account the value of the grant? Does the bank benefit from this grant? Mr. Swackhamer stated the purchase contract is all ready to be signed. This is above and beyond their deal with the bank. Mrs. Lando asked what happens if they don’t receive the grant? Mr. Swackhamer replied they will function as they are and look for other funding sources.

Mr. Swackhamer stated he will be abstaining as he is a partial owner of one of the homes in the park.

Vote: Roll Call – Adopted. Yes – 8828; No – 0; Absent – 593; Abstained – 451.
(Absent – Legislator Booth; Abstained – Legislator Swackhamer)

RESOLUTION NO. 101-16


AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A DONATION FROM THE SGT. DEVIN SNYDER MEMORIAL FUND FOR INSERTS FOR THE TWO K9 VEHICLES.

Pursuant to Section 2.07 of the Steuben County Charter.
WHEREAS, the Sgt. Devin Snyder Memorial Fund has offered to provide all necessary equipment (back seat assembly that includes the area for the K9 to ride in the vehicle, caged area for one prisoner to ride with the K9 in use) for the two new K9 vehicles; and

WHEREAS, the value of this equipment will be between $5,000-$10,000.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Sheriff is hereby authorized to accept the donation of equipment for the two K9 vehicles from the Sgt. Devin Snyder Memorial Fund; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Sgt. Devin A. Snyder Memorial Fund, c/o Edward & Dineen Snyder, 14 North Dansville Street, Cohocton, NY 14826, the Commissioner of Finance and the Steuben County Sheriff.

Vote: Roll Call – Adopted.

RESOLUTION NO. 102-16

Introduced by D. Farrand and S. Van Etten. Seconded by G. Swackhamer.

AUTHORIZING THE CREATION OF A CAPITAL PROJECT ACCOUNT FOR LAW ENFORCEMENT PARK DONATIONS.

WHEREAS, the Sheriff would like to accept donations from the public to construct a Law Enforcement Memorial Park at the Public Safety Building; and

WHEREAS, the Sheriff will pay for brick pavers, construction of a statue and construction of a waterfall for the Law Enforcement Memorial Park out of this account; and

WHEREAS, it has been established that these donated funds will only be used for the Law Enforcement Memorial Park.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized and directed to set up account number 3110H3 to appropriate donations; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 103-16

Introduced by G. Swackhamer. Seconded by R. Nichols.

AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A HOUSEHOLD HAZARDOUS WASTE GRANT.

WHEREAS, the people of Steuben County have a need to dispose of household hazardous waste; and
WHEREAS, the State of New York, herein called the “State”, provides 50% financial aid towards the total cost of the HHW collection event; and

WHEREAS, Steuben County, herein called the “Municipality” has examined and duly considered the applicable laws of the State and the Municipality deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a contract by and between the State and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT

RESOLVED, by the Steuben County Legislature as follows:

1. The filing of an application in the form required by the State in conformity with the applicable laws of the State including all understanding and assurances contained in said application is hereby authorized.
2. The Commissioner of the Department of Public Works or his designee is directed and authorized as the official representative of the Municipality to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State.
3. The Municipality agrees that it will fund the entire cost of the said HHW collection event and will be reimbursed by the State for its share of such cost.
4. The Municipality or Municipalities set forth their respective responsibilities by attached joint resolution relative to a joint program.

AND BE IT FURTHER RESOLVED, this resolution shall take effect immediately; and be it further

RESOLVED, Five (5) certified copies of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 104-16


AUTHORIZING THE ACCEPTANCE OF PAVE NY FUNDING.

WHEREAS, the Public Works Department is scheduled to receive $1,011,150.07 in funding from New York State’s “Pave NY” program; and

WHEREAS, there is a need to repair 8.65 miles of County Route 113, Bath/Urbana; and

WHEREAS, there is a need to repair .77 miles of County Route 93, Wayland.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized and directed to accept $1,011,150.07 in “Pave NY” funding; and be it further

RESOLVED, to appropriate $914,000 of said funding to D 511200, Permanent Improvements, 5 251 022, CR 113 – Bath / Urbana; and be it further
RESOLVED, to appropriate $97,150.07 of said funding to D 511200, Permanent Improvements, 5 251 023, CR 93 – Wayland; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 105-16

Introduced by G. Swackhamer. Seconded by R. Nichols.

AUTHORIZING THE REDUCTION OF THE TIP FEE FOR TRANSFER TRAILERS TO THE BATH LANDFILL.

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

WHEREAS, the County estimates that 30,000 to 40,000 tons of waste is being exported from Steuben County to lower priced, out-of-county, privately-operated landfills; and

WHEREAS, there are solid waste transfer stations operating outside of the County that transfer part of this waste; and

WHEREAS, it is determined to be in the best interest of the County that regional transfer stations utilize the Bath Landfill; and

WHEREAS, the current tip fee at the Bath Landfill for transfer trailer loads of mixed municipal solid waste (MSW) is $35.00/ton and the County determines it to be prudent and economically responsible to establish a $33.00/ton tip fee for transfer trailer loads of mixed MSW, retroactive to June 6, 2016; and

WHEREAS, for consideration of the reduced tip fee the customer will be required to sign a three year disposal agreement; and

WHEREAS, for consideration of the reduced tip fee the customer must submit a copy of its facility’s operating permit/registration issued by the permitting authority with jurisdiction for the facility.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby authorize the Commissioner of Public Works to establish the tip fee of $33.00/ton at the Bath Landfill for loads of mixed MSW from permitted/registered transfer stations; and be it further

RESOLVED, the tip fee will be granted upon execution of the disposal agreement and verification of the appropriate transfer station operating permit/registration; and be it further

RESOLVED, the new tip fee for mixed MSW on transfer trailers from transfer stations shall be retroactive to June 6, 2016; and be it further

RESOLVED, these modifications shall apply to private individuals, businesses, industry, commercial haulers and local political subdivisions of the State of New York; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works.
RESOLUTION NO. 106-16

APPROVING AN AGREEMENT FOR ACCEPTANCE OF ELECTRONIC PAYMENTS.

Pursuant to the Steuben County Charter, Article II, Section 2.07.

WHEREAS, the Finance Committee, on November 10, 2015, authorized the Commissioner of Finance, in conjunction with the Purchasing Director, to issue a Request for Proposal to provide for the online acceptance of credit card payments and for a swipe-card payments system; and

WHEREAS, the Commissioner of Finance and the Director of Purchasing reviewed the proposals, with participation from various Departments within the County using or interested in using the recited products; and

WHEREAS, it was determined that the products and services offered by Value Payment Systems Inc. in its Response dated February 4, 2016 fit the needs of the various Departments of the County; and

WHEREAS, on June 14, 2016 the Administration and Finance Committees approved the recommendation of the Commissioner of Finance to accept the Response to the RFP from Value Payment Systems, Inc.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is hereby authorized to execute an agreement for services with Value Payment Systems, Inc.; and be it further

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

RESOLUTION NO. 107-16

AUTHORIZING THE COUNTY TO PARTICIPATE IN TAX CERTIORARI PROCEEDINGS IN THE TOWN OF ERWIN.

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

WHEREAS, it is in the interest of the County to participate in the appraisals for Tax Certiorari Proceedings where the equalized full value is in excess of $2 million for roll section one and six parcels as previously set forth in Resolution 010-93, as amended in Resolution 132-03, and as amended in Resolution 047-12; and

WHEREAS, a requesting assessing unit should have completed in due course a town/city wide reassessment program and filed a cyclical reassessment plan; and

WHEREAS, the Town of Erwin has recently completed a cyclical reassessment plan and has further requested the County to participate in one (1) Tax Certiorari Proceeding pursuant to the County’s participation policy; and

WHEREAS, the recited requests comply with the policy of the County to so participate; and
WHEREAS, the counsel for the Town of Erwin has submitted initial preliminary appraisal estimates of $3,750 together with a court-ready appraisal estimate of $4,000 for a total estimate of $7,750 together with additional costs for expert testimony at a rate of $150/hr.; and

WHEREAS, the Real Property Tax Service Agency has computed the County’s share of participation as set forth under the County’s policy to participate at $1,240, plus charges to provide testimony in Court at $150/hr.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized and directed to disburse to the properly credentialed and retained appraiser(s) a total sum not to exceed $2,500 in and for the recited proceeding; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Real Property Tax Service Agency; Commissioner of Finance; Rita McCarthy, Erwin Town Manager, 310 Town Center Road, Painted Post, New York 14870; and David English, Esq., Counsel for the Town of Erwin, 215 Watauga Avenue, Corning, New York 14830.

Mr. Mullen asked what property does this refer to? Mr. Van Etten replied this is the Old Ramada Inn.

Mr. Roush stated that he will be abstaining as he is a member of the Erwin Town Board.

Vote: Roll Call – Adopted. Yes – 8556; No – 0; Absent – 593; Abstain – 723.
(Absent – Legislator Booth; Abstain – Legislator Roush)

RESOLUTION NO. 108-16

Introduced by B. Schu. Seconded by K. Hanna.

AUTHORIZING AN AMENDMENT TO THE LEASE FOR THE OLD HEALTH CARE FACILITY WITH CENTERS HEALTH CARE.

WHEREAS, an agreement was entered into dated July 1, 2014 between the County of Steuben and Centers Health Care for the premises located at 6979-7007 Rumsey Street Extension, Bath, New York; and

WHEREAS, the parties have mutually agreed that the purpose of this addendum is to include $8,650.60 for 2016 Taxes and Insurance; and

WHEREAS, the County has agreed to cover these costs in consideration of the county’s occupancy of the premises.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is authorized to execute an amended lease agreement with Centers Health Care in the amount of $8,650.60 for 2016 Taxes and Insurance; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager.

Mr. Mullen asked was this originally planned for? Mr. Wheeler replied we have an agreement with Centers to maintain the Old Health Care Facility and to pay the utilities. They approached us and indicated that there were additional costs to them even though they are not using the facility. There is an additional cost to the County, but only for the short-term as we are in the process of constructing a Records facility. This is significantly less expensive as opposed to having a straight lease. This is a partnership with Centers as we currently do not have a place to store our records.
Mr. Mullen asked how long was the lease? Mr. Wheeler replied he believes it is open-ended. Mr. Swackhamer stated we discussed this in Finance. It was no surprise that this was going to come. We are ahead of the game and should pay until we get our new building up.

**Vote:** Roll Call – Adopted. Yes – 7689; No – 1590; Absent – 593.
(No – Legislators Maio, Mullen and Weaver; Absent – Legislator Booth)

RESOLUTION NO. 109-16

Introduced by B. Schu.

Seconded by R. Lattimer.

AUTHORIZING THE ADDITION OF AN INTERNSHIP POLICY INTO THE ADMINISTRATIVE CODE.

Pursuant to Section 2.07(6) of the Steuben County Charter.

**WHEREAS**, the Steuben County Administrative Code, adopted in 1985 and amended various times since, details policies and procedures of Steuben County; and

**WHEREAS**, Internships can benefit both the participant and the County by promoting the exchange of information and education, exposing students to County government and encouraging careers in public service; and

**WHEREAS**, the County Manager has drafted an Internship Policy after researching, evaluating, and considering examples of effective Internship Policies; and

**WHEREAS**, the County Manager recommends adding the Internship Policy to the Administrative Code in an effort to facilitate Steuben County’s offering of internship opportunities for students enrolled in undergraduate and graduate programs at area colleges and universities; and

**WHEREAS**, the Internship Policy is further intended to outline various responsibilities and ensure student workers have a productive experience with the County; and

**WHEREAS**, the draft Internship Policy has been distributed to the Legislature for review; and

**WHEREAS**, the Administration Committee has reviewed the proposed changes and recommends approval by the Legislature.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Administrative Code is hereby amended to include the Internship policy; and be it further

**RESOLVED**, the revised Administrative Code will be made available via the Steuben County intranet, and employees and staff will be notified of said revisions; and be it further

**RESOLVED**, certified copies of this resolution shall be forwarded to the County Manager, Personnel Officer, and County Attorney.

**Vote:** Roll Call – Adopted.

RESOLUTION NO. 110-16

Introduced by B. Schu.

Seconded by J. Malter.

AMENDING THE MANAGEMENT SALARY PLAN.
WHEREAS, on a regular basis the Management Salary Plan needs to be reviewed and updated to account for the ever-changing nature of county government operations and staffing; and

WHEREAS, as a result of the recent review, the County Manager and Personnel Officer have made recommendations to account for changes that have occurred since the Management Salary Plan was last reviewed, most notably, the adoption of the Steuben County Charter; and

WHEREAS, the recommended changes include updated policies and procedures, roles and responsibilities, title additions and deletions; and

WHEREAS, no salary adjustments are required as a result of these amendments; and

WHEREAS, the Administration Committee has reviewed and approved the recommended changes.

NOW THEREFORE, BE IT

RESOLVED, the Management Salary Plan is hereby amended as presented by the County Manager and Personnel Officer; and be it further

RESOLVED, the changes do not result in a change to the 2016 salaries of the individuals within the positions; and be it further

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

Mr. Mullen asked is it a requirement under the Charter that the legislative committees no longer have input on the plan? Mr. Wheeler replied no, that is referencing the evaluations. The committees do not directly have input, but you would in your discussion with the Chair. The evaluations for the Clerk of the Legislature, County Attorney and County Manager will be conducted by the Chairman of the Legislature.

Mr. Mullen stated he would not think that it was a good idea to tie the salary ranges to the Union contract as he believes there would be a conflict of interest with the primary negotiators being Management. Mr. Wheeler stated that provision was added by resolution adopted in 2006. Ultimately, the Legislature has the ability to not give raises every year. The salary grid changes if the CSEA grid changes. We are frugal and we represent you when we are negotiating.

Vote: Roll Call – Adopted. Yes – 8683; No – 597; Absent – 593.
(No – Legislator Mullen; Absent – Legislator Booth)

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 and Article 7§ 105.1.F. The Medical, Financial, Credit or Employment of a Particular Person, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person made by Ms. Lattimer, seconded by Mr. Swackhamer and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Mullen, seconded by Mrs. Lando and duly carried.

RESOLUTION NO. 111 – 16

Introduced by G. Swackhamer.  Seconded by S. Maio.

MATTER(S) PERTAINING TO THE SETTLEMENT OF CLAIM(S) BY OR AGAINST THE COUNTY.
Pursuant to Article 5 of the County Law of the State of New York; General Municipal Law 6-n; Steuben County Charter Article II, Section 2.07 (12); and Administrative Code Part IX (C) (2).

WHEREAS, the following civil action has been initiated in the U.S. Equal Employment Opportunity Commission (EEOC):

JENNIFER (CARLSON) REED,  

Plaintiff, 

vs. 

THE COUNTY OF STEUBEN, NEW YORK,  

Defendant. ; and 

WHEREAS, the parties are desirous of settling the claim arising from the recited EEOC charge; and 

WHEREAS, the Legislature previously approved the settlement of this matter under Perm. No. 094-16 and that the EEOC has required specific policy adjustments in the course of the conciliation process; and 

WHEREAS, the Steuben County Personnel Officer has reviewed the adjustments and finds them to be proper for the operations of the County functions. The County finds those adjustments to be in the best interests of the County. 

NOW THEREFORE, BE IT 

RESOLVED, the County does hereby ratify the Conciliation Agreement as agreed to by the Steuben County Sheriff through the EEOC Conciliation process; and be it further 

RESOLVED, the within resolution shall be reported out promptly following the Supreme Court’s approval of the recited settlement; and be it further 

RESOLVED, a certified copy of this resolution shall be forwarded to Phillips Lytle LLP, Attention: James R. Grasso, Esq., One Canalside, 125 Main Street, Buffalo, New York 14203-2887; and Scott Sprague, Steuben County Risk Manager. 

AMENDED 

RESOLUTION NO. 112-16 

Introduced by S. Van Etten. Seconded by H. Lando. 

AUTHORIZING AND DIRECTING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO A WRITTEN EMPLOYMENT AGREEMENT WITH JACK K. WHEELER, COUNTY MANAGER 

Pursuant to the Steuben County Charter §§3.0, 3.1. 

WHEREAS, the residents of Steuben County adopted a Charter form of government as established in the certified results for the General Election of the year 2013, and the Steuben County Charter having been filed in the Office of the Secretary of State as set forth under Steuben County Charter §13.00; and 

WHEREAS, the adopted Steuben County Charter calls for a County Manager under Article III to be appointed by the Steuben County Legislature; and
WHEREAS, pursuant to Resolution No. 085-15, the Steuben County Legislature appointed Jack K. Wheeler as County Manager effective June 30, 2015; and

WHEREAS, Steuben County Charter §3.1 allows the County Legislature to negotiate and by resolution authorize the Chairman to execute a written employment agreement with the County Manager for a term of up to, but not exceeding five years, and such contract to contain terms and conditions of employment; and

WHEREAS, the County Legislature is desirous of securing an employment agreement with Jack K. Wheeler and to provide a salary plan extending salary increments in order to foster stability for said incumbent.

NOW THEREFORE, BE IT

RESOLVED, the Chairman of the Steuben County Legislature is hereby authorized to enter into a written employment agreement with Jack K. Wheeler, County Manager, effective June 30, 2016, and terminating on December 31, 2020; and be it further

RESOLVED, as set forth in the schedule herein providing for rates of compensation through additional increments of salary effective on the 30th day of June of each year listed as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$120,000</td>
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<tr>
<td>2017</td>
<td>$122,400</td>
</tr>
<tr>
<td>2018</td>
<td>$124,848</td>
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<tr>
<td>2019</td>
<td>$127,345</td>
</tr>
<tr>
<td>2020</td>
<td>$129,892</td>
</tr>
</tbody>
</table>

AND BE IT FURTHER RESOLVED, said individual shall enjoy all of the management fringe benefits to the same extent as provided to the County Management Group; and be it further

RESOLVED, this agreement may be terminated by either party upon written notice; and be it further

RESOLVED, pursuant to §3.1 of the Steuben County Charter, this agreement contains the terms and conditions of employment and should not be misconstrued as to setting a term of office; and be it further

RESOLVED, the Chairman of the Legislature is authorized and directed to reflect an agreement consistent with this resolution; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Personnel Officer, the Commissioner of Finance and Jack K. Wheeler.

Motion to amend Resolution No. 112-16 to reflect that termination may be made by either party, and eliminating the resolved clause relative to just cause made by Mr. Swackhamer, seconded by Mr. Maio and duly carried.

Vote: Roll Call – Adopted. Yes – 8619; Absent – 1253. (Absent – Legislators Booth and Schu)

Note: Regarding the above resolution designated as 112-16 authorizing the Chairman to negotiate a contract with the County Manager; while the resolution was approved, the contract was not negotiated and said resolution will be rescinded at the July 25, 2016, Legislative Meeting. s/Brenda K. Mori, Clerk of the Legislature

Motion to Adjourn made by Mr. Mullen, seconded by Mr. Malter and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 25th day of July, 2016, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Haursky.

Roll Call and all members present except Legislator Weaver.

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

Chairman Haursky asked Veronica Olin to come forward. Ms. Olin is an employee in the Board of Elections. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Haursky asked Wendy Jordan to come forward. Ms. Jordan is an employee in the Real Property Tax Service Agency. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

Chairman Haursky asked Gordon Swift to come forward. Mr. Swift is an employee in Weights & Measures. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement with 30 years of service to Steuben County.

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

Wayne Wells, Cameron, provided his opinion on the upcoming Presidential Election and his concerns about whether government should be run on laws or principles.

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

Motion adopting the minutes of the previous meeting(s) made by Mr. Mullen, seconded by Ms. Lattimer and duly carried.

Ms. Mori announced that she recently distributed an email to the Legislature regarding the use of Executive Session and right of abstention. If there are any questions, please contact her.

Mrs. Hurd-Harvey reported that they had a total of 72 properties in the July 15, 2016 property tax sale. They sold 68 parcels and received proceeds of just of $669,000.

RESOLUTION NO. 113-16

Introduced by S. Van Etten. Seconded by Mr. Swackhamer.

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

Pursuant 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**, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to execute the necessary documentation to convey the recited parcel(s) to the grantee(s) upon receipt of the consideration indicated, pursuant to Real Property Tax Law §1166 and as approved by the Steuben County Finance Committee on July 12, 2016; and be it further

**RESOLVED**, the Steuben County Commissioner of Finance is further authorized and directed to convey those parcels sold at the Delinquent Tax Auction held on July 15, 2016, contained in Schedule "C", and he is further authorized and directed, in the event of a default by the highest bidder by failure to make full payment within thirty (30) days of the date of this Resolution, to convey those parcels to the second highest bidder upon receipt of full payment from the second highest bidder, and said transfers made pursuant hereto be and the same hereby are ratified; and be it further

**RESOLVED**, the said grantee(s), previously recited in Schedules “B” and “C”, must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be, and as upon the "Notice to Bidders and Terms of Sale 2016" as applicable; 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; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, Counsel for the Grantee, and Counsel for the Estate, where indicated; and certified copies of this resolution contained in Schedule "C" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, the Clerk of the Board of Education of the appropriate School District, and the grantee(s).

### SCHEDULE "A"

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Name</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1</td>
<td>Morningstar Trail Holding, LLC</td>
<td>335.00-03-023.000</td>
<td>Town of Erwin</td>
<td>Court Ordered Refund - 2015</td>
</tr>
<tr>
<td>A-2</td>
<td>Morningstar Trail Holding, LLC</td>
<td>335.00-03-023.000</td>
<td>Town of Erwin</td>
<td>Court Ordered Refund - 2016</td>
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<tr>
<td>A-3</td>
<td>Irfan &amp; Yasmeen Mehr</td>
<td>250.00-01-033.310</td>
<td>Town of Hartsville</td>
<td>Split/Consolidation</td>
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<td>A-4</td>
<td>Skyline Farms / Irfan &amp; Yasmeen Mehr</td>
<td>250.00-01-033.320</td>
<td>Town of Hartsville</td>
<td>Split/Consolidation</td>
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### SCHEDULE "B"

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<th>Resolution No.</th>
<th>Former Owner</th>
<th>In Rem Index No.</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Grantee(s)</th>
<th>Grantee(s) Address</th>
<th>Grantee’s Counsel</th>
<th>Counsel for Estate</th>
<th>Consideration</th>
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<tbody>
<tr>
<td>B-1</td>
<td>David M. Sisson (Estate of)</td>
<td>2014-1414CV, Judgment filed May 9, 2016</td>
<td>042.00-01-033.000</td>
<td>Town of Cohocton</td>
<td>Southern Tier Timber Management, Inc.</td>
<td>8084 State Route 21, Arkport, NY 14807</td>
<td>Peter H. Baker, Esq., 51 Main Street, P.O. Box 398, Hammondsport, NY 14840</td>
<td>David B. Pawlak, Esq., 84 Main St., Suite D, Big Flats, NY 14814</td>
<td>$891.34, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>B-2</td>
<td>Russell D. Fox</td>
<td>2013-1427CV, Judgment filed May 9, 2016</td>
<td>019.00-02-043.000</td>
<td>Town of Prattsburgh</td>
<td>Carlos Mendez and Zenaida Mothana</td>
<td>5867 State Route 415, Prattsburgh, NY 14873</td>
<td>Mark H. Wattenberg, Esq., LawNY, Inc., 16 W. William St., P.O. Box 272, Bath, NY 14810</td>
<td></td>
<td>$4,129.44, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Vera B. Ceglia</td>
<td>2014-1414CV, Judgment filed May 9, 2016</td>
<td>151.56-02-003.000</td>
<td>City of Hornell</td>
<td>City of Hornell</td>
<td>82 Main St., P.O. Box 627, Hornell, NY 14843</td>
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<td>$6,158.24, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Bryan Swift</td>
<td>2014-1414CV, Judgment filed May 9, 2016</td>
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<td>City of Hornell</td>
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<td>In Rem Index No.</td>
<td>Index No. 2014-1414CV, Judgement filed 05/09/2016</td>
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<td>Date of Tax Sale:</td>
<td>July 15, 2016 (Sale No. 1)</td>
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<tr>
<td>Municipality</td>
<td>Addison Village</td>
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<tr>
<td>Highest Bidder</td>
<td>Theresa White and Michael J. White</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>2464 Reservoir Hill, Addison, NY 14801</td>
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<tr>
<td>Consideration</td>
<td>$965.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Steven Nichols</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>5568 Wolf Run Rd, Campbell, NY 14821</td>
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<thead>
<tr>
<th>Resolution No.</th>
<th>C-2</th>
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</thead>
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<tr>
<td>Former Owner</td>
<td>Timmons, Robert W. / Butler, Bruce W.</td>
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<tr>
<td>In Rem Index No.</td>
<td>Index No. 2013-1427CV, Judgement filed 05/09/2016</td>
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<tr>
<td>Date of Tax Sale:</td>
<td>July 15, 2016 (Sale No. 2)</td>
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<tr>
<td>Parcel No.</td>
<td>349.08-01-029.000</td>
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<td>Municipality</td>
<td>Addison Village</td>
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<td>Highest Bidder</td>
<td>Robert and Gloria Lymber</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>4540 Pine Hill Rd, Corning, NY 14830</td>
</tr>
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<td>Consideration</td>
<td>$8,710.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Steven Nichols</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>5568 Wolf Run Rd, Campbell, NY 14821</td>
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<td>Space Charles G III</td>
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<tr>
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<tr>
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<td>Addison Village</td>
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<tr>
<td>Highest Bidder</td>
<td>Jeffrey P. &amp; Patricia L. Horton</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>9115 State Rte 415, Campbell, NY 14821</td>
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<td>Consideration</td>
<td>$11,855.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Theresa Ohler White</td>
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<td>Bath Town</td>
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<tr>
<td>Highest Bidder</td>
<td>Houle Sales Consulting, Inc.</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>160 Linden Oaks, Rochester, NY 14625</td>
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<td>Consideration</td>
<td>$3,045.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Alan Hasty</td>
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<td>Second Highest Bidder’s Address</td>
<td>Box 45, Dundee, NY 14837</td>
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<td>Index No. 2014-1414CV, Judgement filed 05/09/2016</td>
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<td>Glenn R. Houle</td>
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<td>Highest Bidder’s Address</td>
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<td>Karen Rodbourn</td>
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<td>Index No. 2010-1966CV, Judgement filed 05/06/2015</td>
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<td>Bath Town</td>
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<tr>
<td>Highest Bidder</td>
<td>Steven S. Pilgrim</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>PO Box 393, Savona, NY 14879</td>
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<td>$7,180.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Index No. 2013-1427CV, Judgement filed 05/09/2016</td>
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<td>Highest Bidder</td>
<td>David R. Sabins</td>
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<tr>
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<td>3046 County Route 6, Cohocton, NY 14826</td>
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<td>Consideration</td>
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<td>Second Highest Bidder</td>
<td>Debra Ciulla</td>
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<tr>
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<td>Bath Packing Co., Inc.</td>
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<td>Index No. 2012-1440CV, Judgement filed 05/09/2016</td>
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<td>Steve Nichols</td>
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<td>Highest Bidder’s Address</td>
<td>8142 Tilly Swamp Rd, Conway, SC 29526</td>
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<td>Consideration</td>
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<td>Maria DeRendon</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>60 Mystic View Ln, Lawrenceville, PA 16929</td>
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<td>C-9</td>
<td>Brouwere, David L. (Estate)</td>
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<td>C-10</td>
<td>Keegan, Thomas R. Jr</td>
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<td>C-11</td>
<td>Hoffman, Walter A. III</td>
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<td>C-12</td>
<td>Sisson, David M. and Rawleigh, Richard</td>
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<tr>
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<td>Soich, Frederick and Soich, Karen</td>
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<td>In Rem Index No.</td>
<td>Index No. 2013-1427CV, Judgement filed 05/09/2016</td>
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<td>Caleb O. Keane</td>
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<td>Robert Berger</td>
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<td>Index No. 2014-1414CV, Judgement filed 05/09/2016</td>
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<td>Aaron H. Martin and Laura H. Martin</td>
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<td>Joy Goodsell</td>
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<td>Wallace R. Johnson III</td>
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<td>Highest Bidder’s Address</td>
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<td>Graig M. Boccia</td>
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<td>Zachary Thompson</td>
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<td>14 Taylor St, Canisteo, NY 14823</td>
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<td>Nathan Clark</td>
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<td>Weyand, Karl Jr</td>
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<td>Waight, Martin D.</td>
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<td>C-19</td>
<td>Travis, James J.</td>
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<td>Harrison, Randy J.</td>
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<td>Burkett, Amy</td>
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<td>C-22</td>
<td>Damboise, Joel</td>
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<td>Young, Matthew S.</td>
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<td>Julien, Karl A</td>
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<td>Edward Schumacher</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
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<td>Andrea Haradon</td>
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<td>James Creeley</td>
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<td>Second Highest Bidder’s Address</td>
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<td>Highest Bidder</td>
<td>James A. Creeley and Kristina M. Creeley</td>
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<td>Wallace Johnson</td>
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<td>Gee, Linda A</td>
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<td>C-30</td>
<td>Masonic Restoration, LLC</td>
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<td>Wilcox, Belinda J.</td>
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<td>C-32</td>
<td>Kuczka, Amy W.</td>
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<td>Resolution No.</td>
<td>C-33</td>
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<tr>
<td>Municipality</td>
<td>Corning Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Nicole M. Frawley</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>25 Geneva St, Bath, NY 14810</td>
</tr>
<tr>
<td>Consideration</td>
<td>$415.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>None</td>
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<th>Resolution No.</th>
<th>C-35</th>
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<tbody>
<tr>
<td>Former Owner</td>
<td>Balch, Michael D. and Balch, Sharon</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>Index No. 2012-1440CV, Judgement filed 05/06/2015</td>
</tr>
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<tr>
<td>Highest Bidder</td>
<td>Grunt Workers Alliance Development, LLC</td>
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<td>Highest Bidder’s Address</td>
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<td>Corning Town</td>
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<td>Highest Bidder</td>
<td>John Garber</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>11248 McMichael Rd, Prattsburgh, NY 14873</td>
</tr>
<tr>
<td>Consideration</td>
<td>$415.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
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<td>Beyor, Carl</td>
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<td>Corning Town</td>
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<td>John Garber</td>
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<td>Highest Bidder’s Address</td>
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<td>Consideration</td>
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<td>Village of South Corning</td>
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<td>Highest Bidder</td>
<td>Nicole M. Frawley</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>25 Geneva St, Bath, NY 14810</td>
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<td>Consideration</td>
<td>$5,685.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Second Highest Bidder</td>
<td>Joel Patchett</td>
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<td>Second Highest Bidder’s Address</td>
<td>132 Olcott Rd North, Big Flats, NY 14814</td>
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<th>C-39</th>
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<td>Town of Hornby</td>
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<td>Highest Bidder</td>
<td>Ronald C. Bills and Rebecca S. Bills</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>4201 Mormon Hollow Rd; Corning, NY 14830</td>
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<td>Consideration</td>
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<td>Laverne, Henry Sr.</td>
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<td>Second Highest Bidder’s Address</td>
<td>15 E. Academy St., Canisteo, NY 14823</td>
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<td>Hornell City</td>
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<tr>
<td>Highest Bidder</td>
<td>Nathan A. Clark</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>1060 County Rte 82, Trumansburg, NY 14885</td>
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<td>Robert Pritting</td>
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<td>8761 Clark Rd, Avoca, NY 14809</td>
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<td>1577 Hinkley Hill Rd, Hornell, NY 14843</td>
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<tr>
<td>Consideration</td>
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<td>John H. Garber</td>
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<td>Index No. 2014-1414CV, Judgement filed 05/09/2016</td>
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<tr>
<td>Highest Bidder</td>
<td>Jerome S. O'Connor</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>121 Upper Bennett, Hornell, NY 14843</td>
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<tr>
<td>Consideration</td>
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<td>James Nelson</td>
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<td>Index No. 2014-1414CV, Judgement filed 05/09/2016</td>
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<td>Index No. 2014-1414CV, Judgement filed 05/09/2016</td>
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<td>Wallace R. Johnson III</td>
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<tr>
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<td>Graig M. Boccia</td>
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<tr>
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<td>Highest Bidder</td>
<td>Brian B. McCarthy and Patricia J. McCarthy</td>
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<td>9648 County Route 46, Arkport, NY 14807</td>
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<td>Levi Kull</td>
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<td>Anthony G. Clark</td>
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<td>John H. Garber</td>
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<td>Campbell, B. and Campbell, Monaghan B.</td>
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<td>Brace, David</td>
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<td>C-52</td>
<td>Holberton, Orrin J. and Holberton, Ruth</td>
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<td>Index No. 2014-1414CV, Judgement filed 05/09/2016</td>
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<td>July 15, 2016 (Sale No. 70)</td>
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<td>Matthew J. Wing</td>
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<td>Maria DeRendon</td>
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<tr>
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<tr>
<td>Second Highest Bidder</td>
<td>Wallace Johnson</td>
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<td>Second Highest Bidder’s Address</td>
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<td>6288 Gypsy Hill Rd, Hornell, NY 14843</td>
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<td>$1,185.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Second Highest Bidder</td>
<td>Stacia Schieder</td>
</tr>
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<td>Second Highest Bidder’s Address</td>
<td>303 Seneca Rd, Hornell, NY 14843</td>
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<tr>
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<td>Haus, Steven L. and Payne, Samantha</td>
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<td>Index No. 2014-1414CV, Judgement filed 05/09/2016</td>
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<td>James A. Creeley and Kristina M. Creeley</td>
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<td>5491 County Route 21, Addison, NY 14801</td>
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<td>Nathan Clark</td>
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<td>Unknown Owner, State Route 15/ Lindley Rd</td>
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<td>C-59</td>
<td>Tyler, Virginia</td>
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<td>C-60</td>
<td>Snyder, Bonnie (Schenk/Schubert) and Adams, Travis W</td>
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<td>Fox, Sherry D.</td>
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<td>C-62</td>
<td>Sinsebox, Scott L.</td>
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<td>C-63</td>
<td>Goodford, Leon T.</td>
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<td>Smith, Wesley J.</td>
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<td>Shill, Jeffrey B.</td>
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<td>Pamela J. Gratzer</td>
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Mr. Mullen stated he will be abstaining as a client is listed on this resolution.
RESOLUTION NO. 114-16

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE JULY 25, 2016 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:

**June 22, 2016**
Town of Wayland – Re: Notification of the request for $300,000 (Three hundred thousand dollars) in sales tax money beginning in the year of 2017 and continuing each year thereafter. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

**June 28, 2016**
NYS Board on Electric Generation Siting and the Environment – Re: Case 16-F-0062 Application of Eight Point Wind, LLC for a Certificate of Environmental Compatibility and Public Need pursuant to Article 10 to construct a 103.4 MW Wind Energy Project. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.

New York State Association of Counties (NYSAC) – Re: Resolution recently passed to promote “Think Differently” for review and consideration by Steuben County. Referred to: Steuben County Legislature.

NRG Curtailment Solutions, Inc. – Re: Payment for the participation in the PowePay New York program for the Winter of 2015-2016. Referred to: Jack Wheeler, County Manager.

NextEra Energy Resources – Re: Update on the Eight Point Wind Energy Center and notification of two upcoming informational open houses on the project. Referred to: A.I.P. Committee, and Amy Dlugos, Planning Director.

Finger Lakes Health Systems Agency – Re: Budget request in the amount of $24,408 for the 2017 budget. Referred to: Human Services/Health & Education Committee; Finance Committee; and Darlene Smith, Director of Public Health.

**June 29, 2016**
NYS Board on Electric Generation Siting and the Environment – Re: Case 16-F-0205 Application of Canisteo Wind Energy, LLC for a Certificate of Environmental Compatibility and Public Need pursuant to Article 10 for construction of a Wind Energy Project in Steuben County. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.

**June 30, 2016**
Village of Arkport – Re: Notification of the change from Woolever Street to Timmerman Lane in the Village of Arkport, NY effective May 1, 2016. Referred to: Vince Spagnoletti, Commissioner of Public Works; Dave Hopkins, 911 Director; Sheriff Cole, Wendy Flaitz, Real Property Director; and Amy Dlugos, Planning Director.

**July 1, 2016**
NYS Agriculture and Markets – Re: Notification of the eight (8) year review of the Steuben County Agricultural District #2 is due. Forms and review procedures are available on the following links:
http://www.agmkt.state.ny.us/Programs.html and http://www.agmkt.state.ny.us/AP/agservices/agdistricts.html. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

July 5, 2016
NYS Office for the Aging – Re: Third Notification of Grant Award (NGA) for the federal fiscal year 2016 (FFY 2016) Nutrition Services Inventive Program (NSIP). Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.

NYS Office for the Aging – Re: Notification of Grant Award (NGA) and approved application for the Medicare Improvements for Patients and Providers Act – Aging and Disability Resource Center (MIPPA/ADRC) for the period of September 30, 2015 through September 29, 2016. Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.

NYS Office for the Aging – Re: Notification of Grant Award (NGA) and approved application for the BIP Caregiver program for the period of April 1, 2015 through June 30, 2017. Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $4,468, which represents the May 2016 surcharge revenue for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

Steuben County Industrial Development Agency — Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Riedman Purcell CH I, LLC. is scheduled for Friday, July 15, 2016 at 9:00am at the Corning City Hall, 500 Civic Center Plaza, Second Floor Council Chambers, Corning, New York. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

July 7, 2016
New York State Association of Counties – Re: Notification of the County’s 2017 share for NYSAC operations will be $10,870. Referred to: Jack Wheeler, County Manager and Brenda Mori, Clerk of the Legislature.

July 8, 2016
Center for Judicial Accountability, Inc. – Re: State imposed district attorney salary increases. Referred to: Steuben County Legislature.

July 11, 2016
Corning Community College – Approval of amended START-UP NY Campus Plan. Referred to: A.I.P. Committee; Jack Wheeler, County Manager and Amy Dlugos, Planning Director.

Regional Economic Development & Energy Corporation/REDEC Relending Corporation – Re: Request for an allocation of $15,000 in the 2017 budget, with similar commitments for 2018 and 2019. Referred to: A.I.P. Committee; Finance Committee; and Amy Dlugos, Planning Director.

EMSTAR – Re: Notification of a public hearing to be held on July 27, 2016 at 7pm at the Watkins Glen Fire Department, 201 North Perry Street, Watkins Glen, NY for the request for Watkins Glen International to hold their own certificate of need for EMS coverage. Referred to: Public Safety & Corrections Committee; and Tim Marshall, EMO Director.

July 12, 2016
Steuben County Soil & Water Conservation District – Re: 2017 Budget request in the amount of $155,676. Referred to: A.I.P. Committee; Finance Committee; and Jack Wheeler, County Manager.

Sheen Housing – Re: Bishop Sheen Ecumenical Housing Foundation’s (Sheen Housing) 2015-2016 Annual Report. Referred to: Amy Dlugos, Planning Director; and Brenda Mori, Clerk of the Legislature.
Mr. Mullen asked with regard to the correspondence received July 8, 2016 about the District Attorney’s salary, was that received from the State? Mr. Reed replied no, this letter is not from the State. He has reviewed it and it was sent to the Legislature for information. No action needs to be taken at this point.

Vote: Acclamation – Adopted.

RESOLUTION NO. 115-16

Introduced by B. Schu and S. Van Etten. Seconded by H. Lando.

AUTHORIZATION TO CHARGE TRANSACTION, MERCHANT DISCOUNT OR CONVENIENCE SERVICE FEES TO USERS OF MERCHANT CREDIT OR DEBIT CARDS, ACH PAYMENTS OR ECHECKS IN PAYMENT OF VARIOUS TAXES AND/OR FEES.

WHEREAS, Steuben County issued a Request for Proposals (RFP) for Merchant Card services and has entered into a contract with one or more service provider(s); and

WHEREAS, payments initiated via the Internet either by credit or debit card, ACH, or eCheck processing require a transaction, merchant discount or service fee established by and that may be paid to the service provider; and

WHEREAS, the costs of processing other credit card payments for certain taxes and fees may be assessed to the user of the card or paid by the County dependent on the individual circumstances.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Commissioner of Finance is hereby authorized to establish a schedule of such fees for credit and debit card, ACH or eCheck transactions; and be it further

RESOLVED, the Administration Committee and Finance Committee shall also approve which Departments and types of transactions will assess transaction or service fees to the payer and which transaction costs will be paid by the County; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the County Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 116-16


AUTHORIZING A TRANSFER FROM THE CONTINGENCY FUND FOR THE PURPOSES OF CONTRACTING WITH LU ENGINEERS.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, it is determined to be in the best interests of Steuben County to contract with Lu Engineers to remediate petroleum solvents at the Nichol Inn Property; and

WHEREAS, it is further in the best interests of Steuben County to utilize the Contingency Fund in the amount of $13,000 together with existing allocations in the amount of approximately $2,650 remaining in the Nichol Inn capital project.

NOW THEREFORE, BE IT
RESOLVED, that the Steuben County Legislature authorizes the Steuben County Commissioner of Finance to enter into a contract with Lu Engineers to remediate petroleum solvents at the Nichol Inn Property for a cost not to exceed $15,650; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized and directed to transfer the sum of $13,000 from the Contingency Fund to the Nichol Inn Capital Project and appropriate this amount as follows:

- 1364H1-45031900 Nichol Inn Interfund Transfers
- 1364H1-5250000 Nichol Inn Capital Projects

and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 117-16

Introduced by C. Ferratella. Seconded by R. Lattimer.

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH YUNIS REALTY, INC. FOR THE PREMISES LOCATED AT 115 LIBERTY STREET.

WHEREAS, Yunis Realty is the owner of certain premises located in the Village of Bath, County of Steuben, State of New York, located at 115 Liberty Street, New York, (the Premises) and desires to lease the premises; and

WHEREAS, Steuben County desires to lease the Premises from Yunis Realty and Yunis Realty desires to lease the Premises to Steuben County.

NOW THEREFORE, BE IT

RESOLVED, the Director of the Office of Community Services is hereby authorized to enter into a lease agreement with Yunis Realty, Inc. subject to the following terms and conditions:

1. TERM - The term of this Lease shall be for a period of two (2) years beginning January 1, 2017 and ending December 31, 2018.

2. BASE RENT - During the entire term Base Rent shall remain at $8.97/sq.ft., $21,036.00/month or $252,432.00 per year.

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Director of the Office of Community Services and Mary Jo Yunis, CPA, CCIM, President, Yunis Realty, Inc., 214 East Church Street, Elmira, New York 14901.

Mr. Mullen asked what is the per square footage cost for the new building? Mr. Wheeler replied that has not been determined at this time. The architects are in the process of completing a detailed analysis. Mr. Mullen asked would it be cheaper to building a building for mental health? Mr. Wheeler replied no, it would cost you another $10 million.

Mr. Booth asked what is the going per square footage rate? Mr. Wheeler replied the rate we pay to lease the buildings in Bath, Hornell and Corning is lower than the average rate.

Vote: Roll Call – Adopted.
RESOLUTION NO. 118-16

Introduced by C. Ferratella. Seconded by Mrs. Lando.

AUTHORIZING THE EXTENSION OF THE HORNELL AND CORNING LEASE AGREEMENTS WITH YUNIS REALTY, INC.


WHEREAS, an agreement was entered into dated March 11, 1993 and Addendums dated December 11, 1998, September 20, 2001, June 16, 2004, September 14, 2007, January 29, 2014, and February 13, 2015 between the County of Steuben and Yunis Realty, Inc. for the premises located at 91-93 Denison Parkway, Corning, New York, and

WHEREAS, the parties have mutually agreed that the purpose of this addendum is to extend the term of the lease for an additional two (2) year period.

NOW THEREFORE, BE IT

RESOLVED, the Director of the Office of Community Services is hereby authorized to enter into an agreement with Yunis Realty, Inc. subject to the following terms and conditions:

1. TERM- The term of the lease shall be extended for an additional two (2) year period commencing January 1, 2017 and terminating December 31, 2018.

2. BASE RENT- during the term Hornell Base Rent shall remain at $3,000/month.

3. BASE RENT- during the term Corning Base Rent shall remain at $5,541.67/month.

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Director of the Office of Community Services and Mary Jo Yunis, CPA, CCIM, President, Yunis Realty, Inc., 214 East Church Street, Elmira, New York 14901.

Vote: Roll Call –Adopted.

RESOLUTION NO. 119-16

Introduced by R. Lattimer. Seconded by D. Farrand.

CONFIRMING THE APPOINTMENT OF THE DIRECTOR OF WEIGHTS & MEASURES.

Pursuant to Section 12.18 of the Steuben County Charter.

WHEREAS, Langdon Holmes of Bradford, New York, has been appointed by the County Manager as the Steuben County Director of Weights & Measures in accordance with the Management Salary Plan in Grade E; and

WHEREAS, the A.I.P. Committee has recommended the Steuben County Legislature confirm said appointment.

NOW THEREFORE, BE IT
RESOLVED, Langdon Holmes of Bradford, New York, appointed as the Steuben County Director of Weights & Measures, 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.

Mr. Booth asked are we paying for an extra half-time person in Weights & Measures? Mr. Wheeler replied we have a contract with Livingston County and they pay for three-quarters of a position. We did hire an additional person and currently have a staff of three. With Mr. Swift retiring, we will be adding a person to the department. The goal is to have a staff of three and there will be a net zero cost to the County.

Vote: Roll Call – Adopted.

RESOLUTION NO. 120-16

Introduced by B. Schu. Seconded by K. Fitzpatrick.

CONFIRMING THE APPOINTMENT OF THE DIRECTOR OF PURCHASING.

Pursuant to Section 12.13 of the Steuben County Charter.

WHEREAS, Andrew Morse of Hornell, New York, has been appointed by the County Manager as the Steuben County Director of Purchasing in accordance with the Management Salary Plan in Grade E; and

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

NOW THEREFORE, BE IT

RESOLVED, Andrew Morse of Hornell, New York, appointed as the Steuben County Director of Purchasing, 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. 121-16

Introduced by B. Schu. Seconded by S. Van Etten.

APPROVING THE 2017 WORKERS’ COMPENSATION BUDGET.

Pursuant to Article 5 of the Workers' Compensation Law of the State of New York.

WHEREAS, an estimate of the cost of the self-insurance plan is to be filed with this County Legislature on or before August 15, 2016, for the Budget Year 2017.

NOW THEREFORE, BE IT
RESOLVED, that the estimated cost (Budget for 2017), a copy of which is attached hereto, as presented by the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan and by the Administration Committee is received, adopted and ordered to be incorporated into the 2017 Steuben County Budget, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Steuben County Commissioner of Finance and the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan.

STEUBEN COUNTY SELF-INSURANCE PLAN
ANNUAL ESTIMATE OF EXPENSES
FISCAL YEAR BEGINNING JANUARY 1, 2017

Your Committee on Workers' Compensation Insurance respectfully submits the annual estimate of expenses for the Steuben County Self-Insurance Plan for the fiscal year beginning January 1, 2017 and ending December 31, 2017, pursuant to Section 67, Paragraph 1 of the Workers' Compensation Law.

APPROPRIATED BUDGET FOR 2017

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<td>5830000</td>
<td>SOCIAL SECURITY</td>
<td>4,800</td>
</tr>
<tr>
<td>5840000</td>
<td>WORKERS’ COMPENSATION</td>
<td>4,500</td>
</tr>
<tr>
<td>5860000</td>
<td>GROUP MEDICAL INSURANCE</td>
<td>18,300</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>3,216,950</strong></td>
</tr>
</tbody>
</table>

Estimated Revenue
Participant Fees 3,150,000
Interest 0
Mr. Mullen asked in regards to the $10,000 for Investigator Expenses, do we do the investigations, or does PERMA? Mr. Wheeler replied we contract with PERMA to do investigations on current claims. We do have a number of tail claims and that is the only time we use the funds in the Investigator Expenses line item.

Vote: Roll Call – Adopted.

RESOLUTION NO. 122-16

Introduced by B. Schu. Seconded by J. Malter.

APPROVING THE 2017 WORKERS’ COMPENSATION TABLE OF APPORTIONMENT.

Pursuant to Article 5 of the Workers' Compensation Law of the State of New York.

WHEREAS, on July 12, 2016, the Administration Committee of this Steuben County Legislature had filed and approved the estimated cost for Fiscal Year 2017 of the Steuben County Self-Insurance Workers' Compensation Plan; and

WHEREAS, the Administrator of the Steuben County Self-Insurance Workers’ Compensation Plan, based on the number of members and the estimated cost for the year 2017, has caused a Table of Apportionment to be developed.

NOW THEREFORE, BE IT

RESOLVED, that the Table of Apportionment for the participating members of the Steuben County Self-Insurance Plan for Workers' Compensation for the year 2017 is hereby received and adopted and filed herewith; and be it further

RESOLVED, this resolution, together with said Table of Apportionment, shall serve as due and proper notice of their liability to the plan for the year 2017; and be it further

RESOLVED, that the Administrator of the Self-Insurance Plan shall notify all participating members of their share; and be it further

RESOLVED, that any participating member shall pay its share directly to the Steuben County Finance Department not later than June 1, 2017; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Steuben County Commissioner of Finance, Director of the Steuben County Real Property Tax Service Agency, and 32 certified copies to the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan for distribution to the Town/Village Clerks of the participating members.

2017

TABLE OF APPORTIONMENT

<table>
<thead>
<tr>
<th>MUNICIPALITY</th>
<th>CLASS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>STEUBEN COUNTY</td>
<td>I</td>
<td>$ 2,436,431</td>
</tr>
<tr>
<td>ADDISON</td>
<td>I</td>
<td>$ 11,488</td>
</tr>
</tbody>
</table>
AVOCA  I  $ 31,258
BRADFORD  I  $ 10,838
CAMERON  I  $ 28,529
CAMPBELL  I  $ 47,836
CANISTEO  I  $ 19,781
DANSVILLE  I  $ 17,479
FREMONT  I  $ 13,259
GREENWOOD  I  $ 17,887
HARTSVILLE  I  $ 9,670
HORNBY  I  $ 18,786
HORNELLSVILLE  I  $ 27,302
HOWARD  I  $ 27,588
JASPER  I  $ 20,195
LINDLEY  I  $ 22,436
PRATTSBURGH  I  $ 30,189
PULTENEY  I  $ 40,768
THURSTON  I  $ 23,207
TROUGSBURG  I  $ 20,269
TUSCARORA  I  $ 14,269
WEST UNION  I  $ 10,707
WHEELER  I  $ 37,681
WOODHULL  I  $ 21,889

TOWNS TOTAL  $ 523,311

ADDISON  I  $ 37,722
ARKPORT  I  $  9,136
AVOCA  I  $  9,324
CANISTEO  I  $ 47,542
COHOCTON  I  $  9,881
NORTH HORNELL  I  $  9,608
PAINTED POST  I  $ 44,961
WAYLAND  I  $ 22,084

VILLAGES TOTAL  $ 190,258

GRAND TOTAL  $ 3,150,000

Vote:  Roll Call – Adopted.

RESOLUTION NO. 123-16

Introduced by D. Farrand.  Seconded by G. Roush.

AUTHORIZING THE DIRECTOR OF 911 TO ENTER INTO A MOU WITH THE FINGER LAKES INTEROPERABILITY CONSORTIUM.

WHEREAS, representatives from eleven counties in the Finger Lakes Region of New York have come together to form an organization to further cooperation and interoperable communications among public safety agencies; and

WHEREAS, the Finger Lakes Region of New York Interoperable Communications Consortium (FLRNYICC), which Steuben County is a member of, meets on a regular basis and functions to facilitate cooperation among counties in the design, administration, and operation of their various emergency radio communication, 9-1-1, and related systems; and

WHEREAS, the FLRNYICC has been working with the New York State Department of Homeland Security and
Emergency Services (DHSES) and has identified the need to expand digital connectivity between members to further interoperable communications between counties and between emergency service responders in different counties; and

WHEREAS, this capability could be enjoyed if a dedicated public safety high speed digital network were established linking Steuben County with other neighboring counties; and

WHEREAS, a dedicated public safety high speed digital network would provide opportunities for additional secure exchange of data among the various public safety system used by member counties, and for sharing resources while improving emergency response, as described in the draft Memorandum of Understanding (MOU) the FLRNYICC has proposed for member counties, a copy of which is on file with the Clerk of the Legislature; and

WHEREAS, the purpose of the MOU is to establish the intent of member counties to agree to work toward the establishment of dedicated public safety high speed digital network to serve member counties; and

WHEREAS, DHSES has provided counties with grant funding to establish digital connectivity to Steuben County on the condition that Steuben County agree to allow such installation and power equipment that will be provided from said grant funding; and

WHEREAS, the Public Safety and Corrections Committee has reviewed and recommends approval of said contract with the DHSES.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben is willing to cooperate in the planning and development of a dedicated public safety high speed digital network in order to provide for better interoperable communications among the counties participating in the Finger Lakes Region of New York; and be it further

RESOLVED, that the Memorandum of Understanding concerning the need for a dedicated public safety high speed digital network serving the Finger Lakes Region of New York is hereby approved; and be it further

RESOLVED, that the Steuben County Legislature hereby authorizes and empowers the County Manager to execute said Memorandum of Understanding, subject to approval of said Memorandum of Understanding by the County Attorney; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 124-16

Introduced by D. Farrand and S. Van Etten. Seconded by R. Nichols.

AUTHORIZING THE ACCEPTANCE OF $130,000 FOR THE FISCAL YEAR 2016 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 2016 grant funds in the amount of $130,000 under the State Homeland Security Program (SHSP); and

WHEREAS, seventy-five percent of the funding ($97,500) will go to emergency management to support response, education, prevention and planning for terrorist incidents and twenty-five percent or ($32,500) of the total funding must be directed towards law enforcement terrorism prevention activities to the Sheriff’s Office.

NOW, THEREFORE BE IT

RESOLVED, 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 $130,000 for implementation of the State Homeland Security Program (SHSP) to support response, education, prevention and planning for terrorist incidents; and be it further

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

RESOLVED, 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 Steuben County Commissioner of Finance; Steuben County Sheriff and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 125-16

Introduced by D. Farrand and S. Van Etten. Seconded by H. Lando.

AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ENTER INTO A CONTRACT WITH THE INSTITUTE FOR HUMAN SERVICES FOR EMERGENCY PLANNING.

WHEREAS, the Steuben County Department of Social Services has a mandate to develop a Comprehensive Emergency Plan for the Continuity of Operations during a disaster or emergency; and

WHEREAS, the Department of Social Services, the Emergency Management Office and the Institute for Human Services have been working jointly on a program to support and enhance the local disaster programs; and

WHEREAS, there is a mutual desire between all parties to provide a comprehensive Social Services Plan for the continuity of Social Service programs during a disaster; and

WHEREAS, the Department of Social Services has budgeted for said services to support the mandated development of a plan for disasters and emergencies; and

WHEREAS, the Institute for Human Services has the ability to support the mission of the project, with oversight by the Emergency Management Office and the Department of Social Services; and
WHEREAS, Steuben County will enter into a contract with the Institute for Human Services for an amount not to exceed THIRTY THOUSAND DOLLARS ($30,000) in funding to support this project; and

WHEREAS, the term of this contract will be from August 1, 2016, through July 31, 2017.

NOW, THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby authorizes the Director of Emergency Management to sign the contract with the Institute for Human Services, thereby binding the respective parties; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Timothy D. Marshall, Director of Steuben County Emergency Management, and Patrick Rogers, Executive Director for the Institute for Human Services.

Vote: Roll Call – Adopted. Yes – 8828, No – 593, Absent – 451, Abstained – 0
(No – Legislator Booth, Absent – Legislator Weaver)

RESOLUTION NO. 126-16

Introduced by S. Van Etten. Seconded by G. Swackhamer.

ESTABLISHING THE STEUBEN COUNTY LAND BANK CORPORATION, A NEW YORK LAND BANK.

Pursuant to Article 16 of the Not-For-Profit Corporation Law.

WHEREAS, addressing the need to strengthen and revitalize local communities, New York State recently enacted the “Land Bank Act” (Not-For-Profit Corporation Law, Article 16) which authorizes municipalities to establish individual or cooperative land banks; and

WHEREAS, land banks are charitable corporations entitled and authorized to take control and redevelop vacant, abandoned, and/or tax-delinquent properties to rebuild communities and foster local economic development; and

WHEREAS, vacant and abandoned properties present a danger to the health and safety of local residents, result in costs and loss of revenues to local governments, and discourage further investment in the community; and

WHEREAS, the Steuben County Land Bank Corporation will have the authority to acquire, redevelop, and improve tax delinquent, vacant or abandoned property, thereby providing a mechanism for municipalities to manage blighted properties and convert them to productive uses; and

WHEREAS, said land bank would acquire properties through a variety of means including the conveyance of property directly by the foreclosing governmental unit as part of a tax foreclosure, purchase of the property or purchase the tax lien on a property; and

WHEREAS, the land bank shall not have eminent domain powers; and

WHEREAS, said land bank could secure grant funding, issue bonds, enter into contacts, implement programs, projects and activities designed to create or stimulate economic and community development, among other delineated duties and responsibilities, which would allow the foreclosing governmental unit to take a more long-term approach to the disposition of its tax delinquent properties; and

WHEREAS, pursuant to the Land Bank Act, it is necessary to adopt a resolution establishing the Land Bank on behalf of the County; and
WHEREAS, the bylaws shall provide that any amendments to the bylaws regarding the number, term, or qualifications of members of the Board, shall require the approval of the Steuben County Legislature.

NOW THEREFORE, BE IT

RESOLVED:

1. There is hereby created a land bank on behalf of the County of Steuben, to be known as the “Steuben County Land Bank Corporation (SCLBC)” a New York Land Bank.

2. That the Board of Directors shall consist of seven (7) members as follows:

   Joseph J. Hauryski, Chairman of the Legislature;
   Scott J. Van Etten, Chairman of the Finance Committee;
   Jack K. Wheeler, County Manager;
   Patrick F. Donnelly, Commissioner of Finance;
   Shawn Hogan, City of Hornell Mayor, Municipal Representative
   William VonHagn, Village of Bath Mayor, Municipal Representative
   Mark Ryckman, City of Corning City Manager, Municipal Representative

3. That the members of the Board of Directors shall serve for an initial term ending December 31, 2017. Each member shall be a public officer of a municipality within Steuben County and their membership shall be conditioned upon holding the public office. A “Municipal Representative” of the Board of Directors shall be appointed by the Chairman and confirmed by a majority vote of the Steuben County Legislature as well as the governing board of the Municipal Representative’s municipality consenting to his/her appointment.

4. That the Certificate of Incorporation for the SCLBC shall include the name and address of the initial Board of Directors as stated above and shall be in substantially the same form as attached to this resolution and hereby approved. The Articles of Incorporation and thereafter the bylaws shall comply with all the legal requirements of the Not-For-Profit Corporation Law relating to land banks.

5. That the bylaws of the SCLBC shall be written by and adopted by the SCLBC Board of Directors following the SCLBC’s organizational meeting.

6. To the extent permitted by law, the Steuben County Legislature retains the authority to approve or deny, on a case by case basis, the turnover or transfer of any real property in the portfolio of Steuben County to the SCLBC.

7. That the terms and conditions of such turnover or transfer shall be attached to the resolution of the Steuben County Legislature authorizing such turnover or transfer.

8. That the County Manager be, and hereby is, authorized to execute any and all documentation necessary for filing and incorporation with the State of New York to establish said corporation.

9. That the Clerk of the Legislature is further directed to conform the applicable documents, including the Certificate of Incorporation, and file this resolution with the Urban Development Corporation pursuant to the provisions of the Land Bank Act, Chapter 257 of the Laws of 2011.

Mr. Roush stated that he is in favor for the demolition component and feels that it is a good idea because you are utilizing private enterprise to do the demolition. However, with regard to the renovation of properties, he is opposed as this is something that government should not do.

Ms. Fitzpatrick stated in the Land Bank Act they reference the ranking of priorities. Why is that not included? Mr. Wheeler replied that is something that the corporation board would do. In terms of
ranking priorities, we looked at what other successful land banks have done. The reason for establishing a land bank is to apply for State funding. Your priorities would be conveyed as the County has majority representation on the board.

Mr. Mullen stated he agrees with Mr. Roush and would like to see more of the by-laws and what the Land Bank would actually be doing. Mr. Wheeler stated creating a Land Bank allows the County to get its foot in the door to apply for State funds. The County will have control of how the by-laws are adopted and will have the authority to determine which properties will go into the bank as the County has majority representation.

Ms. Fitzpatrick asked is there a timeframe to do this? Mr. Wheeler replied yes. The State originally provided funding for ten land banks. They are now indicating that they will provide funding for ten additional land banks, and we know of four counties who are in the process of applying for those funds. This is something that should be done relatively quickly in order for us to apply for the funding.

Ms. Fitzpatrick commented that she thinks we are jumping in without a game plan. Mr. Roush had expressed his concerns about demolishing and renovating properties. She does not want to see the County being in the business of rentals. Mr. Wheeler replied essentially, with regard to demolitions, we are limited in the number we can do. The land bank will be taking houses that the corporation, County and municipalities feel will substantially improve a neighborhood. The goal is to flip houses and make a profit, which will then go back into the land bank.

Mrs. Lando stated she has been in favor of this for quite a while.

Mr. Maio stated it is his expectation that the County would only be involved when the market has not been able to intervene or if there is a foreclosure. He sees this as allowing the County to be able to intervene.

Ms. Fitzpatrick stated she likes the idea, but has concerns about having a game plan. She asked can this be tabled and sent back to committee for more information on how this will be run?

Mr. Booth asked if we adopt, do we turn over control to the board? Mr. Wheeler replied the County represents the majority with the Chairman of the Legislature, Chairman of Finance, County Manager and Commissioner of Finance. We have had discussions with local housing organizations that have the expertise in this area, however, nothing is final. If we do not get the State funding, we will continue to do what we have been doing all along. The housing organization has a model that gives him at least a sense of comfort going forward with this process.

Ms. Fitzpatrick asked how do you know the percentage of demolitions versus renovations that you are allowed? Mr. Wheeler replied the State Attorney General sets that. Ms. Fitzpatrick commented there is nothing in the Land Bank Act about that.

Mr. Reed stated the land bank will operate under the direct authority of the Legislature. The properties transferred to the land bank are subject to the Legislature’s approval.

Mr. Van Etten commented he understands that this is the first step to being able to apply for State aid. If we do not get the funding, we will not do anything. There will be an original cost to the County to establish the administration until the land bank generates revenue. This is another area that the Legislature will have a say in.

Mr. Wheeler stated the City of Hornell has verbally indicated they will invest $25,000 into the start-up of the land bank. Worst case scenario is $100,000 in start-up costs. We will be able to utilize State funds for administrative costs as well.
Mr. Mullen asked what does it look like if the County is taking over properties or purchasing and flipping? Mr. Wheeler explained we will be trying to find houses in neighborhoods that have been let go for taxes. We will look at demolition or renovation. The local housing agency has the experience to advise what will work best in each situation. Mr. Mullen asked are we pulling properties out of the tax sale and flipping them? Mr. Wheeler replied potentially. We have the ability to not allow cherry-picking all the time. The goal is for the County to stay whole. The County would get the taxes owed and the land bank would get the profits from the sale.

Mrs. Lando commented this is a way of improving our housing stock. As long as we stay whole, this is a win-win for everyone.

Mr. Mullen asked are private contractors going to go in and fix up these properties? Mr. Wheeler replied the contractors will be able to come in and put in a bid.

Mr. Nichols asked will we have to pay prevailing wage? Mr. Wheeler replied his understanding is the land bank does not have to pay prevailing wage.

Mr. Booth commented you are only dealing with houses in certain areas. The rural towns will be skipped. If you are only doing houses in Bath, Corning and Hornell, how do houses in Canisteo or Cameron come to the attention of the corporation? Mr. Wheeler replied you have four representatives from the County who will represent the entire County. The goal is to make the bank fiscally viable. If there were a property where a profit margin can be made and improves the quality of the community, the land bank would look at it.

Mr. Booth stated he does not believe the numbers will work for an area like Canisteo because there will not be the same profit margin. Mr. Wheeler stated it depends on the taxes and how much they get the property for.

Mr. Mullen stated the by-laws are adopted by the board of directors, not the Legislature. His understanding is that it is under the authority of the Legislature to determine if we want to buy or sell a property. Is that something that will be delegated to the Administration and Finance Committees? Mr. Wheeler replied that will fall under the Finance Committee. The properties will be reviewed under a similar process as they are currently.

**Vote:** Roll Call – Adopted. (Yes – 6302, No – 3119, Absent – 451)
(No – Legislators Booth, Fitzpatrick, Hanna, Mullen and Roush; Absent – Legislator Weaver)

RESOLUTION NO. 127-16

Introduced by G. Swackhamer. Seconded by R. Nichols.

AMENDING RESOLUTION NUMBER 059-16 RELATIVE TO THE PURCHASE OF PROPERTY ADJACENT TO THE COUNTY’S CALL HILL PROPERTY IN THE TOWN OF HARTSVILLE.

WHEREAS, on March 28, 2016, this Legislature adopted Resolution number 059-16, authorizing the purchase of property adjacent to the County’s Call Hill property in the Town of Hartsville; and

WHEREAS, Resolution number 059-16 inadvertently misstated the purchase price as ten thousand dollars ($10,000.00); and

WHEREAS, the correct purchase price is twenty thousand dollars ($20,000.00).
NOW THEREFORE, BE IT

RESOLVED, that the first resolved clause in Resolution 059-16, is hereby amended by striking the phrase “ten thousand dollars ($10,000.00)” and replacing it with “twenty thousand dollars ($20,000.00)”; and be it further

RESOLVED, that all other language in Resolution 059-16 is hereby ratified and confirmed; and be it further

RESOLVED, that certified copies of this resolution shall be filed with the Steuben County Clerk, the Commissioner of Public Works, and the Director of the Real Property Tax Service Agency.

Mr. Mullen stated he will be abstaining due to his relationship with one of parties.

Vote: Roll Call – Adopted. Yes – 8824, Absent – 451, Abstained – 597
(Absent – Legislator Weaver; Abstained – Legislator Mullen)

RESOLUTION NO. 128-16

Introduced by B. Schu. Seconded by R. Lattimer.

SETTING THE SALARY FOR THE COUNTY MANAGER AND RESCINDING RESOLUTION NO. 112-16, WHICH AUTHORIZED A WRITTEN EMPLOYMENT AGREEMENT.

WHEREAS, Jack K. Wheeler has successfully completed his first full year in the position of Steuben County Manager; and

WHEREAS, Resolution No. 112-16 of the Steuben County Legislature authorized the Chairman of the Legislature to enter into a written employment agreement with the County Manager; and

WHEREAS, following discussion and negotiation of the terms of the contract, both parties concurred that a written employment agreement was not necessary; and

WHEREAS, in the absence of an employment agreement, the Administration Committee recommends approving a salary increase for the County Manager.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby rescinds Resolution No. 112-16 dated June 27, 2016, establishing a written employment agreement with the Steuben County Manager; and be it further

RESOLVED, the Steuben County Legislature, upon the recommendation of the Chairman and the Administration Committee, does hereby set the 2016 salary of the Steuben County Manager, Jack K. Wheeler, at $120,000 per annum effective June 30, 2016; and be it further

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

Vote: Roll Call – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7§ 105.1.E. Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law made by Mr. Mullen, seconded by Mr. Roush and duly carried.
Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Mullen, seconded by Mr. Roush and duly carried.

Motion to Adjourn made by Mr. Malter, seconded by Mr. Farrand and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 22nd day of August, 2016, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present except Legislator Swackhamer.

Mr. Mullen provided the Invocation and the Pledge of Allegiance was led by Ms. Lattimer.

Chairman Ha尿yski opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.

John Clifford stated he is the representative of the Western Regional Off-Track Betting Corporation. Gambling has been the largest growing industry in the State over the last ten years. Batavia Downs is unique; it is the only one that is owned by the public. Steuben, along with fourteen other counties and the City of Rochester and City of Buffalo are shareholders in the racetrack, Racino and the easy bet locations. An initial investment of $22,800 in 1974 by Steuben County has seen a return on investment of $6.3 million. Mr. Clifford invited all of the Legislators to Legislator Night on Wednesday, August 24th with cocktails beginning at 5:30 p.m. with dinner to follow. He presented a dividend check, representing revenue payable for the second quarter of 2016 to Chairman Hauryski in the amount of $38,376.

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

Mr. Reed stated he is pleased to announce that Jennifer Prossick will be the new Deputy County Attorney for Municipal Affairs. She is very highly qualified and comes highly recommended.

RESOLUTION NO. 129-16

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 the application for correction of real property taxes levied on the parcel 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 parcel contained in Schedule "A", as set forth in the approved applications, a copy 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 application executed in duplicate by the Chairman of the County Legislature, and the Chairman of the Board of Assessors of the appropriate municipality.
Monday, August 22, 2016

SCHEDULE "A"

Resolution No. A-1
Name S. Hornell Fire Protection Co., Inc.
Parcel No. 166.18-01-032.210
Municipality Town of Hornellsville
Disposition Refund

Vote: Roll Call – Adopted.

RESOLUTION NO. 130-16

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE AUGUST 22, 2016 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 15, 2016
NYS Office for the Aging – Re: Revised Notifications of Grant Award (NGAs) and Annual Implementations Plan budget pages for the EISEP and CRC programs for the period of April 1, 2015 through March 31, 2016. Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.

July 18, 2016
New York State Association of Counties – Re: 2016 New York State Legislative session summary report. Referred to: Steuben County Legislature.

July 25, 2016
Southern Tier Central – Re: 2017 request in the amount of $5,000 for the next two years for the planning of the Water’s Way ESD Strategic Planning Proposal. Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.

July 27, 2016
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 program for the period of April 1, 2016 – March 31, 2017 has also been approved. Referred to: Human Services/Health & Education Committee; and Patricia Baroody; OFA Director.

The ARTS Council of the Southern Finger Lakes – Re: 2017 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 28, 2016
NYS Office for the Aging – Re: Revised Notification of Grant Award (NGA) and Annual Implementation Plan budget pages for the WIN program for the period of April 1, 2015 through March 31, 2016. Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.
NYS Office for the Aging – Re: Notifications of Grant Award (NGAs) for the CSE, EISEP, CSI, WIN, State Transportation, CRC (if applicable), HIICAP and Direct Care Worker programs for the period of April 1, 2016 to March 31, 2017. Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.

July 29, 2016
Finger Lakes Association d/b/a Finger Lakes Tourism Alliance (FLTA) – 2017 Budget request in the amount of $18,500.00. Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.

Fox & Kowalewski, LLP, Attorneys & Counselors at Law – Re: Notice of Lien on Account of Public Improvements, along with affidavit of service. Referred to: Alan Reed, County Attorney; Patrick Donnelly, Commissioner of Finance; and Vincent Spagnoletti, Commissioner of Public Works.

August 3, 2016
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $38,376, which represents the net revenue payable for the second quarter of 2016 combined with the surcharge payment for the month of June 2016. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

August 8, 2016
Everpower – Re: Notice of submission of preliminary scoping statement for the Baron Winds Wind Project. Referred to: A.I.P. Committee, and Amy Dlugos, Planning Director.

NYSAC – Re: Notice of availability of the Electronic Waste Assistance Grants. Applications will only be accepted between October 3, 2016 through October 31, 2016. Referred to: Public Works Committee; Vince Spagnoletti, Commissioner of Public Works; and Mitch Alger, Deputy County Manager.

August 10, 2016
NYS Department of Transportation – Notification of funding for the Accelerated Transit Capital (ATC) Program in the amount of $20,256 is allocated based on the share of the Statewide Mass Transportation Operating Assistance (STOA) program funding apportioned during the State Fiscal year (SFY) 2015-2016. Referred to: Amy Dlugos, Planning Director.

Environmental Design & Research on behalf of Baron Winds LLC – Re: Baron Winds Project (Case No. 15-F-0122) Preliminary Scoping Statement. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.

Mr. Van Etten asked for an explanation of the letter received July 29th from Fox & Kowalewski, LLP, regarding the notice of lien on account of public improvements. Mr. Reed replied that references a legal matter which if we would like to discuss, would be proper for executive session.

Vote: Acclamation – Adopted.

RESOLUTION NO. 131-16

Introduced by R. Lattimer. Seconded by R. Nichols.

AUTHORIZING A PUBLIC HEARING ON THE EIGHT-YEAR REVIEW OF AGRICULTURAL DISTRICT NO. 7.

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

WHEREAS, Agricultural District No.7, located in the Towns of Canisteo, Dansville, Fremont, Hartsville, Hornellsville and Howard, Steuben County, is now being reviewed pursuant to said Law; and
WHEREAS, the Clerk of the Legislature did file a copy of the Notice of Review in the Steuben County Clerk's Office and did properly publish and have posted the thirty day (30) Notice as required by Law, and the Affidavits of Publication and Posting of the Notice of Review of the Agricultural District having been received and filed on behalf of this Legislature; and

WHEREAS, upon completion of the thirty day review period, any and all proposals filed were referred to the Steuben County Agricultural and Farmland Protection Board and said Board did file written reports with this County Legislature containing their recommendations and any proposed modifications concerning the same. Said reports being hereby approved, ratified, and confirmed by this County Legislature.

NOW THEREFORE, BE IT

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, a Public Hearing on the review of said Agricultural District together with any modification thereof set forth in the reports of the Agricultural and Farmland Protection Board shall be held by this County Legislature on the 26th day of September, 2016, at 10:00 a.m.; and be it further

RESOLVED, that the Clerk of this Legislature shall cause a Notice of said Public Hearing to be published and mailed in accordance with Section 303-a of the Agriculture and Markets Law; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of the Steuben County Planning Department.

Vote: Acclamation – Adopted.

RESOLUTION NO. 132-16

Introduced by R. Lattimer. Seconded by J. Malter.

COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 2

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

WHEREAS, Agricultural District No. 2, located in the Towns of Bath, Bradford, Campbell, Howard, Rathbone, Thurston, Urbana, and Wayne, Steuben County, is now being reviewed pursuant to said Law; and

WHEREAS, the next review date for said district is April 22, 2017 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. 2 is required to commence.

NOW, THEREFORE, BE IT

RESOLVED, that the Review period of the said Agricultural District located in the Towns of Bath, Bradford, Campbell, Howard, Rathbone, Thurston, Urbana, and Wayne, 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: Acclamation – Adopted.

RESOLUTION NO. 133-16

Introduced by R. Lattimer. Seconded by H. Lando.

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, said housing activities, including rehabilitation, 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 housing rehabilitation; 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, that should said grant be awarded to Steuben County, the Steuben County Commissioner of Finance is hereby authorized to deposit said grant in the appropriate line item in the Steuben County Budget; and be it further

RESOLVED, that the Steuben County 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 Steuben County Planning Director, and to the Executive Director, Arbor Development, Inc., 26 Bridge St., Corning NY 14830.
Vote: Roll Call – Adopted.

RESOLUTION NO. 134-16

Introduced by D. Farrand. Secended by G. Roush.

AUTHORIZING THE STEUBEN COUNTY SHERIFF’S OFFICE TO ENTER INTO AN AGREEMENT TO
PROCURE FOOD PRODUCTS FROM THE NEW YORK STATE DEPARTMENT OF CORRECTIONAL
SERVICES’ OFFICE OF NUTRITIONAL SERVICES (NYS DOCS-NS).

WHEREAS, Food products produced by the DOCS-NS will be delivered to the Steuben County Jail for the
purpose of feeding the inmate population; and

WHEREAS, Steuben County considers food products prepared by DOCS-NS to be a preferred means of
supplying wholesome food to its inmate population; and

WHEREAS, the production of food products by DOCS-NS for use by the Steuben County Jail is consistent with
Correction Law Sections 170 and 184; and

WHEREAS, the term of this agreement shall be for the anticipated period of August 1, 2016 through July 31,
2021.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby authorizes the Steuben County Sheriff to execute the
agreement as set forth above; and it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Steuben County Sheriff.

Vote: Roll Call – Adopted.

RESOLUTION NO. 135-16

Introduced by C. Ferratella and S. Van Etten. Seconded by H. Lando.

AUTHORIZING THE ACCEPTANCE OF AN ALZHEIMER’S CAREGIVER GRANT FROM LIFESPAN OF
GREATER ROCHESTER.

WHEREAS, Steuben County Office for the Aging recently received notification of the availability of up to
$6,000 from Lifespan of Greater Rochester through December 31, 2016 with option to renew for a total of five years,
contingent on funding; and

WHEREAS, this funding will be used to expand the existing dementia support services, which promotes quality
of life for the caregiver and the care-receiver and decreases premature institutionalization, it is in the best interest of the
County of Steuben to receive these funds.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized and directed to accept up to
$6,000 as revenue in account #677300 and appropriate the same to expenditure lines:

$175 rent Expense line: 5412970
$500 Training Expense line: 5479300

Monday, August 22, 2016
RESOLUTION NO. 136-16

Introduced by S. Van Etten. Seconded by R. Nichols.

AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ACCEPT SUICIDE PREVENTION FUNDING FROM ARDENT SOLUTIONS, INC.

Pursuant to Section 2.07(12) and Section 9.02(i) of the Steuben County Charter.

WHEREAS, Ardent Solutions, Inc. located at 85 N. Main Street, Wellsville NY 14895 has made $8,202.50 of funding available for suicide prevention efforts; and

WHEREAS, Steuben County Community Services will utilize this funding to support its Suicide Prevention Coalition; and

WHEREAS, the Human Services, Health and Education and Finance Committees have approved acceptance of said funds.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby approves the acceptance of $8,202.50 from Ardent Solutions, Inc.; and be it further

RESOLVED, that certified copies of the resolution shall be forwarded to the Commissioner of Finance, Carrie Whitwood, Executive Director, Ardent Solutions, Inc., 85 North Main Street, Wellsville, NY 14895 and the Director of Community Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 137-16

Introduced by B. Schu. Seconded by J. Malter.

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 1/1/17 LEVY

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**Vote:** Roll Call – Adopted.
RESOLUTION NO. 138-16

Introduced by B. Schu. Seconded by R. Lattimer.

DESIGNATING THE MEDICAL DIRECTOR OF PUBLIC HEALTH (PT) AS NON-COMPETITIVE FOR CIVIL SERVICE PURPOSES.

Pursuant to Civil Service Law Section 20, the Personnel Officer may amend the local civil service rules.

WHEREAS, the Medical Director of Department of Special Children’s Services (PT) has been classified as non-competitive and policy influencing; and

WHEREAS, the Medical Director of Public Health (PT) is a more comprehensive title and is replacing the title of Medical Director of Department of Special Children’s Services (PT); and

WHEREAS, the Medical Director of Public Health (PT) provides leadership and confidential clinical oversight for the medical services provided by the Steuben County Public Health Department.

NOW THEREFORE, BE IT

RESOLVED, that Civil Service be, and the same is hereby requested to allocate the Medical Director of Public Health (PT) as Non-Competitive and Policy influencing in the Classified Civil Service; and be it further

RESOLVED, that the within Resolution shall be effective when and upon ratification; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Personnel Officer and the Public Health Director.

Vote: Roll Call – Adopted.

RESOLUTION NO. 139-16

Introduced by B. Schu. Seconded by R. Weaver.

AUTHORIZING THE ADDITION OF AN AMERICANS WITH DISABILITIES ACT AND REASONABLE ACCOMMODATION POLICY INTO THE ADMINISTRATIVE CODE.

Pursuant to Section 2.07(6) of the Steuben County Charter.

WHEREAS, the Steuben County Administrative Code, adopted in 1985 and amended various times since, details policies and procedures of Steuben County; and

WHEREAS, the County regularly works with employees when reasonable accommodations are requested on a permanent or temporary basis; and

WHEREAS, the Personnel Officer has drafted an Americans with Disabilities Act [hereinafter ADA] and Reasonable Accommodation Policy after researching, evaluating, and considering examples of effective Accommodation Policies; and

WHEREAS, the Personnel Officer recommends adding the Reasonable Accommodation Policy to the Administrative Code in an effort to facilitate Steuben County’s offering of reasonable accommodations for employees working in any County department; and
WHEREAS, the ADA and Reasonable Accommodation Policy is further intended to outline various responsibilities for County employees, Departments and the Personnel Department; and

WHEREAS, the draft ADA and Reasonable Accommodation Policy has been distributed to the Legislature for review; and

WHEREAS, the Administration Committee has reviewed the proposed changes and recommends approval by the Legislature.

NOW THEREFORE, BE IT

RESOLVED, that the Administrative Code is hereby amended to include the ADA and Reasonable Accommodation Policy; and be it further

RESOLVED, the revised Administrative Code will be made available via the Steuben County intranet, and employees and staff will be notified of said revisions; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, Personnel Officer, and County Attorney.

Mr. Mullen asked what were the changes that were made? Mr. Wheeler replied there were no changes. This policy was not formally adopted into the Administrative Code and this reflects the State and Federal statutes.

Vote: Roll Call – Adopted.

RESOLUTION NO. 140-16

Introduced by D. Farrand. Seconded by G. Roush.

URGING GOVERNOR CUOMO TO SIGN INTO LAW THE PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/ A.10706).

WHEREAS, it is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of Gideon vs. Wainwright, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State; and

WHEREAS, the New York State Senate and Assembly have passed historic legislation entitled Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the State's obligation to provide representation for those financially unable to afford counsel commencing in 2017 and incrementally reaching 100% in 2023 and thereafter; and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority "to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of [Executive Law 832]; and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) also requires that the various counties and New York City receive an amount equal to the amount paid from the Indigent Legal Services Fund to the counties and NYC in March 2010; and

WHEREAS, New York State has previously entered into an agreement to settle the Hurrell-Harring vs. State of New York class action lawsuit and has begun to expend substantial amounts of State funds to create a more equitable and
Constitutional system of representation. Currently, the improved system is found in only the five settlement counties, creating an unequal system of justice in the remaining counties of the State; and

WHEREAS, by entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is constitutionally required to fund public defense services for mandated representation; and

WHEREAS, requiring counties subject to a State-imposed tax cap to finance the State's obligation to provide public defense services imposes a significant, uncontrollable financial burden on counties dependent on real property taxes to fund needed services; both problems would be remedied under the Public Defense Mandate Relief Act (S.8114/A.10706) as passed by the New York State Senate and Assembly.

NOW, THEREFORE, BE IT

RESOLVED that the Steuben County Legislature hereby strongly urges Governor Cuomo to request the immediate delivery of the Public Defense Mandate Relief Act (S.8114/A.10706) from the New York State Senate and commit to sign the bill as soon as possible, fulfilling the State's obligation under Gideon vs. Wainwright, 372 U.S. 335, relieving the taxpayers of Steuben County and the other counties of the State and New York City to fund this State mandate; and

RESOLVED, that 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 John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Carl Heastie, Speaker, New York State Assembly, 522 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; 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, the New York State Office of Indigent Legal Services, and the New York State Association of Counties (NYSAC).

Vote: Roll Call – 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 an Article 7§ 105.1.F. The Medical, Financial, Credit, or Employment History of a Particular Person or Corporation, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person or Corporation made by Mr. Mullen, seconded by Mr. Malter and duly carried.

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

Motion to Adjourn made by Mr. Farrand, seconded by Mrs. Ferratella and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 26\textsuperscript{th} day of September, 2016, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Haurycki.

Roll Call and all members present except for Legislator Swackhamer.

Mrs. Ferratella provided the Invocation and the Pledge of Allegiance was led by Mr. Van Etten.

Chairman Haurycki asked Angie Cornish to come forward. Ms. Cornish is an employee in the Board of Elections. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Haurycki asked Bonnie Lowery to come forward. Ms. Lowery is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a watch in recognition of her retirement with 21 years of service to Steuben County.

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

Wayne Wells, Cameron stated he is here today to continue the conversation of torture as policy and its importance to him as Presidential candidate Donald Trump wants to reinstate it. He distributed a sheet with links to videos regarding this topic.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Upon the Agricultural District within the Towns of Canisteo, Dansville, Fremont, Hartsville, Hornellsville and Howard, New York, known as Agricultural District No. 7, to Consider the Recommendations of the County Planning Board and the Agricultural and Farmland Protection Board, and any Proposed Modifications of the District. Chairman Haurycki asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Authorizing and Directing the Commissioner of Finance to Transfer $83,000 from the Repairs & Renovations Reserve to the Capital Project Entitled “Courthouse Steel Roof”. Chairman Haurycki asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

\textit{Motion approving the minutes of the previous meeting(s) made by Mr. Maio, seconded by Mr. Mullen and duly carried.}

Mr. Farrand stated that he thinks the Legislature should recognize the Public Works Department for the great job on our bridges. Steuben County is ranked number one in the State for bridge quality rankings. This shows the dedication and hard work of the department and he thinks they should be recognized.

Ms. Mori announced that next month, the Youth In Government Interns will be attending the October 11\textsuperscript{th} Administration Committee meeting which will be held in the Chambers. They will also be attending the October 24\textsuperscript{th} Legislative meeting and immediately following will be lunch at the Presbyterian Church.
RESOLUTION NO. 141-16

Introduced by S. Van Etten. Seconded by A. Mullen.

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 the application for correction of real property taxes levied on the parcel 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 parcel contained in Schedule "A", as set forth in the approved applications, a copy 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 application 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. A-1
Name S. Hornell Fire Protection Co., Inc.
Parcel No. 166.18-01-032.210
Municipality Town of Hornellsville
Disposition 2016 Refund

Vote: Roll Call – Adopted.

RESOLUTION NO. 142-16

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE SEPTEMBER 26, 2016 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:

August 12, 2016
Emergency Medical Services Training, Administration & Resources – Re: Second Quarter Report for April-June 2016. Referred to: Human Services/Health & Education Committee; Public Safety & Corrections Committee; Darlene Smith, PHN Director; and Tim Marshall, EMO Director.

August 15, 2016
Department of the Army – Re: Right-of-entry for the Military Munitions Response Program site inspection, Site-AEDB-R#NYHQ-013-R-01, Hornell Rifle Range Area. Referred to: Alan Reed, County Attorney.

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NYS Board of Electric Generation Siting and the Environment – Re: Case 15-F-0122- Application of Baron Winds, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 300 MW Wind Energy Project. Notice to nominate four potential candidates to serve as ad hoc public members on the siting board. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.

NYS Department of Environmental Conservation – Re: Public Notice of the Brownfield Cleanup Program (BCP) Amendment application from Yort, Inc. and Philips Electronics North America Corporation to transfer ownership, add an applicant and expand the boundaries of the Philip Lighting Company Site, ID#C851044, located at 7265 State Route 54 in Bath, NY. Comments regarding this application must be submitted no later than September 16, 2016. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.

August 17, 2016
Town of Corning – Re: Passed resolution from the Town of Corning increasing the apportionment of sales tax from $175,000 to $350,000 effective January 1, 2017. Referred to: Finance Committee; Patrick Donnelly, Commissioner of Finance; and Jack Wheeler, County Manager.


August 25, 2016
NYS Department of Transportation – Re: Notice of availability of $98.7 million in funding to support transportation-related projects and programs that help meet the requirements of the Clean Air Act by reducing congestion and vehicle emissions. Completed applications will be accepted electronically through October 21, 2016. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; Vince Spagnoletti, Commissioner of Public Works; and Mitchell Alger, Deputy County Manager.

August 26, 2016
NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the second quarter SFY 2016-2017 Statewide Mass Transportation Operating Assistance (STOA) payments. Referred to: Amy Dlugos, Planning Director.

Everpower – Re: Notification of a public open house on September 8, 2016 from 5:30pm to 7:00pm at the Fremont Volunteer Fire Department located at Route 21 and Cream Hill Road (Fremont), Arkport, NY 14807. Referred to: A.I.P. Committee, and Amy Dlugos, Planning Director.

September 6, 2016
Western Regional Off-Track Betting – Re: Check in the amount of $2,919, which represents the July 2016 surcharge revenues for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

NYS Department of Public Service – Re: Public hearing notice on the proposed rate increases for Corning Natural Gas Corporation is scheduled for Wednesday, September 14, 2016 (3pm & 6pm information sessions and 4pm & 7pm public statement hearings) at the Southeast Steuben County Library located at 300 Nasser Civic Center Plaza, Corning, NY 14830. Referred to: filed with the Clerk of the Legislature, Brenda Mori.

NYS Board on Electric Generation Siting and the Environment – Re: Case 15-F-0122- Application of Baron Winds, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 300 MW Wind Energy Project. The notice of pre-application procedural conference is to consider pre-application intervenor funding requests and to initiate the stipulations process. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.
Federal Aviation Administration – Re: Notification of an aeronautical study (ASN# 2015-WTE-2709-OE) on the Wind Turbine T20 located in Cohocton, NY. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

September 9, 2016
NYS Homeland Security and Emergency Services – Re: Notification of being awarded $190,105 under the New York State 2016-2017 Public Safety Answering Points Operations Grants Program (2016-17 PSAP Grant). Referred to: Public Safety & Corrections Committee; David Hopkins, 911 Director; and Mitchell Alger, Deputy County Manager.

September 12, 2016
Southern Tier Library System – Re: 2017 Budget request in the amount of $123,829. Referred to: A.I.P. Committee; Finance Committee; and Jack Wheeler, County Manager.

September 13, 2016
CSEA Employee Benefit Fund – Re: Memorandum of Agreements for the CSEA Employee Benefit Fund for Retiree Vision & Dental Plans (#197 Steuben County Employees and #465 Steuben County Corrections Officers) Referred to: Nancy Smith, Personnel Officer; and Patrick Donnelly, Commissioner of Finance.

Mr. Mullen asked for an explanation on the August 15th correspondence from the Department of Army regarding the right-of-entry for the Military Munitions Response Program. Mr. Reed explained this was property that was previously used by the Army as a rifle range. They are now going back and checking to see if there are any munitions left in the area.

Mr. Mullen asked for an explanation on the August 17th correspondence from the Town of Corning indicating they are increasing the allocation of sales tax in cash form from $175,000 to $350,000 effective January 1, 2017. Mr. Wheeler explained the towns have the ability to take the sales tax as either a credit against the county taxes for their town, or as cash. We have about half of the towns who elect to take it as a credit. The Town of Corning is electing to take more cash. This cash infusion to the Town of Corning may help Town operations, but the county tax in the Town of Corning for 2017 will be increase disproportionately, as they are decreasing funding for the credit against county taxes. Mr. Mullen asked didn’t we pass something that was supposed to make that uniform? Mr. Wheeler replied we have tried to encourage the towns to stabilize their elections of cash or credit. With the sales tax agreement, the towns have the option of forcing that, we but have not formally done that. It does not impact us negatively when they make a change.

Vote: Acclamation – Adopted.

RESOLUTION NO. 143-16

Introduced by R. Lattimer. Seconded by R. Weaver.

MODIFYING AND ADOPTING AGRICULTURAL DISTRICT NO. 7 AS A RESULT OF THE EIGHT YEAR REVIEW.


WHEREAS, pursuant to the procedures and timetable set forth by the New York State Department of Agriculture and Markets, the County Agricultural and Farmland Protection Board has filed its recommendations, relative to the eight year review of this Agricultural District with this Legislature; and

WHEREAS, this Legislature did hold a Public Hearing on the proposed modifications to said district recommended by the Agricultural and Farmland Protection Board on September 26, 2016; and
WHEREAS, modifying an Agricultural District is an Unlisted Action and a Short Environmental Assessment Form was prepared.

NOW THEREFORE, BE IT
RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature does find as follows:

(1) Within the district as recommended to be modified, the number of participating farms and farm acreage thereof is consistent with and substantially furthers the objective of encouraging and protecting viable farming in the area, for which the district was originally created; and

(2) The district has since its creation been of substantial assistance to a majority of participating farmers in maintaining an active farm economy in the area; and

(3) Continuation of this district is consistent with the County's important agricultural economy and predominantly rural pattern of development; and

(4) The district deters local government adoption of land use regulations unduly restrictive of normal farm activities, supports orderly patterns of community development, and helps to sustain active farming for its important economic and environmental values; and be it further

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature has deliberated on said District and modifications, and does hereby adopt the proposed modifications of Agricultural District No. 7 in the County of Steuben for a period of eight years; and be it further

RESOLVED, that modifying the District will not have a significant adverse environmental impact; and be it further

RESOLVED, that the Clerk of this Legislature be, and she hereby is, directed to submit said proposal to the Commissioner of Agriculture and Markets with such reports, maps, materials, and documentation as required by law; and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to the Commissioner of the Department of Agriculture and Markets at Albany; to the Director of the Steuben County Planning Department; to the Director of the Steuben County Real Property Tax Service Agency; and to Cornell Cooperative Extension – Steuben County.

Vote: Roll Call – Adopted.

RESOLUTION NO. 144-16


AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO APPROPRIATE $83,000.00 FROM THE "REPAIR AND RENOVATIONS RESERVE" TO INCREASE THE BUDGET FOR THE COURTHOUSE STEEL ROOFS CAPITAL PROJECT.

WHEREAS, it is necessary to appropriate funds to increase the budget amount of $350,000.00 adopted on November 23, 2015 to $433,000.00 for the Courthouse Steel Roofs Capital Project; and

WHEREAS, funds are available within the Buildings and Grounds Department "Repair and Renovations Reserve".
NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be, and the same hereby is, authorized and directed to appropriate the sum of $83,000.00 from the "Repair and Renovations Reserve" to the Courthouse Steel Roofs Capital Project; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, and the Superintendent of Buildings and Grounds.

Vote: Roll Call – Adopted.

RESOLUTION NO. 145-16


ACCEPTING AND APPROPRIATING $50,000 IN GRANT FUNDS FROM NEW YORK STATE LEGISLATIVE GRANT TO BE USED FOR TRAINING AND INVESTIGATIVE PURPOSES.

WHEREAS, New York State is awarding Steuben County $40,000 and $10,000 [total of $50,000] under the New York State Legislative Grant Program; and

WHEREAS, the total $50,000 grant(s) are totally funded with no County cost; and

WHEREAS, it has been established that $40,000 of these funds would be used for ALERT Training Kits – Active Shooter Training and $10,000 would be used towards the Cellibrite Phone System – CIU Investigating Tool.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to accept the grants totaling $50,000 as revenue; and be it further

RESOLVED, appropriate the funds in the revenue account 43089300, State Aid Legislative Grants accordingly; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 146-16

Introduced by D. Farrand and S. Van Etten. Secconded by C. Ferratella.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A DONATION FROM LEGAL ASSISTANCE OF WESTERN NY.

WHEREAS, the Legal Assistance of Western NY (DART) has offered to donate $4,353.24 towards the purchase of the Cellibrite Phone System; and

WHEREAS, the Legal Assistance of Western NY (DART) will send in the donation of $4,353.24 for the purchase of the Cellibrite Phone System.

NOW THEREFORE, BE IT
RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to accept the donation of $4,353.24 as revenue and appropriate the amount of $4,353.24 to 311000-43089300; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 147-16

Introduced by D. Farrand and S. Van Etten. Seconded by H. Lando.

AUTHORIZING AND DIRECTING THE SHERIFF TO DESIGNATE CERTAIN TEMPORARY PART-TIME POSITIONS AS PERMANENT PART-TIME POSITIONS.

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

WHEREAS, several temporary part-time positions currently exist in the Sheriff’s Office. These positions exist to maintain minimum staffing in the Jail and proper security in the courts; and

WHEREAS, Civil Service limits temporary appointments to specific time periods; and

WHEREAS, a number of the temporary positions may be designated as permanent and may be supported by civil service appointing procedures.

NOW THEREFORE, BE IT

RESOLVED, the time frame of Rule 16B of the Rules of Procedure of the Steuben County Legislature, Titled: Request for New Positions, hereby waived by means of the provisions as set forth in Rule 16B (7) with the minimum consents therein; and it is further

RESOLVED, the number of permanent positions will be designated on the following schedule:

September 26, 2016 Designate three part-time Correction Officer positions as permanent.
January 1, 2017 Designate three part-time Correction Officer positions as permanent.
January 1, 2017 Designate one part-time Court Security Officer position as permanent.
July 1, 2017 Designate four part-time Correction Officer positions as permanent.

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

Mr. Weaver asked is there a timeframe for doing this? Mr. Wheeler replied there is to a certain extent. This allows us to gradually phase these positions in. This is a civil service requirement. We do have some individuals classified as temporary part-time employees that will be coming up against this time frame.

Vote: Roll Call – Adopted.

RESOLUTION NO. 148-16

Introduced by G. Roush. Seconded by R. Nichols.
AUTHORIZING AN EXTENSION OF THE PRATTSBURGH-COHOCTON LANDFILL LEASE.

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

WHEREAS, by resolution duly adopted April 19, 1976, the Chairman of the Steuben County Board of Supervisors was authorized to execute a lease for land in the Town of Prattsburgh as a landfill site for such property then known as the Prattsburgh-Cohocton Landfill; and

WHEREAS, said lease was for a term of 5 years, subject to renewals through September 30, 2016; and

WHEREAS, the parties are desirous of extending the lease for an additional 5 year-period, with the County’s option to renew up to a period of 5 years.

NOW THEREFORE, BE IT

RESOLVED, that the aforesaid lease is renewed and extended for an additional term of 5 years, until September 30, 2021 with an option to renew up to a period of 5 years; and be it further

RESOLVED, that the Steuben County Manager be, and the same hereby is, authorized and directed to execute an agreement for an extension of renewal of the aforesaid lease; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Public Works; Tom Johnson, Cohocton Town Supervisor, 17 South Main Street, Cohocton, NY 14826 and Leonard L. McConnell, Prattsburgh Town Supervisor, 19 North Main Street, Prattsburgh, NY 14873.

Vote: Roll Call – Adopted.

RESOLUTION NO. 149-16


AUTHORIZING THE COMMISSIONER OF FINANCE TO ADD 3 PROJECTS TO THE PUBLIC WORKS DEPARTMENT'S CAPITAL CONSTRUCTION ACCOUNT.

WHEREAS, lower prices for liquid asphalt and blacktop have decreased the costs of the 2016 road projects; and

WHEREAS, there will be a surplus in the Permanent Improvements Capital Projects account; and

WHEREAS, CR 41, Hornby, 1.7 miles is on the 2017 schedule and is in need of paving now; and

WHEREAS, CR 83, Troupsburg, 1.2 miles is in poor condition and can be remedied by a blacktop overlay; and

WHEREAS, CR 89, Urbana, 2.2 miles is in poor condition and can be remedied by a blacktop overlay.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to add 3 new projects to the Permanent Improvements, Capital Projects as follows:

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>R041-03; 511200 5251024</td>
<td>CR 41 Hornby 1.7 miles</td>
<td>$153,000</td>
</tr>
<tr>
<td>R083-00; 511200 5251025</td>
<td>CR 83 Troupsburg 1.2 miles</td>
<td>$111,000</td>
</tr>
<tr>
<td>R089-00; 511200 5251026</td>
<td>CR 89 Urbana 2.2 miles</td>
<td>$202,000</td>
</tr>
</tbody>
</table>
AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance and the Commissioner of Public Works.

Mr. Mullen asked why is the Prattsburgh project not included on this list? Mr. Wheeler replied that project falls under the $250,000 threshold that only requires Standing Committee and Finance Committee approval. It does not need the approval of the Legislature.

Vote: Roll Call – Adopted.

RESOLUTION NO. 150-16


ACCEPTING AND APPROPRIATING NEW YORK STATE FLOOD FUNDING AND AUTHORIZING THE COMMISSIONER OF FINANCE TO ADD A PROJECT TO THE PUBLIC WORKS DEPARTMENT’S CAPITAL CONSTRUCTION ACCOUNT.

WHEREAS, Steuben County has received funding from the State of N.Y. for $93,193 for flood damage in 2004; and

WHEREAS, CR 10, Bath-Cameron, 1 mile has rutting and can be upgraded for the long term with a blacktop overlay.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to add a new project and to appropriate the N. Y. State flood funding to the Permanent Improvements, Capital Projects as follows:

Project R010-03; 511200 5251028 CR 10 Bath-Cameron 1 mile $93,193

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 151-16

Introduced by B. Schu. Seconded by R. Lattimer.

AMENDING THE STEUBEN COUNTY ADMINISTRATIVE CODE.

WHEREAS, the Steuben County Administrative Code, adopted in 1985 and amended various times since, details policies and procedures of Steuben County; and

WHEREAS, as a recipient of federal and state funds, Steuben County is subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964, as amended; and

WHEREAS, Steuben County is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, or national origin, as protected by Title VI; and
WHEREAS, the County Manager’s Office recommends amending the *Administrative Code* to include a Title VI Policy; and

WHEREAS, said revisions have been distributed to the Legislature for review; and

WHEREAS, the Administration Committee has reviewed the proposed additions and recommends approval by the Legislature.

NOW THEREFORE, BE IT

RESOLVED, that the revised *Administrative Code*, and policies and forms contained within, is hereby adopted; and be it further

RESOLVED, the revised *Administrative Code* will be made available via the Steuben County intranet, and employees and staff will be notified of said revisions; and be it further

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

Mr. Mullen asked what is the purpose of this? Mr. Wheeler explained because we are the recipient of Federal and State funds, we are subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964. This is something that we have already been doing, but it was not codified in our *Administrative Code*.

Vote: Roll Call – Adopted.

RESOLUTION NO. 152-16

Introduced by R. Lattimer. Seconded by H. Lando.

AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF $5,000,000 TO PAY FOR THE NEW OFFICE BUILDING AND RECORDS STORAGE FACILITY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act (“SEQRA”), have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project.

NOW THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Steuben, New York, as follows:

Section 1. The construction of a new office building in and for the County of Steuben, New York, adjacent to the County Office Building Complex and a records storage facility in and for the County of Steuben, New York, at the County Farm property, including grading and improvement of the site, equipment, machinery, apparatus and appurtenances, as well as incidental costs and expenses in connection therewith, is hereby authorized at a maximum estimated cost of $8,979,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of $5,000,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law. The remainder of the cost of the building project will be taken from unrestricted fund balance.
Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Steuben, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in full in The Leader and The Evening Tribune, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.; and it is further

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

Mr. Van Etten stated I think for my own purposes, this project has grown substantially from what we initially identified as an immediate need, which was records storage. I understand the need for additional space, but we are looking at a very expensive space at $395 per square foot. Because of the timing of the bond issuance motion, if we approve it, we are moving forward, unless the bids that come in are so outlandish.

Mr. Mullen stated he shares the same concerns as Mr. Van Etten.
Mr. Weaver stated he voted no on the initial project, and now the cost is even higher. I believe there is a cheaper alternative out there.

Ms. Lattimer stated that she does not disagree with Mr. Van Etten; it is not a cheap building, but we are up against more than just records storage. Because of State requirements, we have to make accommodations for space and this is the best way we can do it.

Mr. Weaver stated we are expanding government and our population is shrinking.

Mr. Wheeler explained this project came about due to State requirements. We have decreased our staffing, however, we have not gained space. We are adding staff with attorneys, and very soon with the implementation of caseload standards, we will be hiring additional attorneys.

Mrs. Ferratella stated if we procrastinate, our bond rating will be more expensive in the future. Mr. Mullen commented if it is simply a space issue for finding offices for attorneys, there is a lot of space available in Bath to accommodate that and it does not cost a lot of money.

Ms. Lattimer stated if we do that, then we return to the days where the departments were scattered around the village and that is not an efficient way to run government.

Mr. Mullen commented the issue we are discussing is not so much about the administration of government as it is about offices. The attorneys operate independently and he does not feel they necessarily need to be in a central location.

Ms. Lattimer stated she respectfully disagrees.

**Vote:** Roll Call – Fails. Yes – 6061, No – 3360, Absent – 451
(No: Legislators Booth, Fitzpatrick, Hanna, Mullen, Van Etten and Weaver; Absent – Legislator Swackhamer)

RESOLUTION NO. 153-16

Introduced by J. Hauryski. Seconded by R. Weaver.

APPOINTING MEMBERS TO THE HEALTH SERVICES ADVISORY BOARD OF THE STEUBEN COUNTY DEPARTMENT OF PUBLIC HEALTH.

Pursuant to Section 12.20 of the Steuben County Charter and Section 357 of the Public Health Law of the State of New York.

**WHEREAS,** the Steuben County Health Services Advisory Board acts in an advisory capacity to the Steuben County Legislature which in turn acts as the County Board of Health; and

**WHEREAS,** a vacancy exists on the Steuben County Health Services Advisory Board; and

**WHEREAS,** the Health Services Advisory Board has recommended the following appointment:

**HEALTH SERVICES ADVISORY BOARD**

<table>
<thead>
<tr>
<th>Steuben County Provider</th>
<th>Laura Rossman, Executive Director</th>
<th>01/01/14 – 12/31/17</th>
</tr>
</thead>
<tbody>
<tr>
<td>ProAction of Steuben &amp; Yates, Inc.</td>
<td></td>
<td>(Four year term)</td>
</tr>
</tbody>
</table>

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Monday, September 26, 2016
Amended October, 24, 2016
NOW THEREFORE, BE IT

RESOLVED, the Chairman of the Steuben County Legislature hereby appoints the aforementioned individual to the Health Services Advisory Board of the Steuben County Department of Public Health for the term above-indicated; and be it further

RESOLVED, the member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Health Services Advisory Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee; Regional Health Direction of the New York State Department of Health, Buffalo Region, 584 Delaware Avenue, Buffalo, NY 14202; the S2AY Rural Health Network, PO Box 97, Corning NY 14830; the County Auditor and the Director of Public Health.

Vote: Acclamation – Adopted.

Chairman Hauryski asked Larry McCaffrey to come forward. Mr. McCaffrey is an employee in the Department of Public Works. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement with 28 years of service to Steuben County.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7 105.1.E, Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law, and Article 7 105.1.F. The Medical, Financial, Credit or Employment History of a Particular Person or Corporation, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person or Corporation made by Mr. Roush, seconded by Mrs. Ferratella and duly carried.

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

Motion Securing Settlement of the Closure of the Hold Over Term of the Civil Service Officer by Providing the Civil Service Officer with Payment of 50 Percent of the Health Care Premium in Exchange for a Release of any Potential Claim Against the County and/or its Officers and Employees made by Mrs. Lando and seconded by Mrs. Ferratella. Motion carries with the exception of Legislators Booth and Mullen who were opposed, Legislator Van Etten who abstained due to a personal conflict and Legislator Swackhamer who was absent.

Chairman Hauryski announced that the AdHoc Office Space Committee will be meeting on Thursday, September 29, 2016, at 9:00 a.m. All legislators are strongly encouraged to attend.

Motion to Adjourn made by Mr. Maio, seconded by Mr. Van Etten and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 24th day of October, 2016, 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 Legislators Farrand and Van Etten.

Mr. Swackhamer provided the Invocation and the Pledge of Allegiance was led by Mr. Nichols.

Chairman Hauryski asked Wendy Flaitz to come forward. Mrs. Flaitz is the Director of the Real Property Tax Service Agency. He presented her with a Certificate of Appreciation and a Plaque in recognition of her retirement with 41 years of service. Congratulations! Mrs. Flaitz stated that she would like to thank everyone. She has had a great career with the County and has loved it.

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

Harry Pierce, Lindley, stated he is here regarding his taxes. He has had his property in the forestry program for 34 years and over that period saved $64,000. The Legislature passed legislation and now I owe $147,000 in taxes. I have paid all but $20,000. This year when I received my tax bill, it shows that I am paying a library tax on 400 acres of woodland property. Why should agricultural land be paying a library tax?

Kristin Klemenz, B & W Towing, Painted Post, stated that she has attempted to set up a meeting with Mr. Wheeler to discuss the towing RFP, however, he did not see that a meeting was necessary. I am very disappointed because the County has made one company the primary. For the last four or five years, no other companies have been called, except for the primary. This is the reason we asked for another RFP, because we thought the County wanted the smaller companies to thrive and be successful, but apparently not. You have eliminated the number one company for lightweight towing.

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

Mr. Gallagher introduced the Youth-In-Government Interns for the Fall 2016 semester.

Mr. Mullen commented that the September 26, 2016, minutes did not accurately reflect the vote on a motion regarding the settlement for the Personnel Officer. There were two opposed, himself and Legislator Booth.

Motion adopting the minutes of the previous meeting(s) as amended by Mr. Mullen made by Mr. Malter, seconded by Mrs. Ferratella and duly carried.

Mr. Swackhamer stated that he thinks we need to review the way we run the Legislative meetings. He believes we have violated our Rules of Procedure. He requested that the Rules of Procedure be read so that we know what we can and cannot do during a meeting.

Chairman Hauryski stated the Clerk of the Legislature at different times over the year has had to correct me and I do need to do a better job with regard to what Mr. Swackhamer is referring to. He asked Ms. Mori to provide a review of the Rules of Procedure.
Ms. Mori stated that Rule 10 refers to the right of debate in open meetings. All motions duly made and seconded are debatable. No debate shall be allowed upon the main question, when the motion is to refer to a committee, go into an executive session or caucus, lay a resolution on the table, recess or adjourn. No person other than a Legislator may debate a question without permission of all the Legislators present. The County Attorney shall advise the Legislature on legal questions. No Legislator shall speak more than once on the same question until every member desiring to speak on such question shall have spoken. No Legislator may speak more than twice on any question without the permission of a majority vote of the legislative membership. Before speaking, a Legislator must be recognized by the Chairperson, and when two or more Legislators shall rise at the same time, the Chairperson shall determine whom he will recognize.

RESOLUTION NO. 154-16

Introduced by G. Swackhamer. Seconded by R. Lattimer.

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, as it appears to be in the best interest of the County to sell a portion of the property listed on Schedule "B" for the consideration offered, with the recited portion being an unopened alleyway approximately 20 feet in depth and 180 feet in length and situate between two parcels each bearing Tax Map No. 299.14-05-028.000, the Steuben County Commissioner of Finance is hereby authorized and directed to execute the necessary documentation to convey the recited parcel(s) to the grantee(s) upon receipt of the consideration indicated, pursuant to Real Property Tax Law §1166 and as approved by the Steuben County Finance Committee on August 9, 2016; and be it further

RESOLVED, the Steuben County Commissioner of Finance is further authorized and directed to convey those parcels sold at the Delinquent Tax Auction held on July 15, 2016, contained in Schedule "C", and he is further authorized and directed, in the event of a default by the highest bidder by failure to make full payment within thirty (30) days of the date of this Resolution, to convey those parcels to the second highest bidder upon receipt of full payment from the second highest bidder, and said transfers made pursuant hereto be and the same hereby are ratified; and be it further

RESOLVED, the said grantee(s), previously recited in Schedules “B” and “C”, must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be, and as upon the "Notice to Bidders and Terms of Sale 2016" as applicable; 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; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the

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Monday, October 24, 2016
Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the Grantee; and certified copies of this resolution contained in Schedule "C" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, the Clerk of the Board of Education of the appropriate School District, and the grantee.

SCHEDULE "A"

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-1</th>
<th>Resolution No.</th>
<th>A-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Village of Cohocton</td>
<td>Name</td>
<td>Wegmans Enterprises Inc.</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>043.17-01-066.000</td>
<td>Parcel No.</td>
<td>317.08-01-066.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Cohocton Village</td>
<td>Municipality</td>
<td>Corning City</td>
</tr>
<tr>
<td>Disposition</td>
<td>Refund</td>
<td>Disposition</td>
<td>Court Ordered Refund - 2015</td>
</tr>
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<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-3</th>
<th>Resolution No.</th>
<th>A-4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Wegmans Enterprises Inc.</td>
<td>Name</td>
<td>Terry and Patricia Cordes</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>317.08-01-066.000</td>
<td>Parcel No.</td>
<td>225.00-01-072.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning City</td>
<td>Municipality</td>
<td>Town of Campbell</td>
</tr>
<tr>
<td>Disposition</td>
<td>Court Ordered Refund - 2016</td>
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<td>Refund - 2015</td>
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<td>Name</td>
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</tr>
<tr>
<td>Parcel No.</td>
<td>225.00-01-072.000</td>
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<tr>
<td>Municipality</td>
<td>Town of Campbell</td>
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<td>Disposition</td>
<td>Refund - 2016</td>
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SCHEDULE "B"

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</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Unknown Owner</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>76932, Corrected Judgment filed November 1, 2012</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>Portion of Parcel No. 299.14-05-034.000, approximately 20 feet in depth and 180 feet in length, situate between two parcels each bearing Parcel No. 299.14-05-028.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Town of Corning</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Robert A. Morse</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>3324 Charles Street, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$405.00, inclusive of recording fees</td>
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SCHEDULE “C”

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<td>Terry, William E.</td>
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<tr>
<td>In Rem Index No.</td>
<td>Index No. 2014-1414CV, Judgement filed 05/09/2016</td>
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<tr>
<td>Date of Tax Sale:</td>
<td>July 15, 2016 (Sale No. 37)</td>
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<td>Parcel No.</td>
<td>299.16-01-046.000</td>
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<tr>
<td>Municipality</td>
<td>Corning City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Gerald Wray</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>36 Tuxill Avenue, Corning, NY 14830</td>
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<tr>
<td>Consideration</td>
<td>$6,785.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Robert Lymber</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>4540 Pine Hill Road, Corning, NY 14830</td>
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</table>
RESOLUTION NO. 155-16

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE OCTOBER 24, 2016 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:

September 19, 2016
Corning Community College – Re: Notification of the change in the county chargeback rate ($2,912 per FTE) and an estimate of the total chargeback’s (Jan-Dec 2017: Operating $2,625,979/Capital $284,400). Referred to: Human Services/Health & Education Committee; Finance Committee; and Patrick Donnelly, Commissioner of Finance.

September 22, 2016
Corning Community College – Re: Revised notification of the change in the county chargeback rate ($2,910 per FTE) and an estimate of the total chargeback’s (Jan-Dec 2017: Operating $2,616,090/Capital $284,400). Referred to: Human Services/Health & Education Committee; Finance Committee; and Patrick Donnelly, Commissioner of Finance.

NYS Homes and Community Renewal – Re: Monitoring visit for the New York State Community Development Block Grant (CDBG), Project #1115ED785-13 is scheduled for September 30, 2016 @ 8:30am. Referred to: Amy Dlugos, Planning Director.

Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and Gray Manufacturing Industries, LLC distribution of form RP-412-a and payment in lieu of tax agreement (PILOT Agreement). Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.

September 26, 2016
NYS Office for the Aging – Re: Fourth and Final Notification of Grant Award (NGA) for the federal fiscal year 2016 (FFY 2016) Nutrition Services Incentive Program (NSIP). Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.

NYS Board on Electric Generation Siting and the Environment – Re: Notice of extending deadline to September 30, 2016 to respond to comments on the preliminary scoping statement for the application of Baron Winds, LLC Wind Energy Project. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.

September 29, 2016
NYS Homes and Community Renewal – Re: Notification of the Single Audit Fiscal Year period ending December 31, 2015 (Community Development Block Grant, Contract #1115HR65-11) is incomplete and follow up is needed within 30 days. Referred to: Amy Dlugos, Planning Director; and Patrick Donnelly, Commissioner of Finance.

NYS Empire State Development – Re: Copy of board resolution and approval from the New York State Department of Financial Services on the Steuben County Land Bank Corporation. Referred to: Finance Committee; Patrick Donnelly, Commissioner of Finance; Alan Reed, County Attorney; and Mitchell Alger, Deputy County Manager.
October 3, 2016
EverPower Wind Holdings, Inc. – Re: Responses on the comments from the preliminary scoping application for Baron Winds, LLC Wind Energy Project.  Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and Uncle Jacks Market & Deli, LLC distribution of form RP-412-a and payment in lieu of tax agreement (PILOT Agreement). Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.

Harris Beach PLLC, Attorneys at Law – Re: First amendment tax agreement for Corning Properties, Inc. releasing three parcels of land (318.09-01-055.000/132 East Denison Parkway, 318.09-01-056.000/129 Chemung Street, and 318.09-01-058.000/137 Chemung Street) and the tax agreement for Riedman Purcell CH I LLC encumbering the three parcels of land previously listed. Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.

New York State Association of Counties – Re: Advisory notice published by the NYS Department of Labor concerning Solar Power Purchase Agreements which requires the payment of prevailing wages. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

October 4, 2016
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,985, which represents the August 2016 surcharge revenue for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

October 5, 2016
NYS Department of Transportation – Re: Approval of the Supplemental Agreement #3 to Section 5311 Capital Master Grant Agreement (C003788 SA#3) in the amount of $959,005. Referred to: Amy Dlugos, Planning Director; and Patrick Donnelly, Commissioner of Finance.

Young/Sommer LLC, Counselors at Law – Re: Letter of correction to Section 2.31 of the Preliminary Scoping Statement (PSS) for Baron Winds LLC should indicate in the local laws the Town of Fremont, Steuben County. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

October 11, 2016
NYS Department of Public Service – Re: National Fuel Gas Distribution Corporation Proposed Rate Increase. Referred to: Filed with the Clerk of the Legislature, Brenda Mori.

NextEra Energy – Re: Eight Point Wind Notice of Submission of Preliminary Scoping Statement. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Office of Children and Family Services – Re: Notification of approval for the Steuben County’s Resource Allocation Plan (RAP) and Youth Bureau Narrative(s) for 2016. Referred to: Human Services/Health & Education Committee; Kathryn Muller, Commissioner of Social Services; and Bill Caudill, Youth Program Coordinator.

October 12, 2016
NextEra Energy – Re: Notification of the Eight Point Wind LLC (Case No. 16-F-0062) preliminary scoping statement being filed with the Secretary of the Public Service Commission. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

October 13, 2016
Fox & Kowalewski, LLP, Attorneys & Counselors at Law – Re: Release of Public Improvement Lien on the Steuben County Landfill Cell No. #3 Expansion (Contract No. #1A, NY PW-13-070-B). Referred to: Alan Reed, County Attorney; Patrick Donnelly, Commissioner of Finance; and Vincent Spagnoletti, Commissioner of Public Works.
Mr. Mullen asked for explanations for the September 22nd communication from Harris Beach specific to the Industrial Development Agency, and the October 13th communication from Fox & Kowalewski. Mr. Reed stated that correspondence from Fox & Kowalewski referenced the release of a lien on the Landfill Cell No. 3 Expansion. The correspondence from Harris Beach was in reference to a PILOT agreement with Gray Manufacturing Industries, LLC. Mr. Donnelly stated the PILOT is a standard agreement.

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 156-16**

Introduced by A. Mullen and G. Swackhamer. Seconded by C. Ferratella.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT TWO DONATIONS FOR THE K9 PROGRAM.

Pursuant to Section 2.07 of the Steuben County Charter.

**WHEREAS,** the Steuben County Sheriff’s Office has been offered a $500 donation from Mrs. Mary Lou Butler in the memory of her late husband, Paul for the K9 Program; and

**WHEREAS,** the Steuben County Sheriff’s Office has also been offered a $300 donation from the NARFE Chapter 1294 for the K9 Program; and

**WHEREAS,** the donations totaling $800 will be used for various purposes for the K9 Program.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Sheriff is hereby authorized to accept the donations totaling $800 for the K9 Program; and be it further

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

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 157-16**

Introduced by A. Mullen and G. Swackhamer. Seconded by G. Roush.

AUTHORIZING THE STEUBEN COUNTY EMERGENCY MANAGEMENT OFFICE TO ACCEPT A DONATION FROM GOODRICH AUTO WORKS FOR AUTO BODY REPAIRS TO THE FIRE INVESTIGATION BUS.

**WHEREAS,** the Steuben County Emergency Management Office was in need to replace an aging 1987 International Bus that was being used for the operations of the Fire Investigation Team; and

**WHEREAS,** the Steuben County Emergency Management Office recently acquired a used bus to replace the current 1987 fire investigation bus; and

**WHEREAS,** the vehicle, when acquired, was in need of auto body work, sanding, painting, and lettering; and

**WHEREAS,** Steuben County Emergency Management was approached by Chris Goodrich owner of Goodrich Auto Works, to donate the labor and materials for the project.
NOW THEREFORE, BE IT

RESOLVED, that the Director of the Emergency Management Office be allowed to accept the donation of time and materials for the refurbishing of the Emergency Management Fire Investigation Bus by Goodrich Auto Works, in the amount of $9,900; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Emergency Management Office and to Mr. Chris Goodrich at Goodrich Auto Works, 7225 Worth Rd. Bath, NY 14810.

Vote: Roll Call – Adopted.

RESOLUTION NO. 158-16

Introduced by C. Ferratella and G. Swackhamer. Seconded by H. Lando.

AUTHORIZING THE ACCEPTANCE OF A DONATION FROM THE CANISTEO AMERICAN LEGION.

WHEREAS, the Steuben County Office for the Aging was recently presented with a restricted donation of $2,100 from the Canisteo American Legion; and

WHEREAS, the conditions are designated for the construction of ramps with priority given to those residing in the Canisteo-Greenwood communities, and 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 $2,100 into account number 677800 as revenue from account 43772850 and appropriate the same to expenditure line 5440526; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 159-16

Introduced by G. Swackhamer. Seconded by R. Nichols.

CONFIRMING THE APPOINTMENT OF THE COMMISSIONER OF PUBLIC WORKS.

Pursuant to Section 10.00 of the Steuben County Charter.

WHEREAS, Vincent Spagnoletti of Hammondsport, New York, has been appointed by the County Manager as the Steuben County Commissioner of Public Works; and

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

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature confirms the appointment of Vincent Spagnoletti of Hammondsport, New York as the Steuben County Commissioner of Public Works for a term of five (5) years; 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. 160-16

Introduced by B. Schu. Seconded by G. Swackhamer.

APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING RESOLUTION AS REQUIRED BY THE NEW YORK STATE COMPTROLLER.

WHEREAS, the New York State and Local Employees’ Retirement System adopted 2 NYCRR §315.4, a regulation on retirement reporting for elected and appointed officials which became effective August 12, 2009; and

WHEREAS, the regulation requires an expanded record of work activities, a more detailed resolution and specific time frames within which requirements must be completed.

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben hereby establishes the following standard work days for the listed titles and will report the officials to the New York State and Local Employees’ Retirement System based on their record of activities:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>STANDARD WORKDAY (HRS/DAY)</th>
<th>NAME</th>
<th>TIER 1 MEMBER</th>
<th>CURRENT TERM BEGINS/ENDS</th>
<th>ROA Result</th>
<th>ROA Not Submitted</th>
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<tbody>
<tr>
<td>Elected Officials</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District Attorney</td>
<td>7.5</td>
<td>Brooks T. Baker</td>
<td></td>
<td>01/01-12/31/19</td>
<td>13.38</td>
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<td>County Clerk</td>
<td>7.5</td>
<td>Judith M. Hunter</td>
<td></td>
<td>01/01-12/31/19</td>
<td>10.74</td>
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<tr>
<td>Legislator, District 1</td>
<td>6.0</td>
<td>Randolph J. Weaver</td>
<td></td>
<td>01/01-12/31/19</td>
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<td>Legislator, District 6</td>
<td>6.0</td>
<td>Brian C. Schu</td>
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<td>Aaron I. Mullen</td>
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<td>Legislator, District 8; Chairman</td>
<td>6.0</td>
<td>Joseph J. Hauryksi</td>
<td></td>
<td>01/01-12/31/19</td>
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<td>Legislator, District 13; Vice Chair</td>
<td>6.0</td>
<td>Scott J. Van Etten</td>
<td></td>
<td>01/01-12/31/19</td>
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<tr>
<td>Appointed Officials</td>
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<td></td>
<td></td>
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<tr>
<td>Assistant District Attorney, PT</td>
<td>6.0</td>
<td>Joan Merry</td>
<td></td>
<td>01/01-12/31/19</td>
<td>5.89</td>
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<td>Assistant District Attorney, PT</td>
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<td>8.3</td>
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<tr>
<td>Assistant District Attorney, PT</td>
<td>6.0</td>
<td>Patrick F. McAllister</td>
<td></td>
<td>01/01-12/31/19</td>
<td>0</td>
<td>X</td>
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<tr>
<td>Medical Director, Public Health</td>
<td>6.0</td>
<td>Dennis O’Connor</td>
<td></td>
<td>01/01-12/31/19</td>
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<td>Travis Barry</td>
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<td>Brenda Aston</td>
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<td>02/01-12/31/19</td>
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</table>
AND BE IT FURTHER RESOLVED, the above list reflects only those elected and appointed officials commencing new terms of office, as stipulated in the regulation; and be it further

RESOLVED, elected and appointed officials who are not members of the State Retirement System are not subject to the provisions of this law; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Finance Commissioner, the Personnel Officer and the New York State Comptroller.

Mr. Mullen commented that he believes we should set the standard workday at either 7.5 or 8 hours for everyone.

(No – Legislator Mullen; Absent – Legislators Farrand and Van Etten)

RESOLUTION NO. 161-16

Introduced by B. Schu. Seconded by G. Roush.


Pursuant to Sections 354, 355, 356 and 359 of the County Law.

WHEREAS, the Budget Officer shall prepare and the Finance Committee shall present the Steuben County Tentative Budget and the Budget Message for the Fiscal Year 2017 with its recommendations to this Steuben County Legislature, which Tentative Budget and Budget Message together with copies, shall be filed with the Clerk of the Legislature on or before November 15, 2016.

NOW THEREFORE, BE IT

RESOLVED, the Tentative Budget and the Budget Message setting forth the appropriations for the conduct of County Government for the Fiscal Year 2017, shall be filed with the Clerk of this County Legislature on or before November 15, 2016, and shall be received and filed with this Legislature by filing same with the Clerk thereof as the official record of the filing of the same and that said Tentative Budget shall serve as the proposed appropriation resolution; and be it further

RESOLVED, the Public Hearing on the Tentative Budget for Steuben County for the Fiscal Year 2017, as herein filed, shall be held on November 28, 2016, at 6:00 P.M. in the Legislative Chambers, Bath, New York, and the Clerk of this Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 359 of the County Law in the two official newspapers of the County; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance.

Vote: Acclamation – Adopted.

RESOLUTION NO. 162-16

Introduced by B. Schu. Seconded by H. Lando.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE MARSH DITCH WATERSHED PROTECTION DISTRICT.
RESOLUTION NO. 163-16

Introduced by B. Schu. Seconded by R. Nichols.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, that the Public Hearing on the Assessment Roll for the Year 2016, for the Budget Year of 2017 for the Upper Five Mile Creek Watershed Protection District shall be held on November 28, 2016 at 6:00 P.M. in the Legislative Chambers, County Office Building, East Pulteney Square in the Village of Bath, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the two official newspapers of the County, and the Clerk is further directed to forward a certified copy of this resolution to the President of the Board of Managers for said Watershed District, to the Director of Real Property Tax Service Agency, and the Commissioner of Finance.

Vote: Acclamation – Adopted.

RESOLUTION NO. 164-16

Introduced by B. Schu. Seconded by H. Lando.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE LAMOKA/WANETA LAKES’ PROTECTION AND REHABILITATION DISTRICT.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, that the Public Hearing on the Assessment Roll for the Year 2016, for the Budget Year of 2017 for the Lamoka/Waneta Lakes’ Protection and Rehabilitation District shall be held on November 28, 2016 at 6:00 P.M. in the Legislative Chambers, County Office Building, East Pulteney Square in the Village of Bath, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the two official newspapers of the County, and the Clerk is further directed to forward a certified copy of this resolution to the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Director of Real Property Tax Service Agency, and the Commissioner of Finance.

Vote: Roll Call – Adopted.
RESOLUTION NO. 165-16

Establishing the 2017 Annual Salary for County Legislators and the Chairman of the County Legislature.

WHEREAS, the salaries proposed to be fixed and paid for the Year 2017 must be included in the Notice of Public Hearing on the Tentative Budget for the Year 2017; and

WHEREAS, the Finance Committee on October 11, 2016 reviewed and recommended that each Legislator’s salary for the Year 2017 be set at $12,500.00 per annum and $20,000 per annum for the Chairman of the County Legislature.

NOW THEREFORE, BE IT

RESOLVED, that the annual compensation for the County Legislators shall be $12,500.00 per annum and $20,000.00 per annum for the Chairman of the County Legislature; and be it further

RESOLVED, that said annual rates of compensation shall be effective commencing January 1, 2017; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Clerk of the Legislature, Commissioner of Finance, Personnel Officer, and the members of the Steuben County Legislature.

Mr. Mullen stated he believes the salaries should be higher to attract more people to run. He especially thinks the Chairman’s salary should be higher. How many hours does the Chair put in? Ms. Mori replied in a ten-day pay period, he puts in 7.5 days. Mr. Mullen commented that he thinks the Chairman is underpaid. The future Legislature should consider increasing the Chairman’s salary.

Mr. Wheeler stated this was a proposal that he brought to the Administration Committee. The last raise the Legislature received was in 2007. Prior to that, raises were given every three to four years, and were in a much smaller amount. We did a study of comparable counties that had a population of 100,000 and a similar budget. The average salary is about $12,500. He stated with all the work that you do, that is a lot of effort for that small salary. This increase is included in the proposed 2017 budget.

Mr. Maio stated that he echoes Mr. Mullen’s comment, especially with regard to the Chairman’s salary. This is always controversial. We may want to look at an auto mechanism. If we can agree, we could review the salary automatically every five years or so and have it indexed for the cost of living. That would take away the controversy.

Ms. Mori stated ten years ago we had looked at doing that, and there is no mechanism to do so. The salary has to be published in a public hearing notice. The only way to change is to take action in a Legislative meeting.

Mr. Wheeler stated we are limited in making it automatic, but this gives us a prompt to look at more often. You also increased your health insurance premiums. Right now your salaries are substantially lower than comparable counties. This change would be put you at the average.

Mrs. Ferratella stated she also echoes the others. Her comment about the Chairman’s salary is that it is well deserved in light of everything that he has accomplished in the past four years. She appreciates that and would vote to increase the salary.
RESOLUTION NO. 166-16


DIRECTING THE CLOSING OF ALL STEUBEN COUNTY OFFICES ON FRIDAY, NOVEMBER 25, 2016.

Pursuant to Section 2.07(12) of the Steuben County Charter and the current agreement between the County of Steuben and the Civil Service Employees' Association, Inc.

WHEREAS, the County of Steuben, by contractual agreement with the employees of Steuben County has declared the day after Thanksgiving day to be a holiday for all employees, with the exception of the County Clerk, the Finance Office, the Clerk of this Legislature, and the Sheriff's Office (Administrative Offices); and

WHEREAS, this County Legislature determines because of the lack of the traditional business volume on the day after Thanksgiving, coupled together with the savings of energy costs and unnecessary payroll expenses, that it would be in the best interest of the County, the taxpayers and its employees to close all of the offices of Steuben County on the day after Thanksgiving, November 25, 2016.

NOW THEREFORE, BE IT

RESOLVED, that this County Legislature declares November 25, 2016, to be a County holiday pursuant to the present contract with the Civil Service Employees' Association, Inc.; and be it further

RESOLVED, that all of the department heads, in particular the County Clerk, the County Commissioner of Finance, the Clerk of this Legislature, and the Sheriff (Administrative Offices), are directed to close their respective offices on said date; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Clerk, Commissioner of Finance, Clerk of the Legislature, and the Sheriff.

Vote: Acclamation – Adopted.

RESOLUTION NO. 167-16

Introduced by J. Haurycki. Seconded by R. Lattimer.

SETTING THE DATE FOR THE DECEMBER 2016 MEETING OF THE STEUBEN COUNTY LEGISLATURE.

BE IT RESOLVED, the regular meeting of the Steuben County Legislature be, and the same hereby is, established for December 2016, on Monday, December 19, 2016, at 10:00 A.M. in the Legislative Chambers, 3 East Pulteney Square, Bath, New York, and be it further

RESOLVED, the date and time of any Public Hearings arising by virtue of the within meeting which are inconsistent with this resolution be and the same hereby are amended to reflect the date and time above-stated, and be it further

RESOLVED, the Clerk of this Legislature shall forward the necessary, proper and legal notice of the above meeting to all County Legislators and department heads of the County of Steuben.

Vote: Roll Call – Adopted.
Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7§ 105.1.D. Discussion regarding Proposed, Pending or Current Litigation made Mr. Roush, seconded by Mrs. Ferratella and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Roush, seconded by Mrs. Lando and duly carried.

Motion to Adjourn made by Mr. Roush, seconded by Ms. Lattimer and duly carried.
SPECIAL MEETING
Morning Session
Monday, November 15, 2016
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers, Bath, NY on Monday, the 15th day of November, 2016, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present except Legislators Lattimer, Schu and Weaver.

Mr. Swackhamer provided the Invocation and the Pledge of Allegiance was led by Mr. Maio.

Chairman Hauryski stated that he would like to change the order of today’s proceedings. Following the presentation of the Budget Message, we will move to the resolutions and following that, the Budget Workshop.

Mr. Wheeler, County Manager, presented the following 2017 Budget Message:

PRESENTATION OF BUDGET MESSAGE

Introduction

Today, I am here to present the proposed 2017 Steuben County Budget. This budget can be viewed in similar light to our spending plans in recent years, as we are maintaining core services and infrastructure without burdening our residents with a costly tax increase. As such, the 2017 budget is a “maintenance budget”. We continue to be forced to fund state-mandated programs, while finding efficiencies to maintain the local services that our taxpayers desire. It is a fine balance, but once again, we are able to present you with a fiscally-sound spending plan that is compliant with the NYS Property Tax Cap for 2017.

In 2017, Steuben benefited from cost containment in a number of critical areas. Specifically, the employer contribution rates for the NYS Retirement System have remained flat, keeping at an average of 16.5% of total payroll. In addition, employee health insurance costs have held the line in comparison to 2016. As Steuben County is self-funded for health insurance, the costs are largely dictated by actual claims submitted and paid, which have fortunately been held in check. Finally, the hard cap on Medicaid, which took full effect in 2015, has a positive impact on the overall county budget, keeping this cost center essentially flat for 2017. The hard cap has been of significant benefit to the budget; however, Medicaid still represents $19.29 million in costs placed on county residents. This single line item equates to 39% of the total tax levy.

On the other hand, we continue to experience financial pressure from state mandates that have a degree of local control, specifically in the area of public safety. Increased caseloads continue to drive costs in the District Attorney, Public Defender, and Assigned Counsel operations. While the implementation of the Office of Conflict Defender has helped to lessen the burden and improve efficiencies, costs continue to grow. Counties remain in an untenable position with regulatory changes in indigent defense that will make more citizens eligible for public representation, while also capping the caseloads of our attorneys and requiring counsel at all first appearances. The NYS Senate and Assembly have passed legislation which would phase in a state takeover of the costs of public defense, but the Governor has yet to sign this bill into law. While we wait, we continue to fear the fiscal consequences of these regulations taking effect in 2017 without state funding attached. Due to this uncertainty, the 2017 county budget does not contain estimates for either the cost of enhanced representation, or additional revenues from the state.
Instead, we will continue to advocate for the state to assume the costs of a program that they should control, and deal with budget consequences as they arise.

In all, the 2017 county budget provides a blueprint for our departments to achieve the priorities that have been set and provide the services that are critical to our mission. Our overarching challenge remains the burdens placed upon the county by the Governor and State Legislature, which makes it extremely difficult to maintain the core local services that our residents desire and demand.

Our annual budget remains one of our chief management tools; we continuously monitor the performance of county departments against their budget goals throughout the year, while also preparing for future priorities and/or mandates. Our spending constraints and revenue projections, as established in the budget, dictate how we operate during the year and allow us to judiciously review all expenditures. Budget implementation and management is an ongoing team effort, and the department heads are critical to its success.

**Recognition**

It is important to recognize and thank all of those who once again have made this budget process highly effective. The Finance Committee with Chairman Scott VanEtten, Vice Chairman Gary Swackhamer and committee members, Kelly Fitzpatrick, Gary Roush, and Brian Schu, as well as the Legislative Chairman, Joseph Hauryski, are to be commended for their hard work in the development and review of the budget. I would also like to thank the other committee chairpersons for their assistance, Robin Lattimer, Carol Ferratella, and Dan Farrand. I would point out the key role of the Commissioner of Finance, Pat Donnelly and the Deputy Commissioner of Finance, Tammy Hurd-Harvey have had in the preparation of this budget; they have worked tirelessly on the budget and their expertise is most valuable. I would also like to thank Deputy County Manager, Mitch Alger, who has played a critical role in the budget process with thoughtful input and analysis. We also called upon the Personnel Officer, Nancy Smith for assistance with the personnel impacts. Each Department Head should be recognized and thank for their cooperation and input into the budget process. They are tasked with controlling costs on the frontline and continue to do an exemplary job of maintaining efficiencies. Finally, all county employees should be recognized for their ability to deliver quality services to our residents in difficult fiscal times. The employees are our most valuable asset and their hard work is on display throughout the year.

**Budget Goals**

The Budget Goals that have been established for 2017 are as follows:

1. Maintain funding for local programs while complying with the state-imposed Tax Cap;
2. Continue local support for Public Works construction;
3. Provide adequate funding for state-mandated programs, including Medicaid and Social Services;
4. Continue funding of capital projects and equipment to ensure facilities and assets are properly maintained.

**Total Budget**

The total proposed budget for 2017 is $177,761,973, representing an increase of $2,721,954 or 1.56% in total expenditures. While projected expenses have increased, anticipated revenues for 2017 outpace our prior year budget by a greater margin. The following chart provides the budget history detail for expenses and revenues.
<table>
<thead>
<tr>
<th>YEAR</th>
<th>EXPENSES</th>
<th>REVENUES</th>
<th>NET COST/TAX LEVY</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$187,328,352</td>
<td>$139,332,777</td>
<td>$47,995,575</td>
</tr>
<tr>
<td>2014</td>
<td>$186,970,986</td>
<td>$138,260,689</td>
<td>$48,710,297</td>
</tr>
<tr>
<td>2015</td>
<td>$176,261,507</td>
<td>$126,712,991</td>
<td>$49,548,516</td>
</tr>
<tr>
<td>2016</td>
<td>$175,040,019</td>
<td>$125,029,443</td>
<td>$50,010,577</td>
</tr>
<tr>
<td>2017</td>
<td>$177,761,973</td>
<td>$127,753,202</td>
<td>$50,008,771</td>
</tr>
</tbody>
</table>

For 2017, we are projecting changes in the net cost by operational category. The following chart displays the anticipated cost differentials in comparison to 2016, in order by percent change in cost. A more detailed narrative of significant changes is provided in the next section.

<table>
<thead>
<tr>
<th>BUDGET CATEGORY</th>
<th>NET CHANGE</th>
<th>% CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Home &amp; Community Services</strong> (Planning, Agriculture &amp; Livestock, Economic Development)</td>
<td>$77,170</td>
<td>7.88%</td>
</tr>
<tr>
<td><strong>General Government</strong> (Central Office Functions, Court-Related Functions)</td>
<td>$433,006</td>
<td>4.20%</td>
</tr>
<tr>
<td><strong>Transportation</strong> (Public Works)</td>
<td>$627,412</td>
<td>2.44%</td>
</tr>
<tr>
<td><strong>Education</strong> (Community Colleges, Special Children's Services Education Costs)</td>
<td>$112,350</td>
<td>1.97%</td>
</tr>
<tr>
<td><strong>Public Safety</strong> (Sheriff, 911, Probation, Emergency Management)</td>
<td>$74,794</td>
<td>0.47%</td>
</tr>
<tr>
<td><strong>Economic Assistance &amp; Opportunity</strong> (Social Services, Veterans' Service, Office for the Aging,)</td>
<td>-$431,924</td>
<td>-1.27%</td>
</tr>
<tr>
<td><strong>Culture &amp; Recreation</strong> (Parks, Youth Bureau, Libraries, Historian)</td>
<td>-$9,208</td>
<td>-1.97%</td>
</tr>
<tr>
<td><strong>Health</strong> (Public Health, Community Services)</td>
<td>-$84,379</td>
<td>-3.92%</td>
</tr>
</tbody>
</table>

**Major Changes By Department**

**Administration & Economic Development**

The county cost of the Administration area of the budget is projected to increase $101,507 or 22.48% for 2017. In the County Manager’s budget, we have proposed an appropriation of $40,000 for the licensing of a data analytics system, which will assist our office and other county departments in tracking financial and operational metrics to gain additional insight into trends and operations. There will also be public access to much of this data, bolstering our transparency to taxpayers. A request for proposals will be issued in 2017.

In addition, within the Building Security budget, revenue projections have been corrected based on existing contracts with Social Services, resulting in a decrease of $60,000 in revenue.
The proposed budget also includes an additional appropriation of $40,000 in the Economic Development Fund for CSS Workforce NY, to help support the coordination of staffing efforts for industry in the our three county region. Our economic development partners have identified workforce development as the most critical issue that will impact both the short and long-term success of business retention and growth in our area. While CSS Workforce NY provides quality career training and readiness services, they currently lack the resources to serve this critical coordination role for planning and implementation efforts. Our investment, along with similar contributions from Chemung and Schuyler counties, will help to fund such a position.

Public Works - Highways
The 2017 budget maintains the county’s commitment to funding Public Works infrastructure and equipment. Steuben has one of the largest Public Works systems in the state, maintaining 683 miles of roads and 331 bridges, making it essential that adequate funding is allocated to the department. Absent this investment, the county would be only deferring maintenance and expenses to future years, which would result in deterioration of infrastructure and eventual replacement at a higher premium.

The total proposed 2017 budget for Public Works - Highway stands at $26,298,754 compared to $25,671,342 in 2016, for a $627,412 or 2.44% increase. The Finance Committee is again recommending an appropriation of $1,000,000 next year to replace key pieces of major equipment and $49,750 in small/minor equipment funding. For 2017, $6,901,024 has been dedicated for highway construction projects, with $5,557,811 in permanent improvement funding and $1,343,213 within the general repairs budget. This represents a 13.12% increase over 2016 funding levels for highway construction; largely made possible by the enhanced funding from New York State under the Consolidated Highway Improvement Program (CHIPS) through the PAVE NY initiative. Starting in 2016, this program has provided Steuben with an additional $1,011,150, and is expected to last at least two more years. These funds provide a needed boost to our highway construction budget and will allow the county to improve and/or reconstruct a number of roads earlier than anticipated.

Department of Social Services
The total 2017 county cost for the Department of Social Services decreased slightly, -$548,527 or 1.67%, which provided needed relief in the overall county budget. This reduction is largely the result of increased anticipated revenue for Child Care and Administration, coupled with lesser cost forecasted in Safety Net. As previously mentioned, the Medicaid hard cap has once again provided us with a needed reduction in program costs, decreasing $184,184 or -0.95% in comparison to 2016.

Jail
For 2017, the county cost in the Jail is expected to increase $230,764 or 3.48%, which can be attributed to increased staffing patterns as required by the NYS Department of Corrections. In recent years, we’ve created additional positions at the direction of the Department of Correction, but have also experienced greater costs in Temporary Hire and Overtime to fill shifts as a result of staff turnover and leave. With this said, the Sheriff and his staff have maintained a successful partnership with the US Marshals for the temporary housing of federal prisoners, which provides needed revenue to help support operations. It will continue to be critical to maintain these levels of outside inmates to assist in covering the cost of the Jail.

Public Defender/Assigned Counsel/Conflict Defender
The Public Defense cost center is projected to increase by a total of $95,476 or 4.98%, with the growth being directly tied to expense estimates in Assigned Counsel. In recent years, actual costs for Assigned Counsel have consistently exceeded the budget, forcing the Legislature to tap contingency funds to pay claims. While estimating future caseloads and costs in this area is difficult, we believe that the additional appropriation of approximately $127,000 in Assigned Counsel provides a more realistic projection. It is important to note that the creation of the Office of Conflict Defender has provided needed efficiencies in public defense and has resulted in substantially fewer felony conflicts from being assigned. The 2017
budget includes an additional part-time position in this department, which will further augment our cost control and improve the effectiveness of the program.

Perhaps the most significant change for the Public Defender in 2017 is something that hasn’t been accounted for in this budget. That is the state takeover of indigent defense costs, an initiative that was approved by the NYS Assembly and Senate in 2016, which is still awaiting consideration from the Governor. If Governor Cuomo signs the bill, the state will phase in the assumption of costs for indigent defense over the course of seven years. While it would not provide an immediate savings for the county, it is imperative for the long-term viability of quality public defense. The state Office of Indigent Legal Services has promulgated standards for counsel at arraignment, caseload limits, and eligibility guidelines that will directly result in Steuben being required to hire additional attorneys, potentially beginning in 2017. If these enhanced guidelines are implemented without state funding attached, Steuben faces a potential cost increase of over $500,000. Due to the uncertainty of these changes at the state level, we have not accounted for either the potential cost or revenue in the proposed budget. Should a decision be made during 2017, we will likely look at budget transfers or the contingency fund to accommodate the framework the state enacts. However, it is clear that the onus is squarely on the shoulders of the state, as it is their responsibility to ensure equitable and common public defense systems across county borders. Without state funding, it will be virtually impossible to provide standardized representation.

**Capital Projects/Equipment**

The proposed 2017 budget includes capital project funding in the amount of $2,110,746, of which $844,690 will be transferred from the Building Renovation Reserve, with an additional $415,000 in capital projects for the Landfill that will be paid through the Enterprise Fund. In working with our Department Heads, we’ve identified a number of infrastructure and maintenance needs; most notably, the replacement of the HVAC control system in the County Office Building, which is well past its useful life and original to this building. In addition, this budget continues our investment in keeping our information technology assets current, with a large allocation for renewal of our licensing of the Microsoft Office platform.

Further, under major equipment, one of the most significant expenditures is the content management system for DSS, with a projected local cost of $285,000, which will significantly improve the tracking and submission of data, forms, and processes for children’s protective and preventive services. State funds provide a significant cost share for this system, and we are confident it will be an investment that improves safety, communication, and productivity in the field while further promoting caseworker stability and workflow efficiencies to save time and money in our operations.

**County Revenues**

**Sales Tax**

For 2016, sales tax collections continue the trend of remaining approximately flat in comparison to the prior year. While growth in sales tax revenue is our goal, flat collections in the current economic environment in New York can be viewed as a positive.

We continue to budget sales tax conservatively, due to the potential volatility of collections when consumer spending unexpectedly drops, and as such, we are keeping our sales tax forecast flat for 2017. As always, this office and other county departments will continue to work with our partners in economic development and tourism to promote growth of the sales tax base. Any dollar received in sales tax is one less that we need to levy in property taxes.

The following chart displays budgeted sales tax revenues for the last five years:
Fund Balance
The tentative budget includes a General Fund appropriation of $5.89 million for 2017, an increase of approximately $40,000. In addition, there is an appropriation of $620,000 in DM Fund balance (Machinery), which is the same amount as in 2016. All of these appropriations are reasonable and assist in the overall management of funds.

Property Tax Levy
With careful examination of expenditures and a reasonable appropriation of fund balance, we are able to slightly decrease the property tax levy for 2017. The proposed tax levy represents a decrease of $1,806, well within the parameters of the Property Tax Cap.

In addition, for the third consecutive year, the proposed budget shows a decrease in the average full value tax rate. The average rate for 2017 is estimated at $8.46 per thousand, representing a decrease of 1.51% from 2016 levels. This would translate into a savings of $13.00 for a resident with a home valued at $100,000. This demonstrates that coupled with an increase in the full equalized property values within Steuben, the county has maintained its success in controlling the overall cost of operations while funding state-mandated programs.

The property tax collections and average full value rate for the last five years are as follows:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>PROPERTY TAX LEVY</th>
<th>AVERAGE RATE PER THOUSAND</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$48,045,574</td>
<td>$8.89</td>
</tr>
<tr>
<td>2014</td>
<td>$48,710,297</td>
<td>$8.93</td>
</tr>
<tr>
<td>2015</td>
<td>$49,548,516</td>
<td>$8.71</td>
</tr>
<tr>
<td>2016</td>
<td>$50,010,577</td>
<td>$8.59</td>
</tr>
<tr>
<td>2017 (Proposed)</td>
<td>$50,008,771</td>
<td>$8.46</td>
</tr>
</tbody>
</table>

Conclusion
With the leadership of the Finance Committee, the Chairman of the Legislature, and all other Legislators, we have created yet another sound fiscal plan, compliant with the NYS Property Tax Cap. We continue to see the average full value tax rate drop, yet this is the first year in recent memory that the tax levy itself has decreased. As such, we can rightly say it’s a fair and responsible budget for our residents and taxpayers.

One final important caveat to the budget that we would highlight is the relationship between the Property Tax Cap formula and the sales tax share with our municipalities. The sales tax agreement that is now in place with the cities of Corning and Hornell maintained the rubric whereby Steuben splits half of the remaining 3% sales tax share with the municipalities. Some choose to receive this sales tax as a credit against the county tax levy in their jurisdiction, others take it as cash, and some take a mix of both. What is challenging for the county is when a municipality elects to change how they receive the sales tax share. For instance, this year the Town of Corning requested an additional $175,000 in sales tax cash instead of
credit, while Town of Wayland requested an additional $25,000 in cash. Due to the convoluted formula that state uses for the Tax Cap, the county was forced to reduce our levy limit by the same amount. This resulted in our allowable levy growth to be pegged at .09%. While we should strive to maintain an equitable sales tax sharing arrangement with the municipalities, it is critical that we look at the way we provide for changes in their cash vs. credit selections. It clearly has significant detrimental consequences upon us under the Tax Cap.

In closing, our management team and staff will continue to find both fiscal and operational efficiencies in the coming year, as we’ve become very proficient in doing more with less. We will also maintain our strong relationships with our municipal partners to expand shared services. The county has a very talented workforce that provides quality services at your direction.

Jack K. Wheeler, MPA
County Manager / Budget Officer

Secretary’s Note: Legislator Lando was excused from the meeting.

Mr. Van Etten asked on page 25 of the Budget Message, there is a $15 million negative Investment Capital Asset. What is that? Mrs. Hurd-Harvey replied that is money that is not available, as it is invested in an asset, the Landfill. You hold it, but if you sold it, you would have that cash for it. It is liquidity.

Mr. Mullen asked you are estimating revenue increases from last year, but why is it increasing when tax revenue remained flat? Mr. Wheeler replied a large portion was the additional CHIPS funding. We also have additional revenue in the Department of Social Services for Child Care and Administrative draw downs. Those were the most significant increases. Additionally, we slightly increased revenue for the County Clerk, and anticipated $50,000 in revenue for the Jail for the housing of outside federal inmates. Mr. Mullen asked is there a corresponding expense with the CHIPS funding? Mr. Wheeler replied yes, we were able to find some savings in other operational line items within the Public Works budget. It is not a dollar for dollar increase in the budget.

Mr. Van Etten stated that he would like to clarify that the increase in CHIPS revenue means you have to spend that in capital improvements. That needs to be tied to your ten-year projects.

RESOLUTION NO. 167-16

Introduced by S. Van Etten. Seconded by G. Swackhamer.


WHEREAS, pursuant to the Steuben County Management Evaluation and Salary Plan, as revised, Management employees, with the exception of elected positions, had performance evaluations conducted; and

WHEREAS, pursuant to the Plan, all salary adjustments for Management employees are based upon the reviews conducted pursuant to said Plan; and

WHEREAS, the Administration Committee has approved salaries for all Management employees, except Legislators, based upon performance evaluations; and
WHEREAS, the Administration Committee has reviewed and studied the evaluations pursuant to the Plan concerning the salaries of certain elected or appointed officials of the County of Steuben who have a fixed term of office for the Fiscal Year 2017, which individuals are presently serving mid-term; and

WHEREAS, said Administration Committee has recommended County of Steuben Local Law Tentatively No. Three for the Year 2016, establishing the annual salaries of such appointed officials for the Fiscal Year 2017.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Three for the Year 2016, Establishing the Annual Salaries of Certain Elected or Appointed Officials and Department Heads of the County of Steuben who have a Fixed Term of Office for the Fiscal Year 2017, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2016

A LOCAL LAW, Establishing the Annual Salaries of Certain Elected or Appointed Officials and Department Heads of the County of Steuben who have a Fixed Term of Office for the Fiscal Year 2017.

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

SECTION 1: Except where inconsistent by operation of law due to prohibitions of increases of compensation during a fixed term of office for County officers and employees as provided in County Law §201 and Municipal Home Rule Law §24(2)(h), the “Steuben County Management Evaluation and Salary Plan”, Administrative Code of the County of Steuben Part XV be, and the same hereby is, applicable to officers and employees having a fixed term of office, whether elected or appointed, as are any and all resolutions of the Steuben County Legislature relative to rights and entitlements of County executive and management personnel.

SECTION 2: Effective with the first county payroll for the County Fiscal Year 2017, the annual salaries of the certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office are hereby established for the Fiscal Year 2017 as follows, to wit:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>2016 SALARY</th>
<th>2017 SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner, Public Works</td>
<td>$101,890</td>
<td>$103,928</td>
</tr>
<tr>
<td>Commissioner, Social Services</td>
<td>$98,303</td>
<td>$103,928</td>
</tr>
<tr>
<td>Commissioner of Finance</td>
<td>$91,272</td>
<td>$94,726</td>
</tr>
<tr>
<td>Clerk of Legislature</td>
<td>$67,468</td>
<td>$68,717</td>
</tr>
<tr>
<td>County Attorney</td>
<td>$117,654</td>
<td>$125,964</td>
</tr>
<tr>
<td>County Clerk</td>
<td>$64,770</td>
<td>$66,065</td>
</tr>
</tbody>
</table>

SECTION 3: Should any of the above positions become vacant and subsequently filled by one other than the present incumbent, the salary shall in that instance be set by the Legislature prior to filling said vacancy.

SECTION 4: This Local Law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York.
BE IT FURTHER RESOLVED, before said Local Law is adopted by the Steuben County Legislature, a Public Hearing shall be held at the Special Legislative Meeting on November 28, 2016, at 6:00 P.M. or such other date and time that may be adjourned, at Steuben County Offices, 3 East Pulteney Square, Bath, New York 14810, and the Local Law is subject to a permissive referendum of the qualified electors of the County of Steuben by filing of a legal petition within forty-five (45) days after its final adoption, with the Clerk of the Legislature of the County of Steuben protesting such Local Law; and be it further

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

RESOLVED, certified copies of this resolution shall be forwarded to the County Commissioner of Finance, Personnel Officer, and all appointed and elected officials mentioned above.

Mr. Malter asked in looking at this there is an increase ranging from 1.8 percent to 7 percent. How was that calculated? Mr. Wheeler explained the Administration Committee reviews salaries each year and approved a general salary adjustment for management. These adjustments range from 1.5 percent to 2 percent based on performance evaluations. At times, adjustments are also based on the management plan, as well as for extenuating circumstances. This year the Administration Committee adjusted the salaries of Commissioner of Social Services and the County Attorney to move them further along in their salary range.

Vote: Acclamation – Adopted.

BUDGET WORKSHOP

Mr. Mullen stated that he distributed notes regarding the budget. Referencing page 32 of the budget, he thinks the line item for Employee Training is too high at $25,000. Since 2011, this line has never spent more than $11,500 and he recommends reducing that line item down to $15,000. He would also recommend, on page 66, the Sheriff’s budget, reducing the line item for Boat Operations from $7,500 to $5,000. In 2015 they spent $2,500 in 2015 and year-to-date have spent $2,000.

Mr. Mullen asked on page 118, Emergency Outreach, the proposed budget of $40,000 looks high compared to past history. What is Emergency Outreach? Mr. Wheeler replied that would be the crisis operation of Mental Health. He agrees that amount does look a little inflated. Operation of vehicles is not a chargeback. Mental Health has about a dozen vehicles and he is aware that they have had some significant repairs, notably a new transmission. The budget for 2015 was good and so far for 2016, it looks to be in good shape. This is a fund to maintain vehicles.

Mr. Mullen stated his comment with reference to Animal Safety on page 77, is that he thinks we should reduce that number down to what we actually spend. He understands that at some point in time we could have a large seizure which might cost $100,000, but we didn’t operate that way for the last twenty years. We budgeted what we were spending. He thinks this is less of a concern with the new Sheriff’s position. The discussion in committee was that theoretically, the Sheriff’s Office will be able to help control the number of seizures that might take place. He doesn’t know that we need to budget an extra $29,000 every year just in case. We have money available in our reserve fund in the event of an emergency.

Mr. Mullen stated on page 22 for the Adult Health Home, was a new position added? The salary is doubled. Mr. Wheeler replied, yes, that is a budget for two positions.

Mr. Mullen asked with regard to Capital Equipment, under the County Manager, what is the storage for? Mr. Wheeler replied that is for the building project. We are budgeting for the high-density storage
system. Mr. Mullen asked are there a lot of other building projects outside of that $7 - $8 million? Mr. Wheeler replied no, that is the main one. We also had listed $250,000 for an office space building project. That could be used for anything, but we specifically talked about using it to hire a construction manager. Mr. Mullen asked the construction manager was not part of the initial building costs? Mr. Wheeler replied no. We also have a capital project that we are paying Labella out of.

Mr. Mullen commented that he would hope that we will look into these areas further for next years’ budget as they seem a little high.

*Motion Accepting and Forwarding the Tentative 2017 Budget as Presented and Closing the Budget Workshop made by Mr. Swackhamer, seconded by Mrs. Ferratella and duly carried.*

*Motion to Adjourn made by Mr. Roush, seconded by Mr. Farrand and duly carried.*
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY o Monday, the 28th day of November, 2016, at 3:30 p.m. and was called to order by the Chairman of the Legislature, Joseph J. Haurski.

Roll Call and all members present except Legislator Booth.

Mr. Mullen provided in the Invocation and the Pledge of Allegiance was led by Mr. Hanna.

Chairman Haurski asked Nancy Smith to come forward. Ms. Smith is the Personnel Director. He presented her with a Certificate of Appreciation and a Plaque in recognition of her retirement with 17 years of service to Steuben County. Congratulations!

Chairman Haurski asked Jeff Parker to come forward. Mr. Parker is the District Manager of the Steuben County Soil & Water Conservation District. He presented him with a Certificate of Recognition for being nominated for a national award from the National Association of Conservation Districts. Mr. Parker stated he could not do what he does without the County Legislature behind him for the past 28 years. He has enjoyed every moment of his job and appreciates the support. He also thanked Mr. Spagnoletti and the Public Works Department with their assistance under the shared services program.

Chairman Haurski opened the floor to comments by members of the public.

Wayne Wells, Cameron, NY, provided the Legislature with his opinion on the meaning of the outcome of the Presidential Election. He expounded upon the President-Elect’s campaign rhetoric, specific to reinstating torture and his effect of energizing hate groups.

Kristin Klemenz, B&W Towing, Painted Post, NY stated she is here to talk about the towing RFP. She hopes in some way the County can see the favoritism they have shown. In short, you are giving the entire towing RFP to one company. If we, the companies that meet the requirements to be secondary, why would we not also meet the requirements as a primary? You are telling us that you only need the secondary companies if there is a dire need. Every day we are handling these types of calls. If the RFP continues as it is, there may no longer be any secondary companies to call. With this new RFP in effect, you are creating a monopoly.

James VanWormer, Cohocton, NY, stated he has been in the business for 37 years and towing for 28 years. For the past 28 years he has worked with law enforcement on I-390. With the new RFP, I have to have a big truck in order to be out on I-390. T&R has received the award and they are 15 miles from my location. If they need to go up to the Livingston County line, they are 27 miles away. They will have to charge a lot of money just to get to the location and their response time will be double what mine would be. Over the course of the last three years, he has been working on I-390 with no problems and has been doing a good job. By having this RFP, you are creating a monopoly.
There being no further comment, Chairman Hauryski declared the opportunity for public comment closed.

Motion Adopting the Minutes of the Previous Meeting(s) made by Mrs. Ferratella, seconded by Mr. Nichols and duly carried.

Chairman Hauryski reminded the Legislators that the Youth-In-Government will be holding their simulated session on Friday, December 9th at 11:00 a.m. in the Chambers.

RESOLUTION NO. 168-16

Introduced by S. Van Etten. Seconded by R. Weaver.

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, the Steuben County Commissioner of Finance is authorized and directed to withdraw the property(ies) contained in Schedule “B” from tax foreclosure proceedings pursuant to Real Property Tax Law §1138; and the Commissioner of Finance is further authorized to cancel any unpaid taxes against the property(ies), pursuant to Real Property Tax Law §558, as approved by the Steuben County Finance Committee on November 9, 2016; 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; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District.

SCHEDULE "A"

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Name</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1</td>
<td>Corning Federal Credit Union</td>
<td>317.08-01-011.200</td>
<td>City of Corning</td>
<td>Court-Ordered Refund (2016)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
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<th>Municipality</th>
<th>Disposition</th>
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</thead>
<tbody>
<tr>
<td>A-2</td>
<td>Corning Federal Credit Union</td>
<td>317.08-01-011.200</td>
<td>City of Corning</td>
<td>Correction to Tax Bill (2017)</td>
</tr>
</tbody>
</table>
**Resolution No. A-3**
Name Domonick & Louis DeGuarde  
Parcel No. 042.00-01-019.210  
Municipality Town of Cohocton  
Disposition Parcel Split (2014 Tax Bill)

**Resolution No. A-4**
Name Leonard M Conklin Sr. Trust  
Parcel No. 078.59-01-017.000  
Municipality Town of Wayne  
Disposition Correction to 2017 Tax Bill

**Resolution No. A-5**
Name William & Donna Sanford  
Parcel No. 253.00-01-012.000  
Municipality Town of Canisteo  
Disposition Parcel Split (2017 Tax Bill)

**Resolution No. A-6**
Name Patrick & Barbara King  
Parcel No. 423.00-01-002.111  
Municipality Town of Lindley  
Disposition Correction to 2017 Tax Bill

**Resolution No. A-7**
Name Patrick & Barbara King  
Parcel No. 423.00-01-002.112  
Municipality Town of Lindley  
Disposition Correction to 2017 Tax Bill

**SCHEDULE “B”**

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Name</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-1</td>
<td>State of New York, Flood Control</td>
<td>158.16-01-087.100/22</td>
<td>Village of Bath</td>
<td>Cancellation of Relevy, Tax Exempt</td>
</tr>
<tr>
<td>B-2</td>
<td>Tracy A. Drumm</td>
<td>136.05-01-023.220/11</td>
<td>Town of Hornellsville</td>
<td>Cancellation of Void Taxes</td>
</tr>
</tbody>
</table>

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 169-16**

Introduced by J. Haursky  
Seconded by G. Roush.

**RECEIVING AND ACCEPTING THE NOVEMBER 28, 2016 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:

**October 14, 2016**
NYS Homes and Community Renewal – Re: Notification of the Audit for the period ending December 31, 2015 is complete. **Referred to: Amy Dlugos, Planning Director; and Patrick Donnelly, Commissioner of Finance.**

NYS Board on Electric Generation Siting and the Environment – Re: Second notice of availability of pre-application intervenor funds and deadline for submitting funding request for the application of Baron Winds, LLC Wind Energy Project. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

**October 19, 2016**
NYS Board on Electric Generation Siting and the Environment – Re: Notice of filing of a preliminary scoping statement and deadline for submitting comments on the Eight Point, Wind, LLC Wind Energy Project. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**
NYS Board on Electric Generation Siting and the Environment – Re: Notice of availability of pre-application intervenor funds and schedule to request funds on the Eight Point, Wind LLC Wind Energy Project. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

**October 21, 2016**
Emergency Medical Services Training, Administration & Resources – Re: Third Quarter Report for 2016. **Referred to: Human Services/Health & Education Committee; Public Safety & Corrections Committee; Darlene Smith, PHN Director; and Tim Marshall, EMO Director.**

**October 24, 2016**
NYS Homes and Community Renewal – Re: Comprehensive monitoring report for the NYS CDBG Project #1115ED785-13. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

NYS Board on Electric Generation Siting and the Environment – Re: Notice of Pre-application procedural conference (Wednesday, December 7, 2016 @ 10:00am located at the Hornell City Hall Courtroom, 82 Main Street, Hornell, NY) to consider pre-application intervenor funding requests and to initiate the stipulation process on the Eight Point Wind, LLC Wind Energy Project (Case 16-F-0062). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

NYS Board on Electric Generation Siting and the Environment – Re: Case 16-F-0062, application of Eight Point Wind, LLC Wind Energy Project for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to construct and operate a 102 megawatt facility in the Towns of Greenwood, Troupsburg, and West Union. Notice to nominate four potential candidates to serve as ad hoc public members on the siting board within 15 days. **Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.**

**October 28, 2016**
Brian Ketchum, Hammondsport, NY – Re: Resignation letter as Chairman of the Steuben County Board of Ethics effective immediately. **Referred to: Joseph Haurski, Legislature Chairman; Alan Reed, County Attorney; and Jack Wheeler, County Manager.**

**November 2, 2016**
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $22,134, which represents the third quarter revenues ($19,408) combined with the September 2016 surcharge payment ($2,726) for Steuben County. **Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.**

**November 4, 2016**
Harris Beach PLLC, Attorneys at Law — Re: Steuben County Industrial Development Agency and Corning Properties, Inc. second amendment to the tax agreement and amended RP-412a form releasing property at 152-162 East First Street in Corning, New York. **Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.**

**November 7, 2016**
NYS Office for the Aging – Re: Notification of Grant Award and approved application for the Medicare Improvements for Patient and Providers Act – Aging and Disability Resource Center (MIPPA/ADRC) funding for the period of September 30, 2016 through September 29, 2017. **Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.**

**November 14, 2016**
New York State Department of Health – Re: Notification of payment approval for the supplemental Medicaid Upper Payment Limit (UPL) for the State Fiscal year 2014-2015. **Referred to: Human Services/Health & Education Committee; Kathryn Muller, Commissioner of Social Services; and Patrick Donnelly, Commissioner of Finance.**
RESOLUTION NO. 170-16

AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF $4,000,000 TO PAY COSTS OF THE NEW OFFICE BUILDING AND RECORDS STORAGE FACILITY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act (“SEQRA”), have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project.

NOW THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Steuben, New York, as follows:

Section 1. The construction of a new office building, adjacent to the County Office Building Complex and a records storage facility in and for the County of Steuben, New York, at the County Farm property, including grading and improvement of the site, equipment, machinery, apparatus and appurtenances, as well as incidental costs and expenses in connection therewith, is hereby authorized at a maximum estimated cost of $8,979,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of $4,000,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law. The remainder of the cost of the building project will be taken from unrestricted fund balance. Further, it is the intent of this Legislature to fund the annual bond repayment via unrestricted fund balance appropriation.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Steuben, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.
Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in full in The Leader and The Evening Tribune, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.; and it is further

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

Mr. Van Etten commented two months ago he gave his opinion that he was not in favor of the project as it has turned into something much larger than the original scope. However, as far as how we should pay, he agrees with issuing a bond and not using cash from the County’s coffers.

Mr. Mullen stated that he takes the same position as Mr. Van Etten with regard to the scope of the project, but this is the best way to finance it.

(No – Legislator Weaver; Absent – Legislator Booth)

RESOLUTION NO. 171-16

Introduced by R. Lattimer. Seconded by D. Farrand.

DESIGNATING THE STEUBEN COUNTY CONFERENCE & VISITORS’ BUREAU AS THE OFFICIAL TOURISM PROMOTION AGENCY FOR THE COUNTY OF STEUBEN.

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

WHEREAS, the New York State Grants Program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS, the Steuben County Conference and Visitors’ Bureau, a non-profit organization established by the Steuben County Legislature through adoption of Resolution No. 156-93 on October 25, 1993, has requested to be designated in 2016-2017 as the official tourism promotion agency for Steuben County for the purpose of the New York State Grants Program.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Conference and Visitors’ Bureau is designated by the Steuben County Legislature to make application for and receive grants on behalf of the County of Steuben pursuant to the New York State Tourism Promotion Act; and be it further
RESOLVED, certified copies of this resolution shall be forwarded to Jake Buganski, President, Steuben County Conference and Visitors’ Bureau, Inc., 1 West Market Street, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 172-16

Introduced by R. Lattimer. Seconded by R. Nichols.

AUTHORIZING A PUBLIC HEARING ON THE EIGHT-YEAR REVIEW OF AGRICULTURAL DISTRICT NO. 2

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

WHEREAS, Agricultural District No.2, located in the Towns of Bath, Bradford, Campbell, Canisteo, Howard, Rathbone, Thurston, Urbana, and Wayne, and the Villages of Bath and Savona, Steuben County, is now being reviewed pursuant to said Law; and

WHEREAS, the Clerk of the Legislature did file a copy of the Notice of Review in the Steuben County Clerk's office and did properly publish and have posted the thirty day (30) Notice as required by Law, and the affidavits of publication and posting of the Notice of Review of the Agricultural District having been received and filed on behalf of this Legislature; and

WHEREAS, upon completion of the thirty day review period, any and all proposals filed were referred to the Steuben County Agricultural and Farmland Protection Board and said Board will file written reports with this County Legislature containing their recommendations and any proposed modifications concerning the same.

NOW THEREFORE, BE IT

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, a Public Hearing on the review of said Agricultural District together with any modification thereof set forth in the reports of the Agricultural and Farmland Protection Board shall be held by this County Legislature on the 19th day of December, 2016, at 10:00 a.m.; and be it further

RESOLVED, that the Clerk of this Legislature shall cause a Notice of said Public Hearing to be published and mailed in accordance with Section 303-a of the Agriculture and Markets Law; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of the Steuben County Planning Department.

Vote: Acclamation – Adopted.

RESOLUTION NO. 173-16

Introduced by G. Swackhamer. Seconded by H. Lando.

AUTHORIZING AN INCREASE TO THE SOLID WASTE TIPPING FEE SCHEDULE EFFECTIVE JANUARY 1, 2017.

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

WHEREAS, the Solid Waste Division established the following tipping fees for various services provided at various facilities. The current fees are as follows: $32.00/ton Municipal Sewage Treatment Plant
Sludge, $10.00/ton for Processed Construction Debris, $10.00/ton for Auto Fluff, disposal only, and $21.00/ton Auto Fluff, picked up and disposed by Steuben County within 100 miles; and

WHEREAS, the County wants to continue to keep the landfill system supported by user fees; and

WHEREAS, the Public Works Committee recommends the modification of the landfill tipping fees.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby authorize the Commissioner of Public Works to implement the following tipping fees: $36.00/ton Municipal Sewage Treatment Plant Sludge, $15.00/ton for Processed Construction Debris, $12.00/ton for Auto Fluff, disposal only, and $23.00/ton Auto Fluff, picked up and disposed by Steuben County within 100 miles; and be it further

RESOLVED, the modifications for Processed Construction Debris and Auto Fluff shall become effective January 1, 2017, and remain in effect until further notice; and be it further

RESOLVED, the modification for Municipal Sewage Treatment Plant Sludge shall become effective July 1, 2017 and remain in effect until further notice; and be it further

RESOLVED, these modifications shall apply to private individuals, businesses, industry, commercial haulers and local political subdivisions of the State of New York within the County of Steuben; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 174-16

Introduced by G. Swackhamer. Seconded by J. Malter.

ESTABLISHING A TIP FEE FOR PUBLIC SECTOR CONSTRUCTION DEMOLITION DEBRIS AND ASBESTOS WASTE

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

WHEREAS, the County operates mixed municipal solid waste landfill in the Town of Bath which currently accepts construction demolition debris and friable asbestos; and

WHEREAS, the County recognizes that there is need for the safe and cost effective disposal of abandoned properties; and

WHEREAS, there are local public sector entities engaged in the demolition of the abandoned properties; and

WHEREAS, the County desires to encourage local public sector entities to utilize the County for the disposal of the construction demolition debris and friable asbestos through the County landfill; and

WHEREAS, the current tip fee at the landfill for construction demolition debris is $44.00/ton and the current tip fee for friable asbestos is $250.00/ton, the County wants to establish posted public sector tip fees of $30.00/ton for construction demolition debris and $125.00/ton for friable asbestos delivered to said landfill.

NOW THEREFORE, BE IT

220 Monday, November 28, 2016
RESOLVED, the Steuben County Legislature does hereby authorize the Commissioner of Public Works to establish a posted public sector tip fees of $30.00/ton for disposal of construction demolition debris and $125.00/ton for disposal of friable asbestos from public sector entities at said landfill; and be it further

RESOLVED, the new tip fees for public sector construction demolition debris and friable asbestos delivered at said landfill shall take effect on January 1, 2017; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 175-16

Introduced by G. Swackhamer. Seconded by G. Roush.

AUTHORIZING AN INCREASE TO THE SOLID WASTE FEE SCHEDULE FOR TRUCK/TRACTOR TIRES.

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

WHEREAS, the Solid Waste Division provides a tire recycling program at the Bath Landfill and at the Transfer Stations in Erwin, Hornell and Wayland for the residents and businesses in the County for the safe and environmentally responsible recycling of scrap tires; and

WHEREAS, the County has a posted tip fee for the recycling of Truck/Tractor Tires greater than 20” of $13.00/each; and

WHEREAS, the County current tip fee does not cover the actual per ton recycling fee that is incurred for the recycling of large commercial/industrial tires; and

WHEREAS, the Public Works Committee recommends the modification of the tipping fee for Truck/Tractor Tires greater than 20”.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby authorize the Commissioner of Public Works to increase the tip fee for Truck/Tractor Tires greater than 20” to $300.00/ton; and be it further

RESOLVED, the modification for Truck/Tractor Tires greater than 20” become effective January 1, 2017, and remain in effect until further notice; and be it further

RESOLVED, these modifications shall apply to private individuals, businesses, industry, commercial haulers and local political subdivisions of the State of New York within the County of Steuben; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.
RESOLUTION NO. 176-16

Introduced by D. Farrand and S. Van Etten.        Seconded by C. Ferratella.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A GRANT FOR BULLETPROOF VESTS FROM THE BUREAU OF JUSTICE ASSISTANCE.

WHEREAS, the Federal Government is making available $17,375.00 for the purchase of bulletproof vests for Steuben County Deputies; and

WHEREAS, the Bureau of Justice Assistance will award $8,687.50 for the purchase of these bulletproof vests; and

WHEREAS, these vests are required for the safety of the Steuben County law enforcement.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to accept $8,687.50 revenue, and appropriate said expenses from 311000-5473100 in the amount of $17,375.00; and be it further

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

Mr. Weaver asked are we paying half? Mr. Wheeler replied the federal government pays half and the State will pay half only for the Road Patrol, not the Corrections Officers. Our share for the Corrections Officers vests will be approximately $2,000. Mr. Swackhamer asked is this part of a mandate for uniforms? Mr. Wheeler replied we do require the Corrections Officers to wear vests when doing transports.

Vote: Roll Call – Adopted.

RESOLUTION NO. 177-16

Introduced by D. Farrand and S. Van Etten.        Seconded by H. Lando.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A GRANT FOR THE DRUG TIP LINE.

WHEREAS, New York State is awarding Steuben County $5,000; and

WHEREAS, it has been established that these funds will be used for items to publicize the Drug Tip Line; and

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to accept $5,000 revenue, and appropriate said expenses from 311000-5403100; and be it further

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

Vote: Roll Call – Adopted.
RESOLUTION NO. 178-16

Introduced by B. Schu. Seconded by C. Ferratella.

APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING RESOLUTION AS REQUIRED BY THE NYS COMPTROLLER.

WHEREAS, the New York State and Local Employees’ Retirement System adopted 2 NYCRR §315.4, a regulation on retirement reporting for elected and appointed officials which became effective August 12, 2009; and

WHEREAS, the regulation requires an expanded record of work activities, a more detailed resolution and specific time frames within which requirements must be completed.

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben hereby establishes the following standard work days for the listed titles and will report the officials to the New York State and Local Employees’ Retirement System based on their record of activities:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>STANDARD WORKDAY (HRS/DAY)</th>
<th>NAME</th>
<th>TIER 1 MEMBER</th>
<th>CURRENT TERM BEGINS/ENDS</th>
<th>ROA Result</th>
<th>ROA Not Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elected Officials</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed Officials</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistant District Attorney, PT</td>
<td>6.0</td>
<td>Patrick F. McAllister</td>
<td></td>
<td>01/01/16-12/31/19</td>
<td>6.16</td>
<td></td>
</tr>
</tbody>
</table>

AND BE IT FURTHER RESOLVED, the above list reflects only those elected and appointed officials commencing new terms of office, as stipulated in the regulation; and be it further

RESOLVED, elected and appointed officials who are not members of the State Retirement System are not subject to the provisions of this law; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Finance Commissioner, the Personnel Officer and the New York State Comptroller.

Vote: Roll Call – Adopted.

RESOLUTION NO. 179-16

Introduced by B. Schu. Seconded by R. Lattimer.

AUTHORIZING THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO ENTER INTO A JOINT SERVICES AGREEMENT WITH CERTAIN MUNICIPALITIES LOCATED WITHIN STEUBEN COUNTY, FOR DATA COLLECTION SERVICES PURSUANT TO REAL PROPERTY TAX LAW §1537.

WHEREAS, Real Property Tax Law §1537 authorizes a municipality and a county to enter into, amend, cancel and terminate an agreement for appraisal services, exemption services, or assessment services; and
WHEREAS, Steuben County has the ability to provide specific assessment services to a municipality entering into an agreement with the County, pursuant to Real Property Tax Law §1537 and General Municipal Law §119-o; and

WHEREAS, the municipalities contained in Schedule A herein may contemplate for adoption or have duly adopted a resolution authorizing such agreement in accordance with Real Property Tax Law §1537; and

WHEREAS, any future renewals, amendments or extensions of the recited Joint Services Agreements for Data Collection Services will be subject to standing committee authorization and oversight.

NOW THEREFORE, BE IT

RESOLVED, that the Chairman of the Steuben County Legislature is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for a Joint Services Agreement for Data Collection Services between the County of Steuben and each of the municipalities contained herein; and be it further

RESOLVED, that the Administration Committee of the Steuben County Legislature is hereby authorized and empowered to approve any renewals, amendments or extensions of the recited Joint Services Agreements for Data Collection Services, subject to the Rules of Procedure of the Steuben County Legislature; 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 authorized agent of the appropriate municipality, together with the approved agreements executed by the Chairman of the County Legislature.

SCHEDULE "A"

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Municipality</th>
<th>Authorized Agent(s)</th>
<th>Municipality Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1</td>
<td>City of Corning</td>
<td>Richard P. Negri, Mayor</td>
<td>500 Nasser Civic Center Plaza, Corning, NY 14830</td>
</tr>
<tr>
<td>A-2</td>
<td>City of Hornell</td>
<td>Shawn D. Hogan, Mayor</td>
<td>P.O. Box 627, 82 Main Street, Hornell, NY 14843</td>
</tr>
<tr>
<td>A-3</td>
<td>Town of Addison</td>
<td>Kenneth Gerber, Town Supervisor</td>
<td>21 Main Street, Addison, NY 14801</td>
</tr>
<tr>
<td>A-4</td>
<td>Town of Avoca</td>
<td>Kenneth Parsels, Town Supervisor</td>
<td>3 Chase Street, P.O. Box 468, Avoca, NY 14809</td>
</tr>
<tr>
<td>A-5</td>
<td>Town of Bath</td>
<td>Ronald Smith, Town Supervisor</td>
<td>110 Liberty Street, P.O. Box 327, Bath, NY 14810</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>Municipality</td>
<td>Authorized Agent</td>
<td>Municipality Address</td>
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<td>----------------------</td>
</tr>
<tr>
<td>A-6</td>
<td>Town of Bradford</td>
<td>Kathleen Sleve, Town Supervisor</td>
<td>7625 County Route 20, Bradford, NY 14815</td>
</tr>
<tr>
<td>A-7</td>
<td>Town of Cameron</td>
<td>Virginia McNutt, Town Supervisor</td>
<td>P.O. Box 1932, Cameron, NY 14819</td>
</tr>
<tr>
<td>A-8</td>
<td>Town of Campbell</td>
<td>Michael D. Austin, Town Supervisor</td>
<td>8529 Main Street, Campbell, NY 14821</td>
</tr>
<tr>
<td>A-9</td>
<td>Town of Canisteo</td>
<td>Steven Weed, Town Supervisor</td>
<td>6 South Main Street, Canisteo, NY 14823</td>
</tr>
<tr>
<td>A-10</td>
<td>Town of Caton</td>
<td>Lynn Tucker, Town Supervisor</td>
<td>11161 Hendy Hollow Road, Corning, NY 14830</td>
</tr>
<tr>
<td>A-11</td>
<td>Town of Cohocton</td>
<td>Daniel (Tom) Johnson, Town Supervisor</td>
<td>P.O. Box 200, Atlanta, NY 14808</td>
</tr>
<tr>
<td>A-12</td>
<td>Town of Corning</td>
<td>Kimberly Feehan, Town Supervisor</td>
<td>20 S. Maple Street, Corning, NY 14830</td>
</tr>
<tr>
<td>A-13</td>
<td>Town of Dansville</td>
<td>Michael Willis, Town Supervisor</td>
<td>1487 Day Road, Arkport, NY 14807</td>
</tr>
<tr>
<td>A-14</td>
<td>Town of Erwin</td>
<td>Rita McCarthy, Town Manager</td>
<td>310 Town Center Road, Painted Post, NY 14879</td>
</tr>
<tr>
<td>A-15</td>
<td>Town of Fremont</td>
<td>Robert Osborn, Town Supervisor</td>
<td>8217 Cream Hill Road, Arkport, NY 14807</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>Municipality</td>
<td>Authorized Agent</td>
<td>Municipality Address</td>
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<tr>
<td>---------------</td>
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</tr>
<tr>
<td>A-16</td>
<td>Town of Greenwood</td>
<td>David Heckman, Town Supervisor</td>
<td>2686 State Route 248, Greenwood, NY 14839</td>
</tr>
<tr>
<td>A-17</td>
<td>Town of Hartsville</td>
<td>Michael Muhleisen, Town Supervisor</td>
<td>5150 Purdy Creek Road, Hornell, NY 14843</td>
</tr>
<tr>
<td>A-18</td>
<td>Town of Hornby</td>
<td>Thomas P. Landolf, Town Supervisor</td>
<td>4830 Hornby Road, Beaver Dams, NY 14812</td>
</tr>
<tr>
<td>A-19</td>
<td>Town of Hornellsville</td>
<td>Kenneth E. Isaman, Town Supervisor</td>
<td>4 Park Avenue, Arkport, NY 14807</td>
</tr>
<tr>
<td>A-20</td>
<td>Town of Howard</td>
<td>Donald F. Evia, Town Supervisor</td>
<td>3725 Mill Road, Avoca, NY 14809</td>
</tr>
<tr>
<td>A-21</td>
<td>Town of Jasper</td>
<td>Lucille Kernan, Town Supervisor</td>
<td>P.O. Box 10, Jasper, NY 14855-0010</td>
</tr>
<tr>
<td>A-22</td>
<td>Town of Lindley</td>
<td>Patrick Clark, Town Supervisor</td>
<td>637 County Rte. 115, P.O. Box 62, Lindley, NY 14858</td>
</tr>
<tr>
<td>A-23</td>
<td>Town of Prattsburgh</td>
<td>Leonard L. McConnell, Town Supervisor</td>
<td>P.O. Box 427 Prattsburgh, NY 14873</td>
</tr>
<tr>
<td>A-24</td>
<td>Town of Pulteney</td>
<td>Mark Illig, Town Supervisor</td>
<td>P.O. Box 214, Pulteney, NY 14874</td>
</tr>
<tr>
<td>A-25</td>
<td>Town of Rathbone</td>
<td>Russell Morseman III, Town Supervisor</td>
<td>8088 County Route 21, Addison, NY 14801</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>A-26</td>
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<tr>
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<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Town of Thurston</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Authorized Agent</td>
<td>Wendy Lozo, Town Supervisor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality Address</td>
<td>7578 County Route 333, Campbell, NY 14821</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-27</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipality</td>
<td>Town of Troupsburg</td>
</tr>
<tr>
<td>Authorized Agent</td>
<td>David W. Newberry, Town Supervisor</td>
</tr>
<tr>
<td>Municipality Address</td>
<td>873 Main Street, Troupsburg, NY 14885</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-28</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipality</td>
<td>Town of Tuscarora</td>
</tr>
<tr>
<td>Authorized Agent</td>
<td>Robert V. Nichols, Town Supervisor</td>
</tr>
<tr>
<td>Municipality Address</td>
<td>1094 Gill Road, Addison, NY 14801</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-29</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipality</td>
<td>Town of Urbana</td>
</tr>
<tr>
<td>Authorized Agent</td>
<td>John Webster, Town Supervisor</td>
</tr>
<tr>
<td>Municipality Address</td>
<td>P.O. Box 186, Hammondsport, NY 14840</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-30</th>
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</thead>
<tbody>
<tr>
<td>Municipality</td>
<td>Town of Wayland</td>
</tr>
<tr>
<td>Authorized Agent</td>
<td>George W. Ott, Town Supervisor</td>
</tr>
<tr>
<td>Municipality Address</td>
<td>110 North Main Street, Wayland, NY 14572</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-31</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipality</td>
<td>Town of Wayne</td>
</tr>
<tr>
<td>Authorized Agent</td>
<td>Stephen Butchko, Town Supervisor</td>
</tr>
<tr>
<td>Municipality Address</td>
<td>P.O. Box 182, Wayne, NY 14893</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-32</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipality</td>
<td>Town of West Union</td>
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<tr>
<td>Authorized Agent</td>
<td>Randy Heckman, Town Supervisor</td>
</tr>
<tr>
<td>Municipality Address</td>
<td>1328 State Route 248, Rexville, NY 14877</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-33</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipality</td>
<td>Town of Wheeler</td>
</tr>
<tr>
<td>Authorized Agent</td>
<td>Jeanette E. Underhill, Town Supervisor</td>
</tr>
<tr>
<td>Municipality Address</td>
<td>6429 Gardner Road, Bath, NY 14810</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-34</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipality</td>
<td>Town of Woodhull</td>
</tr>
<tr>
<td>Authorized Agent</td>
<td>Scott E. Grant, Town Supervisor</td>
</tr>
<tr>
<td>Municipality Address</td>
<td>1585 Academy Street, Woodhull, NY 14898</td>
</tr>
</tbody>
</table>

**Vote:** Roll Call – Adopted.
DIRECTING THE ADDITION OF OMITTED TAXES AND/OR PRO-RATED OMITTED TAXES ON EXEMPT PARCELS.

Pursuant to Sections 553 and 558 of the Real Property Tax Law of the State of New York.

RESOLVED, the report of the Commissioner of Finance of 2016 omitted taxes, and/or pro-rated omitted taxes on exempt parcels be and hereby is received and filed, and the Director of the Real Property Tax Service Agency is hereby directed to levy the amounts thereof upon the parcels in accordance with said report; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 181-16

Introduced by B. Schu. Seconded by G. Roush.

DIRECTING THE LEVY OF RETURNED UNPAID SCHOOL TAXES FOR THE YEAR 2016.

Pursuant to Article 13 of the Real Property Tax Law of the State of New York.

RESOLVED, the report of the Commissioner of Finance of the several amounts of “Returned Unpaid School Taxes for the Year 2016” be and the same hereby is received and filed; and be it further

RESOLVED, the Director of the Real Property Tax Service Agency be and hereby is directed to levy the amounts set forth in said report upon the respective parcels therein listed; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 182-16

Introduced by B. Schu. Seconded by G. Swackhamer.


Pursuant to Article 13 of the Real Property Tax Law of the State of New York.

RESOLVED, the report of the Commissioner of Finance of the several amounts of “Returned Unpaid Village Taxes for the Year 2016” be and the same hereby is received and filed; and be it further

RESOLVED, the Director of the Real Property Tax Service Agency be and the same hereby is directed to levy the amounts set forth in said report upon the respective parcels therein listed; and be it further

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

Vote: Roll Call – Adopted.
RESOLUTION NO. 183-16

Introduced by B. Schu. Seconded by D. Farrand.

ADOPTING THE TABLE OF EQUALIZATION RATES FOR FISCAL YEAR 2017.

Pursuant to Title 2 of Article 8 of the Real Property Tax Law of the State of New York.

WHEREAS, the Director of the Real Property Tax Service Agency and the Administration Committee have submitted to the Legislature of the County of Steuben, the equalization rates for the spread and levy of the County Tax upon the taxable real property of the several tax districts constituting the County of Steuben, and said Administration Committee has recommended the adoption of such equalization rates.

NOW THEREFORE, BE IT

RESOLVED, the Table of Rates of Equalization for the County of Steuben, as submitted by the Administration Committee, be and the same hereby is received and filed; and be it further

RESOLVED, the several rates therein set forth in said Table of Equalization Rates of the several tax districts constituting the County of Steuben be and the same hereby are adopted as the rates of equalization for the spread and levy of the County Tax for the Fiscal Year 2017; and be it further

RESOLVED, the Clerk of the Legislature is hereby directed to forward to the New York State Office of Real Property Tax Services a certified copy of this resolution, together with the Table of Rates, so that the same may be published in the annual report of said Commissioner; and be it further

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

TABLE OF COUNTY EQUALIZATION RATES

STEUBEN COUNTY

<table>
<thead>
<tr>
<th>MUNICIPALITY</th>
<th>2016 COUNTY EQUALIZATION RATES FOR 2017 TAX LEVY</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY OF CORNING</td>
<td>100.00</td>
</tr>
<tr>
<td>CITY OF HORNELL</td>
<td>100.00</td>
</tr>
<tr>
<td>ADDISON</td>
<td>100.00</td>
</tr>
<tr>
<td>AVOCA</td>
<td>100.00</td>
</tr>
<tr>
<td>BATH</td>
<td>45.00</td>
</tr>
<tr>
<td>BRADFORD</td>
<td>81.00</td>
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<tr>
<td>CAMERON</td>
<td>99.00</td>
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<tr>
<td>CAMPBELL</td>
<td>100.00</td>
</tr>
<tr>
<td>Town</td>
<td>Value</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------</td>
</tr>
<tr>
<td>CANISTEO</td>
<td>99.00</td>
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<tr>
<td>CATON</td>
<td>100.00</td>
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<tr>
<td>COHOCTON</td>
<td>88.00</td>
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<tr>
<td>CORNING TOWN</td>
<td>89.00</td>
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<tr>
<td>DANSVILLE</td>
<td>98.00</td>
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<tr>
<td>ERWIN</td>
<td>100.00</td>
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<tr>
<td>FREMONT</td>
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<tr>
<td>GREENWOOD</td>
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<tr>
<td>HARTSVILLE</td>
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<tr>
<td>HORNBY</td>
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<tr>
<td>HORNELLSVILLE</td>
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<td>HOWARD</td>
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<td>JASPER</td>
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<td>LINDLEY</td>
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<td>PRATTSBURGH</td>
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<tr>
<td>PULTENNEY</td>
<td>99.00</td>
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<tr>
<td>RATHBONE</td>
<td>98.00</td>
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<tr>
<td>THURSTON</td>
<td>3.15</td>
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<tr>
<td>TROUPSBURG</td>
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<tr>
<td>TUSCARORA</td>
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<tr>
<td>URBANA</td>
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<tr>
<td>WAYLAND</td>
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<tr>
<td>WAYNE</td>
<td>100.00</td>
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<tr>
<td>WEST UNION</td>
<td>38.00</td>
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<tr>
<td>WHEELER</td>
<td>100.00</td>
</tr>
<tr>
<td>WOODHULL</td>
<td>100.00</td>
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</tbody>
</table>

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 184-16**

Introduced by B. Schu. Seconded by H. Lando.

**FILING THE REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2017.**

Pursuant to Title 2 of Article 8 of the Real Property Tax Law of the State of New York.

**WHEREAS**, Title 2 of Article 8 requires the County to determine the total full valuation of taxable real property for all cities and towns within the County by dividing the taxable assessed value of taxable real property of the city or town plus the amount of assessed value partially exempt from County taxation pursuant to Real Property Tax Law Section 458 (Veteran), Section 460 (Clergy), Section 464 (Volunteer Firemen's Association) and at County option Section 458.3, 458A and 458B (Veterans); Section 467 (Senior Citizens) by the corresponding County Equalization rate.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Report of County Equalization for the Year 2017, be and the same hereby is received and filed by this Legislature; and be it further
RESOLVED, a certified copy of this resolution shall be forwarded to the Director of the Real Property Tax Service Agency.
# REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2017
**BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2016**

**STEUBEN COUNTY**

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TOWN TOTALS: Greenwood 188,835,724 | 54,340,510 | 1.0000 | 40,676,678 | 39,425,300 | 40,407,161 |
| Hartsville 44,103,480 | 40,676,678 | 1.0000 | 39,425,300 | 84,122,728 |
| Hornby 89,268,739 | 81,406,141 | 1.0000 | 79,495,060 | 84,122,728 |
| Hornellsville 176,517,477 | 145,070,715 | 0.9800 | 148,031,342 | 142,478,804 |
| Village of Almond 829,735 | 828,570 | 0.9800 | 845,480 | 765,240 |
| Village of Arkport 46,529,158 | 31,818,058 | 0.9800 | 32,467,406 | 30,175,132 |
| Village of N Hornell 45,521,555 | 37,906,932 | 0.9800 | 38,680,543 | 36,071,495 |
| Lindley 2,872,469 | 2,654,583 | 0.0234 | 113,443,718 | 2,530,140 |
| City of Hornell 351,100,594 | 252,967,841 | 1.0000 | 252,967,841 | 245,244,276 |
| Howard 86,806,117 | 46,452,862 | 0.4215 | 110,208,451 | 46,023,469 |
| Jasper 7,161,696 | 3,254,865 | 0.0460 | 70,757,935 | 3,203,276 |
| Lindley 2,872,469 | 2,654,583 | 0.0234 | 113,443,718 | 2,530,140 |

CITY TOTALS: 351,100,594 | 252,967,841 | 1.0000 | 252,967,841 | 245,244,276 | 0 |

TOWN TOTALS: Greenwood 188,835,724 | 54,340,510 | 1.0000 | 40,676,678 | 55,984,881 | 57,240,867 |
| Hartsville 44,103,480 | 40,676,678 | 1.0000 | 39,425,300 | 55,040,024 |
| Hornby 89,268,739 | 81,406,141 | 1.0000 | 79,495,060 | 84,122,728 |
| Hornellsville 176,517,477 | 145,070,715 | 0.9800 | 148,031,342 | 142,478,804 |
| Village of Almond 829,735 | 828,570 | 0.9800 | 845,480 | 744,145 |
| Village of Arkport 46,529,158 | 31,818,058 | 0.9800 | 32,467,406 | 30,175,132 |
| Village of N Hornell 45,521,555 | 37,906,932 | 0.9800 | 38,680,543 | 36,071,495 |
| Lindley 2,872,469 | 2,654,583 | 0.0234 | 113,443,718 | 2,530,140 |

TOWN TOTALS: 269,397,925 | 215,624,275 | 220,024,771 | 210,506,241 |

CITY TOTALS: 351,100,594 | 252,967,841 | 252,967,841 | 0 |

TOWN TOTALS: 57,383,188 | 57,383,188 | 57,383,188 | 57,240,867 |

City of Hornell | 351,100,594 | 252,967,841 | 252,967,841 | 0 |

TOWN TOTALS: 2,872,469 | 2,654,583 | 113,443,718 | 2,530,140 | 2,593,628 |

TOWN TOTALS: 2,872,469 | 2,654,583 | 113,443,718 | 2,530,140 | 2,593,628 |
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SIGNED: WENDY S. JORDAN, ACTING DIRECTOR, STEUBEN COUNTY REAL PROPERTY TAX SERVICE AGENCY

DATED: 11/28/16
Mr. Mullen asked on the spreadsheet, what is the difference between the Aggregate Taxable for County and Aggregate Taxable for Town columns? Ms. Jordan replied certain exemptions are added in to equalize the rates. There may be towns that have more of those types of exemptions. We try to even that out. Mr. Mullen asked is there a formula? Ms. Jordan replied under Real Property Tax Law, certain exemptions are allowed to be added back in. Mr. Wheeler commented when we talk about our tax rate, we are using the column for Total Full Value.

Vote: Roll Call – Adopted.

RESOLUTION NO. 185-16

Introduced by B. Schu and S. Van Etten. Seconded by J. Malter.

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS.

Pursuant to Section 261 of the Tax Law of the State of New York:

RESOLVED, that the apportionment of tax on mortgages in the County of Steuben collected by the County Clerk from the 1st day of April, 2016 to the 30th day of September, 2016, pursuant to provisions of Section 261 of the Tax Law, as made by the Clerk of this Legislature be and the same hereby is ratified and confirmed, and the statement of such apportionment in compliance with the provisions of said Law, filed with the Commissioner of Finance of this County, is hereby and in all things ratified and confirmed and such statement shall be to the said Commissioner a sufficient Warrant for the payment by him of the various sums as apportioned for the various purposes as designed by Law, and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to the Steuben County Commissioner of Finance, the Steuben County Real Property Tax Service Agency, and the Steuben County Clerk:

MORTGAGE TAX APPORTIONMENT

The amount of money in your hands on September 30, 2016, which was received by you from the County Clerk as taxes paid to her upon the real property mortgages filed in her office since April 1, 2016, the date of the last apportionment, and which must be distributed to the various tax districts of the County of Steuben, pursuant to Section 261 of the Tax Law, is the sum of $652,843.36.

You are therefore commanded to pay the various towns and cities the amount placed opposite the name of said towns and cities and pay over to the various village officers the amount hereinafter stated to be the distributive amounts due said districts for village purposes, as follows:

MORTGAGE TAX DISTRIBUTION - November 2016

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<tr>
<th>TOWN &amp; CITIES</th>
<th>TOWN/CITY</th>
<th>AMT DUE</th>
<th>VILLAGES</th>
<th>AMT DUE</th>
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<td><strong>49,835.15</strong></td>
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Foregoing shall be your sufficient warrant for the payment of said sums as above directed.

DATED at Bath, New York: November ____, 2016

STEUBEN COUNTY LEGISLATURE

_______________________________
By: Joseph J. Hauryski, Chairman
RESOLUTION NO. 186-16

APPOINTING MEMBERS TO THE HALL OF FAME COMMITTEE.

WHEREAS, Steuben County has, since 1976 been sponsoring the Steuben County Hall of Fame, members of which have historically been recommended by a 12-member Hall of Fame Committee; and

WHEREAS, the appointments to the Hall of Fame Committee had previously been done by an appointment letter from the Chairman of the Legislature; and

WHEREAS, it has been determined that it would be more appropriate to formalize the appointments to the Hall of Fame Committee and set terms.

NOW THEREFORE, BE IT

RESOLVED, the Chairman of the Legislature is recommending the following individuals for appointment to the Hall of Fame Committee for a three-year term commencing January 1, 2017 and ending December 31, 2019:

LEGISLATIVE REPRESENTATIVE
Robin K. Lattimer, Legislator, District 3, 7600 County Route 14, Bath, NY 14810

EDUCATION REPRESENTATIVE
Dr. Katherine Douglas, President, Corning Community College, 1 Academic Drive, Corning, NY 14830

PRIVATE INDUSTRY REPRESENTATIVE
Minnie Brennan, Haines Equipment, 25 Chase Street, Avoca, NY 14809

AT-LARGE REPRESENTATIVES
Kathy Hagenbuch, 4737 Clawson Drive, Campbell, NY 14821
Carol Mykel, 2018 Michigan Road, Wayland, NY 14572
Becky Stranges, 117 West Washington Street, Bath, NY 14810

EX-OFFICIO
County Historian

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Hall of Fame Committee, and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Historian and the County Auditor.

Vote: Acclamation – Adopted.
Mr. Van Etten commented that he has been on the Board for nine years and we had yet to be handed a budget like this one with as few challenges. A lot of the budget is out of our control with what happens with the State. We are lucky to have the numbers we have put together. It is not bare bones by any means, but the overall scope of things is that next year we may need to find $300,000 or more. He stated he is in full support and appreciates that work that Mr. Wheeler, Mr. Alger and the department heads and Finance Office have done.

Mr. Swackhamer commented we have done very well this year. However, we need to think about next year.

Chairman Haursky stated our tax levy and tax rate are going down, and that is unheard of in this age.

Mrs. Lando stated everyone has done a great job. Mr. Wheeler stated the department heads and Finance Office deserve the credit.

Mr. Swackhamer stated this is the third time this has happened in the thirty years that he has been on the Board. We are very, very fortunate this year.

Chairman Haursky stated the department heads have done a remarkable job. Since he has been on the Board, they have found ways to both save, and make, money and he commends them for their work and effort. He also has been a stickler for automation and efficiencies and they have been doing that as well. He is very appreciative. He also would like to thank Mr. Van Etten for the job he has done on his first trip chairing the Finance Committee through the budget.

There being no further comments or questions on the Budget, Chairman Haursky declared the budget workshop closed.

**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 MR. ROUSH, SECONDED BY MR. HANNA AND DULY CARRIED.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. MULLEN, SECONDED BY MR. ROUSH AND DULY CARRIED.**

**MOTION: TO ADJOURN MADE BY MR. MULLEN, SECONDED BY MR. WEAVER AND DULY CARRIED.**
October 28, 2016

The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers, Bath, NY on Monday, the 28th day of November, 2016, at 6:00 p.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryksi.

Roll Call and all members were present.

Mrs. Ferratella provided the Invocation and the Pledge of Allegiance was led by Ms. Fitzpatrick.

Chairman Hauryksi opened the floor for comments by members of the public. There being none, he 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 for the Notice of Completion and Filing of the Assessment Roll for the Marsh Ditch Watershed Protection District. Chairman Hauryksi opened the floor for comments by members of the public. There being none, he 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 for the Notice of Completion and Filing of the Assessment Roll for the Upper Five Mile Creek Watershed Protection District. Chairman Hauryksi opened the floor for comments by members of the public. There being none, he 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 for the Notice of Completion and Filing of the Assessment Roll for the Waneta/Lamoka Lakes’ Protection and Rehabilitation District. Chairman Hauryksi opened the floor for comments by members of the public. There being none, he 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 for the Notice of Completion and Filing of the Assessment Roll for the Public Hearing Upon Local Law Tentatively No. Three for the Year 2016, Establishing the Annual Salaries of Certain Elected or Appointed Officials and Department Heads of the County of Steuben who have a Fix Term of Office for the Fiscal Year 2017. Chairman Hauryksi opened the floor for comments by members of the public. There being none, he 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 for the Public Hearing on the Tentative Budget for the Fiscal Year 2017. Chairman Hauryksi opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.

RESOLUTION NO. 187-16

Introduced by B. Schu. Seconded by S. Van Etten.

Pursuant to Sections 201 and 214 of the County Law and Sections 10, 20 and 24 of the Municipal Home Rule Law of the State of New York and Section 2.07(8) of the Steuben County Charter.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on November 15, 2016, County of Steuben Local Law Tentatively No. Three for the Year 2016, Establishing the Annual Salaries of Certain Elected or Appointed Officials and Department Heads of the County of Steuben who have a Fixed Term of Office for the Fiscal Year 2017, and this Legislature by resolution, preliminarily adopted said Local Law on November 15, 2016, making the final adoption of said Local Law subject to a Public Hearing to be held on November 28, 2016, and also subject to a permissive referendum; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on November 28, 2016 at 6:00 P.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing and requirement for a permissive referendum.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Three for the Year 2016, as hereinafter set forth be and the same hereby is finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2016

A LOCAL LAW, Establishing the Annual Salaries of Certain Elected or Appointed Officials and Department Heads of the County of Steuben who have a Fixed Term of Office for the Fiscal Year 2017.

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

SECTION 1: Except where inconsistent by operation of law due to prohibitions of increases of compensation during a fixed term of office for County officers and employees as provided in County Law §201 and Municipal Home Rule Law §24(2)(h), the “Steuben County Management Evaluation and Salary Plan”, Administrative Code of the County of Steuben Part XV be, and the same hereby is, applicable to officers and employees having a fixed term of office, whether elected or appointed, as are any and all resolutions of the Steuben County Legislature relative to rights and entitlements of County executive and management personnel.

SECTION 2: Effective with the first county payroll for the County Fiscal Year 2017, the annual salaries of the certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office are hereby established for the Fiscal Year 2017 as follows, to wit:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>2016 SALARY</th>
<th>2017 SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner, Public Works</td>
<td>$101,890</td>
<td>$103,928</td>
</tr>
<tr>
<td>Commissioner, Social Services</td>
<td>$98,303</td>
<td>$103,928</td>
</tr>
<tr>
<td>Commissioner of Finance</td>
<td>$91,272</td>
<td>$94,726</td>
</tr>
<tr>
<td>Clerk of Legislature</td>
<td>$67,468</td>
<td>$68,717</td>
</tr>
<tr>
<td>County Attorney</td>
<td>$117,654</td>
<td>$125,964</td>
</tr>
<tr>
<td>County Clerk</td>
<td>$64,770</td>
<td>$66,065</td>
</tr>
</tbody>
</table>
SECTION 3: Should any of the above positions become vacant and subsequently filled by one other than the present incumbent, the salary shall in that instance be set by the Legislature prior to filling said vacancy.

SECTION 4: This Local Law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

BE IT FURTHER RESOLVED, within twenty (20) days after such Local Law is adopted the Clerk of this Legislature of the County of Steuben shall cause a copy of the Local Law to be published in the two officially designated county newspapers, the Leader of Corning, New York, and the Evening Tribune of Hornell, New York, together with notice that said Local Law is subject to a permissive referendum of the qualified electors of Steuben County by the filing of a petition within forty-five (45) days from the date of the final adoption of the Local Law with the Clerk of this Legislature demanding such referendum, which petition must be signed by qualified electors of the County registered to vote therein at the last preceding election, in number equal to at least ten per centum (10%) of the total number cast for Governor at the last gubernatorial election in the County; and be it further

RESOLVED, within five (5) days after the expiration of the time for the filing of petitions for a permissive referendum of said Local Law, the Clerk of the 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 the 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, certified copies of this resolution shall be forwarded to the Commissioner of Finance, the Personnel Officer and all appointed and elected officials mentioned above.

Vote: Roll Call – Adopted.

RESOLUTION NO. 188-16

Introduced by S. Van Etten. Seconded by H. Lando.


Pursuant to Section 360 of the County Law, Sections 24 and 25 of the Local Finance Law of the State of New York, and Section 2.07(2) of the Steuben County Charter.

WHEREAS, the Tentative Budget, Budget Message and the Proposed Appropriation Resolution of the County of Steuben for the Fiscal Year 2017 were duly filed with the Clerk of the County Legislature on or before November 15, 2016, and appropriate action taken thereupon and fixing the date, time and place for holding the required public hearings; and

WHEREAS, the duly advertised Public Hearings on the Tentative Budget and for the Watershed Protection Districts were opened, held and completed on November 28, 2016, commencing at 6:00 P.M. in the Legislative Chambers in the Village of Bath; and

WHEREAS, all persons attending said above mentioned hearings were given the right to provide written and oral statements and comments concerning the entire Budget.

NOW THEREFORE, BE IT

RESOLVED, the Clerk of the Legislature is hereby directed to cause to be filed in her office proofs of publication of the notices of the hearings on the above stated Tentative Budget and Watershed Protection Districts for the Fiscal Year 2017; and be it further
RESOLVED, pursuant to Sections 356 and 360 of the County Law of the State of New York said Tentative Budget for the County of Steuben for the Fiscal Year 2017 as may have been changed, amended, altered and revised by this County Legislature to date be and the same hereby is adopted by this Legislature as the Budget of the County of Steuben for the Fiscal Year 2017; and be it further

RESOLVED, the Clerk of the Legislature with the assistance of the Budget Officer, in accordance with any such changes, amendments, alterations and revisions of the Tentative Budget to date, enter in the column entitled, "adopted" the estimated expenditures in the Tentative Budget as may have been modified or changed; and be it further

RESOLVED, the Clerk of the Legislature, with the assistance of the Budget Officer, shall enter in the column entitled "adopted" the estimated revenues in the Tentative Budget with any changes or modifications as may have been made to date; and be it further

RESOLVED, the several sums therein mentioned for expenditures and revenues are appropriated for the objects and purposes enumerated, including, but not limited to, the salaries for public officers and officials who are appointed by the Legislature or who are appointed by the Legislature to fixed terms of office commencing January 1, 2017, or thereafter in the Year 2017, and that the salary set forth in the Salary Schedule for Chairman of the Legislature and Legislators be adopted; and be it further

RESOLVED, there be and the same hereby are approved, created and established the following Capital Projects for 2017:

<table>
<thead>
<tr>
<th>Department / Project</th>
<th>Total Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent Road Improvements</td>
<td>$5,557,811</td>
</tr>
<tr>
<td>Information Technology</td>
<td>592,756</td>
</tr>
<tr>
<td>Buildings &amp; Grounds</td>
<td>855,000</td>
</tr>
<tr>
<td>County Manager</td>
<td>455,000</td>
</tr>
<tr>
<td>Parks</td>
<td>14,000</td>
</tr>
<tr>
<td>Highway</td>
<td>300,000</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>415,000</td>
</tr>
<tr>
<td>Emergency Communication</td>
<td>100,000</td>
</tr>
<tr>
<td>Historian</td>
<td>7,600</td>
</tr>
<tr>
<td>Sheriff/Jail</td>
<td>79,200</td>
</tr>
<tr>
<td>Real Property Tax</td>
<td>10,000</td>
</tr>
<tr>
<td>Risk Management</td>
<td>7,500</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$8,393,867</strong></td>
</tr>
</tbody>
</table>

AND BE IT FURTHER RESOLVED, those Capital Projects denoted as "Buildings and Grounds" are hereby appropriated from the Capital Reserve Building Repairs and Renovations; and be it further

RESOLVED, from and after January 1, 2017, the Commissioner of Finance is authorized to issue tax anticipation and revenue anticipation notes in such amounts as may be necessary to pay lawful charges, pending the receipt of the taxes and revenues herein appropriated and not longer than a period to January 1, 2018, without the authority of the Legislature and not in excess of the amount of taxes and revenues herein appropriated, and such notes shall be issued to the capital building reserve fund, without interest, unless the money is not available when such notes may be sold at private sale at not exceeding the legal rate of interest pursuant to the Local Finance Law of the State of New York; and be it further
RESOLVED, the above Budget as herein adopted shall be entered in the minutes of this County Legislature and printed in the annual volume of printed Proceedings for the Year 2016 and within thirty (30) days after the date of the adoption of this resolution the Steuben County Commissioner of Finance is hereby directed to file a certified copy of said 2017 Steuben County Budget with the New York State Comptroller in accordance with State Finance Law, Section 54-a; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency; the Commissioner of Finance; and Scott VanEtten, Chairman, Finance Committee.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 189-16**

Introduced by S. Van Etten. Seconded by R. Lattimer.


Pursuant to Section 360 of the County Law of the State of New York, the official Rules and Regulations of the New York State Department of Audit and Control, Section 520 of the Real Property Tax Law, and Section 2.07(2) of the Steuben County Charter.

WHEREAS, the Legislature, by resolution on even date herewith, has adopted a Budget for the Fiscal Year 2017, for the County of Steuben; and

WHEREAS, Chapter 4 of the official Rules and Regulations of the New York State Department of Audit and Control provides that Sales taxes used to reduce real property taxes on a part-county basis shall not be applied until after the Budget has been adopted and recorded, and that the County Budget shall then be amended by increasing estimated revenues (Account A-1115, Non-Property Taxes to Reduce Town Tax Levy) and reducing the amount to be raised by real property taxes (Account A-1001, Real Property Taxes); and

WHEREAS, Section 360, subdivision 3, of the County Law provides for the raising of the taxes required by the County Budget.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Budget for the Fiscal Year 2017, as previously adopted on even date herewith, is hereby amended to provide that the amount for non-property taxes be applied to the Towns’ share of the County tax levy so that the Sales taxes anticipated shall be used to reduce real property taxes on a part-County basis, and hereby directing that the anticipation of Sales tax credit is to be applied on a part-County basis against the County-wide tax levy; and be it further

RESOLVED, other than the amendment, as set forth in the above paragraph of this resolution, the Steuben County Budget for the Fiscal Year 2017 shall remain the same as recorded and adopted in accordance with said prior Budget adoption resolution of even date herewith; and be it further

RESOLVED, the several amounts specified in the 2017 County Budget be and hereby are appropriated for the objects and purposes enumerated therein; and be it further

RESOLVED, the total appropriation required in the Steuben County Budget for the Fiscal Year 2017 to be raised by taxes amounting to the sum of $50,008,771.00 reduced by the pro-rata and omitted taxes of $30,062.27 and also reduced by anticipation of the sales tax credit in the amount of $7,224,786.68 in accordance with the above-stated regulation as to application, shall be levied and assessed upon the property within the County liable therefore for the Fiscal Year beginning January 1, 2017; and be it further
RESOLVED, pursuant to Sections 356 and 360 of the County Law of the State of New York, the Proposed Appropriation Resolution presented November 15, 2016, and filed with the Clerk of the Legislature on November 15, 2016 for the Year 2017, and as amended, altered, or revised by this County Legislature to date, be and the same hereby is adopted by this Legislature as the appropriation resolution for Fiscal Year 2017; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 190-16

Introduced by B. Schu. Seconded by G. Roush.

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2016 FOR THE MARSH DITCH WATERSHED PROTECTION DISTRICT.

Pursuant to Sections 270 and 271 of the County Law of the State of New York.

WHEREAS, the assessment roll for the Year 2016, for the Marsh Ditch Watershed Protection District in the Towns of Dansville and Hornellsville, in the County of Steuben, and State of New York for the Budget Year 2017, has been completed and properly filed with the Steuben County Real Property Tax Service Agency at its office in the Steuben County Office Building, 3 East Pulteney Square in the Village of Bath, New York for review and inspection by the public and interested parties; and

WHEREAS, proper notice of the completion and filing of said assessment roll, and also proper notice that the Public Hearing on the assessment roll would be held by the County Legislature of the County of Steuben in the Legislative Chambers of the County Office Building in the Village of Bath, New York on November 28, 2016, at 6:00 P.M. to hear and consider any objections pertaining to said assessment roll; and

WHEREAS, due and proper proof of the publication of the notice of the aforesaid Public Hearing has been filed in the Office of the Clerk of the Legislature; and

WHEREAS, the aforesaid Public Hearing was duly held on November 28, 2016, and any persons appearing in regard to the said assessment roll having been heard.

NOW THEREFORE, BE IT

RESOLVED, said assessment roll for the Year 2016 for the Marsh Ditch Watershed Protection District in the Towns of Dansville and Hornellsville in the County of Steuben and State of New York be and the same hereby is approved as completed and filed in the office of the Steuben County Real Property Tax Service Agency; and be it further

RESOLVED, the Director of Steuben County Real Property Tax Service Agency and the Steuben County Treasurer shall see to the proper procedure for the levy and collection of the appropriate taxes on the several real properties situate and benefited within said Water Protection District; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency; Commissioner of Finance; the Attorney for said District; and President of the Board of Directors of the said Water Protection District.

Vote: Roll Call – Adopted.
RESOLUTION NO. 191-16

Introduced by B. Schu. Seconded by G. Swackhamer.

ACCEPTING THE 2017 BUDGET OF THE MARSH DITCH WATERSHED PROTECTION DISTRICT.

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

RESOLVED, the Budget for the Marsh Ditch Watershed Protection District be and the same hereby is established in the amount of $12,500 of which sum $12,500 shall be appropriated from surplus; and be it further

RESOLVED, the Steuben County Legislature hereby accepts the report of the Marsh Ditch Watershed Protection District and adopts the respective Budget for 2017; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency; Attorney for the Protection District; and the President of the Administrative Board of the Marsh Ditch Watershed Protection District.

Vote: Roll Call – Adopted.

RESOLUTION NO. 192-16

Introduced by B. Schu. Seconded by J. Malter.

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2016 FOR THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT.

Pursuant to Sections 270 and 271 of the County Law of the State of New York.

WHEREAS, the assessment roll for the Year 2016 for the Upper Five Mile Creek Watershed Protection District in the Towns of Prattsburgh, Wheeler and Urbana in the County of Steuben and State of New York for the Budget Year 2017 has been completed and properly filed with the Steuben County Real Property Tax Service Agency at its office in the Steuben County Office Building, 3 East Pulteney Square in the Village of Bath, New York for review and inspection by the public and interested parties; and

WHEREAS, proper notice of the completion and filing of said assessment roll, and also proper notice that the Public Hearing on the assessment roll would be held by the County Legislature of the County of Steuben in the Legislative Chambers of the County Office Building in the Village of Bath, New York on the 28th day of November 2016, at 6:00 P.M. to hear and consider any objections pertaining to said assessment roll; and

WHEREAS, due and proper proof of the publication of the notice of the aforesaid Public Hearing has been filed in the Office of the Clerk of the Legislature; and

WHEREAS, the aforesaid Public Hearing was duly held on the 28th day of November 2016, and any persons appearing in regard to the said assessment roll having been heard.

NOW THEREFORE, BE IT

RESOLVED, said assessment roll for the Year 2016 for the Upper Five Mile Creek Watershed Protection District in the Towns of Prattsburgh, Wheeler and Urbana in the County of Steuben and State of New York, be and the same hereby is, approved as completed and filed in the Office of the Steuben County Real Property Tax Service Agency; and be it further
RESOLVED, the Director of Steuben County Real Property Tax Service Agency and the Steuben County Treasurer shall see to the proper procedure for the levy and collection of the appropriate taxes on the several real properties situate and benefited within said Water Protection District; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency; Commissioner of Finance; and President of the Board of Directors of the said Water Protection District.

Vote: Roll Call – Adopted.

RESOLUTION NO. 193-16

Introduced by B. Schu. Seconded by G. Roush.


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

RESOLVED, the report of the Administrative Board of the Upper Five Mile Creek Watershed Protection District of the several amounts of taxes due January 2017, levied upon the various parcels of land in the said Protection District in the amount of $25,500 to be received and filed, and the Director of the Steuben County Real Property Tax Service Agency is directed to levy the amount upon the various parcels therein mentioned in accordance with said report; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency; and the President of the Administrative Board of the Upper Five Mile Creek Watershed Protection District.

Vote: Roll Call – Adopted.

RESOLUTION NO. 194-16

Introduced by B. Schu. Seconded by D. Farrand.

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2016 FOR THE LAMOKA/WANETA LAKES' PROTECTION AND REHABILITATION DISTRICT.

Pursuant to Sections 270 and 271 of the County Law of the State of New York.

WHEREAS, the assessment roll for the Year 2016 for the Lamoka/Waneta Lakes’ Protection and Rehabilitation Districts in the Towns of Wayne and Bradford in the County of Steuben and State of New York for the Budget Year 2017 has been completed and properly filed with the Steuben County Real Property Tax Service Agency at its office in the Steuben County Office Building, 3 East Pulteney Square in the Village of Bath, New York for review and inspection by the public and interested parties; and

WHEREAS, proper notice of the completion and filing of said assessment roll and also proper notice that the Public Hearing on the assessment roll would be held by the County Legislature of the County of Steuben in the Legislative Chambers of the County Office Building in the Village of Bath, New York on November 28, 2016, at 6:00 P.M. to hear and consider any objections pertaining to said assessment roll; and

WHEREAS, due and proper proof of the publication of the notice of the aforesaid Public Hearing has been filed in the Office of the Clerk of the Legislature; and

WHEREAS, the aforesaid Public Hearing was duly held on 28th day of November 2016, and any persons appearing in regard to the said assessment roll having been heard.
NOW THEREFORE, BE IT

RESOLVED, said assessment roll for the Year 2016 for the Lamoka/Waneta Lakes’ Protection and Rehabilitation Districts in the Towns of Wayne and Bradford in the County of Steuben and State of New York be and the same hereby is approved as completed and filed in the Office of the Steuben County Real Property Tax Service Agency; and be it further

RESOLVED, the Director of the Steuben County Real Property Tax Service Agency and the Steuben County Commissioner of Finance shall see to the proper procedure for the levy and collection of the appropriate taxes on the several real properties situate and benefited within said Lakes’ Protection and Rehabilitation Districts; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Director of Real Property Tax Service Agency, and the Steuben County Commissioner of Finance.

RESOLUTION NO. 195-16

Introduced by B. Schu. Seconded by H. Lando.


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

RESOLVED, the report of the Lamoka/Waneta Lakes’ District Commission of the several amounts of taxes due January 2017, levied upon the various parcels of land in the said Lakes’ Protection and Rehabilitation Districts in the amount of $43,911.00 to be received and filed, and the Director of the Steuben County Real Property Tax Service Agency is directed to levy the amount upon the various parcels therein mentioned in accordance with said report; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Director of Real Property Tax Service Agency, and the Steuben County Commissioner of Finance.

Vote: Roll Call – Adopted.

Motion to Adjourn made by Mr. Mullen, seconded by Mr. Weaver and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 19th day of December, 2016, 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 for Legislator Farrand.

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

Chairman Hauryski asked Cheryl Crane to come forward. Ms. Crane is an employee in Buildings & Grounds. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Hauryski asked Betty Green to come forward. Ms. Green is an employee in the Office of Community Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 25 years of service to Steuben County.

Chairman Hauryski asked Joanne Woodard to come forward. Ms. Woodard is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 25 years of service to Steuben County.

Chairman Hauryski asked Kathy Hamilton to come forward. Ms. Hamilton is an employee in Buildings & Grounds. He presented her with a Certificate of Appreciation in recognition of her 30 years of service to Steuben County.

Chairman Hauryski asked Michelle Mills to come forward. Ms. Mills is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a clock in recognition of her retirement with 31 years of service to Steuben County. Congratulations!

Chairman Hauryski asked Sheriff David Cole to come forward. He presented Sheriff Cole with a plaque and a badge in recognition of his retirement with 41 years of law enforcement service. This plaque commemorates the Sheriff for his commitment to the community, the County, the State, and the nation. Congratulations!

Chairman Hauryski opened the floor for comments by members of the public. There being no comments, he 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 for the Public Hearing Upon the Agricultural District within the Towns of Bath, Bradford, Campbell, Canisteo, Howard, Rathbone, Thurston, Urbana and Wayne, and Villages of Bath and Savona, New York, known as Agricultural District No. 2, to consider the recommendations of the County Planning Board and the Agricultural and Farmland Protection Board, and any proposed modifications of the District. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

Chairman Hauryski stated it is that time of the year again for the annual Fruitcake Presentation. He asked last year’s recipient, Darlene Smith to come forward. Mrs. Smith provided the following presentation:
The legend of the county fruitcake
   Has a rich and storied past
   It was passed to me on a date
   That in my memory it may not last

In 1991, Mark Alger gave to Christine Kane
   A fruitcake adorned in red, green and gold
   Year and year, decade after decade
   It makes its annual appearance from the freezer of the cold

   “Keep passing the cake, it will be fun”, they said
   For by now, the cake is like lead
   The decades of passing this cake
   Has rendered it stiff and heavy and will never break

   By now its mold and toxic waste
   Will be deemed hazardous is left out of place
   To avoid isolation and quarantine we all must work together
   To keep the fruitcake legend alive forever

You see, each year its whereabouts are often unknown
   As thievery and deceit have been sown
   Ransom, pictures, videos and bribes
   Are all part of the legend that still survives

My name has now been added to the long list of others
The company is good in... Alger, Spagnoletti, Muller, Rose and Wheeler
   Those who were chosen to continue the tradition
   Know that it must be received without condition

So Christmas is here again and it’s my time to let it go
   Who shall be the lucky one and does he know
   We’re not sure how they do it in Allegany County
   But Mitch Alger is in Steuben now and must receive the bounty

   So, Mitch, you can run but you can’t hide
   Your early morning treadmill runs are a nice try
   They will help you become fast and strong
   But keeping the fruitcake safe is now where you belong

   You must promise to guard it and keep it safe
   This legend which is now at your place
   Your joy will be complete when into your freezer it goes
   My work here is done as all who have witnessed surely knows

   Congratulations Mitch!

Mr. Alger stated thank you very much. He is not sure that he is happy to receive it, but he will gladly carry on the tradition and he won’t forget where it is coming from. He left the group with two thoughts; first, Mr. Rose is not the only one with a master key to the building, and second, the Legislators are not off limits.
Motion adopting the minutes from the previous meeting(s) made by Mr. Van Etten, seconded by Mr. Roush and duly carried.

Mrs. Ferratella announced the new data collector was introduced at last week’s AdHoc Municipal Coordination Committee meeting. His name is Mike Ryan and he is currently in training. He will be assisting the towns that have signed the 1537 agreements. We have twenty towns that have signed the 1537 agreements.

RESOLUTION NO. 196-16

Introduced by S. Van Etten. Seconded by G. Swackhammer.

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 application filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of application for correction of real property taxes levied on the parcel 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 parcel contained in Schedule "A", as set forth in the approved application, a copy 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 application executed in duplicate by the Chairman of the County Legislature, and the Chairman of the Board of Assessors of the appropriate municipality.

SCHEDULE "A"

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Michael R. Sullivan Sr.</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>287.00-03-005.111</td>
</tr>
<tr>
<td>Municipality</td>
<td>Town of Jasper</td>
</tr>
<tr>
<td>Disposition</td>
<td>Parcel Split</td>
</tr>
</tbody>
</table>

Vote: Roll Call – Adopted.

RESOLUTION NO. 197-16

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE DECEMBER 19, 2016 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:
November 15, 2016
NYS Office for the Aging – Re: Annual Evaluation and Progress Report from April 1, 2016 through March 31, 2017. Referred to: Human Services/Health & Education Committee; and Patty Baroody, OFA Director.

November 17, 2016
NYS Department of Transportation – Re: Notification of vouchers recently sent to the State Comptroller that distributes the third quarter 2016-2017 Statewide Mass Transportation Operating Assistance (STOA) payments. Referred to: Amy Dlugos, Planning Director.

November 18, 2016
NYS Department of Public Service – Re: Request to assist in the winter outreach and education campaign to help consumers manage their energy bills. Referred to: Human Services/Health & Education Committee; Patty Baroody, OFA Director; and Kathy Muller, Commissioner of Social Services.

November 21, 2016
Steuben County Republican Committee – Re: Appointment of Veronica Olin to the position of Republican Election Commissioner of Steuben County pursuant to the New York State Election Law for a two year term beginning January 1, 2017. Referred to: filed with the Clerk of the Legislature, Brenda Mori.

November 22, 2016
Steuben County Democratic Committee – Re: Appointment of Kelly J. Penziul to the position of Democratic Election Commissioner of Steuben County pursuant to the New York State Election Law for a two year term beginning January 1, 2017. Referred to: filed with the Clerk of the Legislature, Brenda Mori.

November 23, 2016

November 28, 2016
DLA Piper LLP – Re: Application of Eight Point Wind, LLC for a certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to construct a 103.4 MW Wind Energy Project (Case 16-F-0062). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

New York Site Board on Electric Generation Siting and the Environment – Re: Third notice of availability of pre-application intervenor funds and deadline for submitting funding request for Baron Winds LLC wind power project. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

December 1, 2016
NYS Homes and Community Renewal – Re: On-site monitoring visit on the New York State Community Development Block Grant Projects #1115HR65-11 & 1115HR3-13 is scheduled for December 15, 2016 at 12:30pm. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

December 5, 2016
Western Regional Off-Track Betting – Re: Check in the amount of $2,858, which represents the October 2016 surcharge for Steuben County. Referred to: Finance Committee and Patrick Donnelly, Commissioner of Finance.

Steuben County Soil & Water Conservation District – Re: Thank you letter for the recognition at the full legislature meeting on the national award for conservation. Referred to: Joseph Haursky, Legislature Chairman.

Renovus Energy, Inc. d/b/a Renovus Solar – Re: Notification of the intent to undertake the construction of a solar energy system in the Town of Wayne (Tax Map #105.00-03-22.22). Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Wendy Jordan, Acting Real Property Director.
NRG Curtailment Solutions, Inc. – Re: Payment for the participation in the PowePay New York Program for the summer 2016 participation period (5/1/16-10/31/16). Referred to: A.I.P. Committee; Patrick Donnelly, Commissioner of Finance; and Jack Wheeler, County Manager.

Vote: Acclamation – Adopted.

RESOLUTION NO. 198-16

Introduced by A. Mullen and B. Schu. Seconded by H. Lando.

AUTHORIZING THE STEUBEN COUNTY SHERIFF’S OFFICE TO ACCEPT CERTAIN PRIVATE DONATIONS.

WHEREAS, the Sheriff’s Office has received donations from the public; and

WHEREAS, the Sheriff’s Office recently received a donation from Mr. James Taylor in the amount of $50 for the K9 Program and a donation from Dr. Robert Wylie for a Pet Chip Reader and the accompanying software.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff’s Office is authorized to accept the donation from Mr. James Taylor and Dr. Robert Wylie; and be it further

RESOLVED, going forward, the Public Safety and Corrections Committee is hereby authorized to approve and accept all private donations to the Sheriff’s Office in the amount of three thousand five hundred dollars ($3,500.00) or less; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 199-16

Introduced by G. Swackhamer. Seconded by J. Malter.

ACCEPTING MAINTENANCE JURISDICTION FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR APPROXIMATELY 0.6 ACRES OF OLD STATE ROUTE 415 IN THE TOWN OF CAMPBELL AND CONVEYING THE PROPERTY TO THE ADJACENT LANDOWNER

WHEREAS, the New York State Department of Transportation (NYSDOT) wishes to abandon its maintenance jurisdiction to the County of Steuben for approximately 425’ x 65’ (0.6 acres±) of old State Route 415 located adjacent to 9001 State Route 415 in the Town of Campbell; and

WHEREAS, the County of Steuben wishes to accept maintenance jurisdiction from the NYSDOT for this 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 this parcel to the adjacent landowner, Joseph and Michelle Seeley, 9001 State Route 415, Campbell, NY, 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 said parcel of land; and be it further

RESOLVED, that this Steuben County Legislature does hereby approve of conveying this parcel to Joseph and Michelle Seeley upon receiving the Official Order for the transfer of maintenance jurisdiction from the NYSDOT, should there be nothing in said order restraining the County from such a transfer; and be it further

RESOLVED, that a certified copy of this resolution shall be mailed to the NYSDOT Region 6 Property Manager, 107 Broadway, Hornell, NY 14843; and be it further

RESOLVED, that this conveyance shall be recorded in the Steuben County Clerk’s Office.

Vote: Roll Call – Adopted.

RESOLUTION NO. 200-16

Introduced by G. Swackhamer. Seconded by R. Weaver.

RELINQUISHING ANY INTEREST THE COUNTY MAY HAVE TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR APPROXIMATELY 0.077 ACRES OF PROPERTY AT THE CORNER OF WINFIELD STREET AND STATE ROUTE 414 IN THE TOWN OF CORNING

WHEREAS, in 1989 the New York State Department of Transportation (NYSDOT) appropriated property in the Town of Corning, Steuben County in connection with the DENMARK HILL ACCESS ROAD, TOWN OF CORNING project; and

WHEREAS, the property shown on Map 2, Parcel 2 for said project was acquired in the name of the People of the State of New York in fee for purposes connected with the County road system of the County of Steuben, Town of Corning, State of New York; and

WHEREAS, the NYSDOT has reached an agreement with the North Corning Fire Department (NCFD) whereby the State will sell and the NCFD will buy approximately 0.077 acres of the property shown on Map 2, Parcel 2; and

WHEREAS, before the sale of the subject parcel to the NCFD can be completed, the consent of Steuben County is required.

NOW THEREFORE, BE IT

RESOLVED, that the parcel to be sold to the NCFD is not needed for the Steuben County road system; and be it further

RESOLVED, that this Steuben County Legislature hereby consents to relinquishing any interest the County may have in this parcel and has no objection to the sale of a portion of the Map 2, Parcel 2 property to the NCFD; and be it further

RESOLVED, that a certified copy of this resolution shall be mailed to the NYSDOT Region 6 Property Manager, 107 Broadway, Hornell, NY 14843.

Vote: Roll Call – Adopted.
RESOLUTION NO. 201-16

AUTHORIZING THE ADDITION OF TELEVISIONS AND COMPUTER MONITORS TO THE SOLID WASTE FEE SCHEDULE EFFECTIVE JANUARY 1, 2017.

WHEREAS, the New York State Electronic Equipment Recycling and Reuse Act implemented a framework for recycling E-Waste generated in New York State. The New York State Department of Environmental Conservation (DEC) was empowered by law to administer the new program. Beginning April 1, 2011 equipment manufacturers were required to accept E-Waste for recycling or pay a surcharge to DEC based upon their respective market share of electronics sold in the State for the purpose of funding the E-Waste program; and

WHEREAS, in 2012 the Steuben County Solid Waste Division (County) implemented an E-Waste Recycling Program and began receiving E-Waste from the public without fee at all of its facilities; and

WHEREAS, the County has been informed that cathode ray tube televisions and computer monitors (collectively CRT’s) along with other E-Waste no longer have a zero cost channel for recycling and some recyclers are now forced to charge for CRT’s and other electronic waste generated in New York State due to financial weaknesses in the program structure currently administered by DEC and an apparent lack of market options for recycling items such as hazardous CRT’s and other electronic waste; and

WHEREAS, the County has been forced to restructure the local E-Waste program and implement a $20.00 per item fee for all CRT and non-CRT televisions and computer monitors to ensure that the people of the County continue to have a safe and reliable program for the recycling of E-Waste.

NOW THEREFORE, BE IT

RESOLVED, that the County will implement a $20.00 per item fee for all CRT and non-CRT televisions and computer monitors; and be it further

RESOLVED, the $20.00 per item fee will take effect on January 1, 2017; and be further

RESOLVED, the Clerk of the Legislature is hereby directed to forward copies of this Resolution to the Commissioner of Public Works.

Mr. Weaver asked in the future, will it revert back to the State or the manufacturers’ to pick up the cost of recycling? Mr. Spagnoletti replied the State has stopped providing additional funding for recycling TV’s and monitors.

Mr. Mullen commented he is against raising the fee from $0 to $20 because it will cause the residents to potentially throw the TV’s out along the roadside.

Ms. Lattimer asked for an explanation of the financials related to this proposition. Mr. Spagnoletti replied if we institute a $20 fee, at the end of 2017, we will probably break even with a $14,000 surplus. If we keep the fee at $0, then we will lose $34,000, based on the 6,000 TV’s and monitors that we brought in during 2016. We are the only County not charging a fee.

Ms. Lattimer commented in the Public Works minutes, you stated there were a number of out-of-County TV’s and monitors coming into Steuben and you stated that you have a difficult time policing that. It seems that this is not fair. Mr. Spagnoletti replied it is not fair. We have discussed in our department, options to prevent this from happening and it is difficult to do. When we have tire amnesty days, the businesses send in convoys of employees. Setting a fee will stop some of that.
Mrs. Lando asked are neighboring counties charging more? Mr. Spagnoletti replied Chemung is charging $40.

Mr. Van Etten asked what about other electronics. He stated that Corning, Inc. used to sponsor an electronics waste recycling day. Mr. Spagnoletti stated this fee is just for TV’s and monitors. We still have electronics waste recycling at no charge.

Mr. Booth asked the State picks up a portion if you don’t charge. When you charge a fee, that reimbursement goes away? Mr. Spagnoletti replied that is correct. If we charge a fee, then we will not receive any State funding, but we have accounted for that in the choices you have. You can impose a fee and come out ahead a little, or if you do not impose a fee, you will lose $34,000 even with State funding.

Mr. Nichols commented his concern is that living in a rural area, the valleys will fill up with old TV’s and monitors. The $20 fee is not a lot from an economics standpoint. With human nature, he is afraid we will see trash on the side of the roads. He stated that he will be voting against this.

Mr. Spagnoletti stated that he surveyed five surrounding counties. Of those that charged a fee, three did not see any roadside dumping and two saw a little change.

Vote: Roll Call – Adopted. Yes – 7462; No – 1785; Absent – 625.
(No – Legislators Booth, Mullen and Nichols; Absent – Legislator Farrand)

RESOLUTION NO. 202-16

Introduced by G. Swackhamer. Seconded by J. Malter.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A COMMERCIAL WASTE DISPOSAL AGREEMENT WITH NEW ENGLAND WASTE SERVICES OF NY, INC.

WHEREAS, Steuben County owns and operates a solid waste landfill facility (the “Facility”) located in the Town of Bath designed and permitted for the disposal of solid waste as defined in New York Environmental Conservation Law, Article 27, Title 7 6NYCRR Part 360; and

WHEREAS, the Facility is authorized to dispose of 500 tons per day of solid waste, the Facility currently has excess disposal capacity within that daily limit; and

WHEREAS, Steuben County is willing to make 20,000 tons per year of capacity available for the disposal of mixed municipal solid waste from New England Waste Services of NY, Inc. for the disposal of solid waste; and

WHEREAS, New England Waste Services of NY, Inc. desires to contract with Steuben County to provide for the disposal of 20,000 tons per year of municipal solid waste at a rate of $33.00/ton at the Facility for a period of five (5) years; and

WHEREAS, the parties are desirous of entering into a commercial waste disposal agreement for said purposes.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized to enter into a commercial waste disposal agreement with the New England Waste Services of NY, Inc. for the disposal of mixed municipal solid waste at the Steuben County Bath Landfill where such agreement is subject to the County Attorney’s approval to form; and be it further
RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 203-16

Introduced by C. Ferratella. Seconded by R. Lattimer.

AUTHORIZING THE ACCEPTANCE OF FUNDING FROM SUNY ALBANY.

WHEREAS, Steuben County Office for the Aging/ Retired and Senior Volunteer Program was recently presented with challenge award payments from QTAC-NY, a division of the University at Albany, School of Social Welfare, for attendance of participants in evidence-based Tai Chi for Arthritis classes; 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 Steuben County Commissioner of Finance is hereby authorized and directed to accept up to $900 into account number 677200 as revenue from account 4 2770 000 and appropriate the same to expenditure line 5 437 630; and it is further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 204-16

Introduced by C. Ferratella and B. Schu. Seconded by H. Lando.

RECLASSIFYING A PERSONAL COMPUTER COORDINATOR, GRADE X POSITION TO COMPUTER SYSTEMS ANALYST, GRADE XV POSITION WITHIN THE DEPARTMENT OF SOCIAL SERVICES.

Pursuant to Steuben County Charter Section 2.07.

WHEREAS, the position duties of the Personal Computer Coordinator align with the position title of Computer Systems Analyst as the work involves responsibility for reviewing, analyzing, troubleshooting, programming and developing specifications and documentation of changes to existing and new computer systems; and

WHEREAS, this position must assist with the operations in accordance with State and Federal guidelines and provide guidance on operational needs and deficiencies as the systems relate to State processes, promote efficiencies, maintain compliance and keep pace with advances in technology and systems; and

WHEREAS, this Position will have direct supervision over the work of support staff including a Help Desk Technical Assistant; and

WHEREAS, a Computer Systems Analyst position 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 Department of Social Services that requires a job title change and has approved the recommended change.
NOW THEREFORE, BE IT

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

Personal Computer Coordinator, Grade X ($31,880-$45,006) to Computer Systems Analyst, Grade XV ($39,510-$55,777)

AND BE IT FURTHER RESOLVED, that the 2016 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 Commissioner of Social Services.

Vote: Roll Call – Adopted.
RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance, Personnel Officer and the Commissioner of Social Services.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 206-16**

Introduced by R. Lattimer. Seconded by K. Fitzpatrick.

**MODIFYING AND ADOPTING AGRICULTURAL DISTRICT NO. 2 AS A RESULT OF THE EIGHT-YEAR REVIEW OF SAID DISTRICT.**


**WHEREAS,** pursuant to the procedures and timetable set forth by the New York State Department of Agriculture and Markets, the County Agricultural and Farmland Protection Board has filed its recommendations, relative to the eight year review of this Agricultural District with this Legislature; and

**WHEREAS,** this Legislature did hold a Public Hearing on the proposed modifications to said district recommended by the Agricultural and Farmland Protection Board on December 19, 2016; and

**WHEREAS,** modifying an Agricultural District is an Unlisted Action and a Short Environmental Assessment Form was prepared.

**NOW THEREFORE, BE IT**

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature does find as follows:

(1) Within the district as recommended to be modified, the number of participating farms and farm acreage thereof is consistent with and substantially furthers the objective of encouraging and protecting viable farming in the area, for which the district was originally created; and

(2) The district has since its creation been of substantial assistance to a majority of participating farmers in maintaining an active farm economy in the area; and

(3) Continuation of this district is consistent with the County's important agricultural economy and predominantly rural pattern of development; and

(4) The district deters local government adoption of land use regulations unduly restrictive of normal farm activities, supports orderly patterns of community development, and helps to sustain active farming for its important economic and environmental values; and be it further

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature has deliberated on said District and modifications, and does hereby adopt the proposed modifications of Agricultural District No. 2 in the County of Steuben for a period of eight years; and be it further

RESOLVED, that modifying the District will not have a significant adverse environmental impact; and be it further

RESOLVED, that the Clerk of this Legislature be, and she hereby is, directed to submit said proposal to the Commissioner of Agriculture and Markets with such reports, maps, materials, and documentation as required by law; and be it further
RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to the Commissioner of the Department of Agriculture and Markets at Albany; to the Director of the Steuben County Planning Department; to the Director of the Steuben County Real Property Tax Service Agency; and to Cornell Cooperative Extension – Steuben County.

Vote: Roll Call – Adopted.

RESOLUTION NO. 207-16

Introduced by B. Schu. Seconded by R. Weaver.

AUTHORIZING A TRANSFER FROM THE REAL PROPERTY TAX SERVICE AGENCY TEMPORARY HIRE LINE ITEM TO THE CAPITAL PROJECT ENTITLED “DIGITIZATION”.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, it is determined to be in the best interests of Steuben County to contract with PMI Document Solutions, Inc. to digitize assessment records; and

WHEREAS, it is further in the best interests of Steuben County to utilize the Temporary Hire Account in the amount of $5,000 together with existing allocations in the amount of approximately $18,609.62 remaining in the RPTS Digitization Capital project account for the digitization of assessment records.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature authorizes the Real Property Tax Service Agency to enter into a contract with PMI Document Solutions, Inc. for the digitization of assessment records for a cost not to exceed $23,609.62; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to transfer the sum of $5,000 from the Temporary Hire Account to the RPTS Digitization Capital Project and appropriate this amount as follows:

1355-1800000 Temporary Hire Account Transfers
135H-250000 RPTSA Digitization Capital Project

and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 208-16

Introduced by S. Van Etten. Seconded by B. Schu.

AUTHORIZING A TRANSFER FROM THE CONTINGENT FUND TO THE 2016 BUDGET FOR THE ASSIGNED COUNSEL PROGRAM.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the Steuben County 2016 budget for Assigned Counsel Program contains insufficient funds to cover expenditures; and
WHEREAS, the Public Safety & Corrections and Finance Committees have approved this transfer from the Contingent Fund to cover the 2016 expenditures.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to adjust the following accounts in the 2016 budget:

EXPENSE ACCOUNTS:
Account 199000 5-499-000 Contingent - $(155,000.00)
Account 117300 5-423-200 Assigned Counsel - $155,000.00

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the administrative offices of the Assigned Counsel Administrator, the Public Defender, and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 209-16

Introduced by B. Schu. Seconded by G. Roush.


Pursuant to Section 3-204 of the Election Law of the State of New York.

WHEREAS, Joseph Sempolinski, Chairman of the County Committee of the Republican Party of the County of Steuben has, in pursuance of law, made, signed, and filed with the Clerk of the County Legislature, in proper form, his certification that Veronica Olin, residing in Hornell, County of Steuben and State of New York, is a suitable and qualified person to be appointed as a Commissioner of Elections.

NOW THEREFORE, BE IT

RESOLVED, Veronica Olin, residing in Hornell, Steuben County, New York, be and is hereby appointed a Commissioner of Elections in and for the County of Steuben for a term of two (2) years commencing January 1, 2017 and terminating December 31, 2018 and setting the salary at $52,131; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee at 6321 Crosby Creek Road, Hornell, NY 14843; Joseph Sempolinski, Chairman, Steuben County Republican Committee, PO Box 198, Corning, NY 14830; the County Clerk; the Personnel Officer; and the Clerk of the Steuben County Board of Elections.

Vote: Roll Call – Adopted.

RESOLUTION NO. 210-16

Introduced by B. Schu. Seconded by H. Lando.


Pursuant to Section 3-204 of the Election Law of the State of New York.
WHEREAS, Shawn D. Hogan, Chairman of the County Committee of the Democratic Party of the County of Steuben, has in pursuance of law, made, signed, and filed with the Clerk of the County Legislature, in proper form, his certification that Kelly J. Penziul, residing in Painted Post, County of Steuben and State of New York, is a suitable and qualified person to be appointed as a Commissioner of Elections.

NOW THEREFORE, BE IT

RESOLVED, that Kelly J. Penziul, residing in Painted Post, Steuben County, New York, be and is hereby appointed a Commissioner of Elections in and for the County of Steuben for a term of two (2) years commencing January 1, 2017 and terminating December 31, 2018 and setting the salary at $52,131; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee at 175 Beartown Rd., Painted Post, NY, 14870; Shawn Hogan, P.O. Box 627, 82 Main Street, Hornell, New York, 14843; the Steuben County Clerk; Personnel Officer, and to the Clerk of the Steuben County Board of Elections.

Vote: Roll Call – Adopted.

RESOLUTION NO. 211-16

Introduced by B. Schu. Seconded by A. Mullen.

CONFIRMING THE APPOINTMENT OF THE STEUBEN COUNTY PERSONNEL OFFICER AND SETTING THE SALARY.

Pursuant to Section 7.00 of the Steuben County Charter.

WHEREAS, there exists a vacancy for the position of Steuben County Personnel Officer; and

WHEREAS, it is necessary to fill such vacancy; and

WHEREAS, the Steuben County Manager has conducted a search for eligible candidates; and

WHEREAS, the Steuben County Manager has recommended that Nathan A. Alderman of Bath, New York, be appointed as the Steuben County Personnel Officer; and

WHEREAS, the Administration Committee of the Steuben County Legislature has recommended the confirmation of this appointment; and

WHEREAS, it is also the recommendation of the Administration Committee to set the salary of the Personnel Officer at $84,553.00 per annum (Management Grade H).

NOW THEREFORE, BE IT

RESOLVED, that Nathan A. Alderman of Bath, New York, is hereby confirmed as Steuben County Personnel Officer at a salary of $84,553.00 per annum, effective December 19, 2016, and filling an unexpired six year term ending December 31, 2021; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Manager, the Commissioner of Finance, and the Personnel Officer.

Mr. Wheeler stated that, under the Charter, he is authorized to appoint up to the mid-point. At the
Administration Committee meeting, he mistakenly quoted the mid-point salary as $82,895, which was from the 2015 salary grid. The correct amount should be $84,553.

**Vote:** Roll Call – Adopted.

Mr. Alderman thanked the Legislature and stated that he is humbled and honored and hopes to do a good job.

**RESOLUTION NO. 212-16**

Introduced by J. Hauryski. Seconded by R. Weaver.

**APPOINTING A MEMBER TO THE SOUTHERN TIER EXTENSION RAILROAD AUTHORITY.**

Pursuant to Section 12.20 of the Steuben County Charter and Article 8, Title 28-AA of the Public Authorities Law.

**WHEREAS**, Article 8, Title 28-AA of the Public Authorities Law creates the Southern Tier Extension Railroad Authority Act to continue and strengthen the system of railroads serving Allegany, Cattaraugus, Chautauqua and Steuben Counties through the creation of a regional, public benefit corporation; and

**WHEREAS**, Section 2642-C of the Act requires the establishment of the Southern Tier Extension Railroad Authority; and

**WHEREAS**, the County Legislature is authorized to appoint three voting members to the Authority upon the recommendation of the Legislative Chair; and

**WHEREAS**, one members’ term has expired.

**NOW THEREFORE, BE IT**

RESOLVED, the Steuben County Legislature does hereby appoint the following individual to serve as a member of the Southern Tier Extension Railroad Authority for the term as indicated:

John V. Malter  
Steuben County Legislator  
P.O. Box 129  
Perkinsville, NY 14529  
**Term:** September 1, 2016 through August 31, 2019

AND BE IT FURTHER RESOLVED, said members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Southern Tier Extension Railroad Authority; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointees; the Southern Tier Extension Railroad Authority, Center for Regional Excellence, 4039 Route 219, Salamanca, NY 14779-1493; and the County Auditor.

**Vote:** Acclamation - Adopted

*Motion to Adjourn made by Mr. Mullen, Seconded by Ms. Lattimer and duly carried.*