The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 28th day of January, 2019 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 Lattimer and Swackhamer.

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

Chairman Hauryski invited Sheriff Allard and Deputy Joshua Day to come before the Legislature today to honor Deputy Day’s service and to recognize that he has received the highest award from the New York State Sheriff’s Association at their annual conference in Albany. He stated that it is his pleasure to introduce Deputy Joshua Day and his family for the reading of the proclamation in his honor. Deputy Day received the New York State Sheriff’s Association Deputy of the Year Award on January 22, 2019 in Albany.

Chairman Hauryski asked Leslie Stoeckel to come forward. Ms. Stoeckel is an employee in the District Attorney’s Office. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Hauryski asked Ben Mullen to come forward. Mr. Mullen in an employee in the Department of Public Works. 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 Bonnie Smith to come forward. Ms. Smith is an employee in the County Clerk’s Office (DMV). He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Hauryski opened the floor for the opportunity for public comments.

Wayne Wells, Cameron, spoke about how fish die from the head down and his analogy of that with respect to President Trump and corruption.

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.

Mr. Ryan stated that he would like to recognize the following individuals for their military service:

Bailey Rose Gibbs  Collin Rose  Brendon Deebs  Gregory Addson

RESOLUTION NO. 001-19

Introduced by S. Van Etten. Secended by F. Potter.

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 January 8, 2019; and be it further

**RESOLVED**, the Chairman of the Steuben County Legislature is authorized and directed to convey and deliver a County Quitclaim Deed with respect to the parcel contained in Schedule "C" to the grantee(s) listed, as approved by the Steuben County Finance Committee on January 8, 2019, for the purpose of curing a title defect that exists from the County having held title to the recited parcel through a County tax deed issued in 1989; title having been examined by the County Attorney whereby the grantees set forth in Schedule “C” currently hold putative title to said premises and it having been determined that it is in the best interests of the County to quit any interest to the same as no basis exists for the County to assert any interest in the recited parcel; 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, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District; 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>Jason M. &amp; Angela J. Smith; Carmella Smith, Life Use</td>
<td>296.00-01-002.000</td>
<td>Town of Addison</td>
<td>2019 Correction of Town &amp; County Tax Bill / AG Exemption</td>
</tr>
<tr>
<td>A-2</td>
<td>Jason M. &amp; Angela J. Smith; Carmella Smith, Life Use</td>
<td>296.00-01-002.000</td>
<td>Town of Addison</td>
<td>2018-19 School Refund / AG Exemption</td>
</tr>
<tr>
<td>A-3</td>
<td>Darlene D. Lewis</td>
<td>333.00-01-018.110</td>
<td>Town of Erwin</td>
<td>2019 Parcel Split</td>
</tr>
<tr>
<td>A-4</td>
<td>AutoZone Northeast, Inc.</td>
<td>136.03-01-001.008</td>
<td>City of Hornell</td>
<td>2016-19 Court-ordered assessment change</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>A-5</td>
<td>Name</td>
<td>Janet Opila-Lehman &amp; Randy S. Lehman</td>
<td></td>
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<tr>
<td>Parcel No.</td>
<td>144.00-02-001.111</td>
<td>Municipality</td>
<td>Town of Bath</td>
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</tr>
<tr>
<td>Disposition</td>
<td>2019 Court-ordered assessment change</td>
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<thead>
<tr>
<th>Resolution No.</th>
<th>A-6</th>
<th>Name</th>
<th>Richard E. Seyna</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel No.</td>
<td>030.00-01-017.300</td>
<td>Municipality</td>
<td>Town of Cohocton</td>
</tr>
<tr>
<td>Disposition</td>
<td>2019 Parcel Split</td>
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<thead>
<tr>
<th>Resolution No.</th>
<th>A-7</th>
<th>Name</th>
<th>Gary A. Grinnell</th>
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<tbody>
<tr>
<td>Parcel No.</td>
<td>281.00-01-001.000</td>
<td>Municipality</td>
<td>Town of Hornby</td>
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<tr>
<td>Disposition</td>
<td>2019 Parcel Split</td>
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<thead>
<tr>
<th>Resolution No.</th>
<th>A-8</th>
<th>Name</th>
<th>County of Steuben</th>
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</thead>
<tbody>
<tr>
<td>Parcel No.</td>
<td>172.00-01-003.200</td>
<td>Municipality</td>
<td>Town of Bath</td>
</tr>
<tr>
<td>Disposition</td>
<td>2019 Correction – Tax Exempt</td>
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<thead>
<tr>
<th>Resolution No.</th>
<th>A-9</th>
<th>Name</th>
<th>County of Steuben</th>
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<tbody>
<tr>
<td>Parcel No.</td>
<td>190.00-01-032.200</td>
<td>Municipality</td>
<td>Town of Bath</td>
</tr>
<tr>
<td>Disposition</td>
<td>2019 Parcel Split</td>
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</table>

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<thead>
<tr>
<th>Resolution No.</th>
<th>A-10</th>
<th>Name</th>
<th>William W. Wheaton</th>
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<tbody>
<tr>
<td>Parcel No.</td>
<td>198.00-01-017.110</td>
<td>Municipality</td>
<td>Town of Canisteo</td>
</tr>
<tr>
<td>Disposition</td>
<td>2019 Parcel Split</td>
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<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-11</th>
<th>Name</th>
<th>Route 36 Holdings LLC</th>
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<tbody>
<tr>
<td>Parcel No.</td>
<td>166.00-01-014.000</td>
<td>Municipality</td>
<td>Town of Hornellsville</td>
</tr>
<tr>
<td>Disposition</td>
<td>2019 Parcel Split</td>
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</table>

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<thead>
<tr>
<th>Resolution No.</th>
<th>A-12</th>
<th>Name</th>
<th>Mary Dolan, Ronald Faulkner et al</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel No.</td>
<td>122.00-01-010.111</td>
<td>Municipality</td>
<td>Town of Hornellsville</td>
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<tr>
<td>Disposition</td>
<td>2019 Parcel Split</td>
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<thead>
<tr>
<th>Resolution No.</th>
<th>A-13</th>
<th>Name</th>
<th>Peter and Cynthia Barton</th>
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</thead>
<tbody>
<tr>
<td>Parcel No.</td>
<td>190.00-01-032.200</td>
<td>Municipality</td>
<td>Town of Bath</td>
</tr>
<tr>
<td>Disposition</td>
<td>2018-19 School Refund / Tax Exempt</td>
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<thead>
<tr>
<th>Resolution No.</th>
<th>A-14</th>
<th>Name</th>
<th>Lyn N. Oles</th>
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</thead>
<tbody>
<tr>
<td>Parcel No.</td>
<td>324.00-01-002.111</td>
<td>Municipality</td>
<td>Town of Jasper</td>
</tr>
<tr>
<td>Disposition</td>
<td>2019 Parcel Split</td>
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</table>

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<thead>
<tr>
<th>Resolution No.</th>
<th>A-15</th>
<th>Name</th>
<th>RTE 36 Holdings LLC</th>
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</thead>
<tbody>
<tr>
<td>Parcel No.</td>
<td>250.00-01-015.111</td>
<td>Municipality</td>
<td>Town of Hartsville</td>
</tr>
<tr>
<td>Disposition</td>
<td>2019 Parcel Split</td>
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<thead>
<tr>
<th>Resolution No.</th>
<th>A-16</th>
<th>Name</th>
<th>Skyline Farms LLC</th>
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</thead>
<tbody>
<tr>
<td>Parcel No.</td>
<td>198.00-01-014.000</td>
<td>Municipality</td>
<td>Town of Canisteo</td>
</tr>
<tr>
<td>Disposition</td>
<td>2019 Parcel Split</td>
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</table>

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<thead>
<tr>
<th>Resolution No.</th>
<th>A-17</th>
<th>Name</th>
<th>Peter and Cynthia Barton</th>
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<tbody>
<tr>
<td>Parcel No.</td>
<td>013.00-01-005.130</td>
<td>Municipality</td>
<td>Town of Wayland</td>
</tr>
<tr>
<td>Disposition</td>
<td>2019 Parcel Split</td>
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<td></td>
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</table>
SCHEDULE “B”

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-1</th>
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<tbody>
<tr>
<td>Name</td>
<td>East Campbell Fire Department</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>244.13-01-012.000/1</td>
</tr>
<tr>
<td>Municipality</td>
<td>Town of Campbell</td>
</tr>
<tr>
<td>Disposition</td>
<td>2018-19 Cancellation of Void School Taxes and 2019 Cancellation of Void Town and County Taxes</td>
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</tbody>
</table>

SCHEDULE “C”

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>C-1</th>
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</thead>
<tbody>
<tr>
<td>Name</td>
<td>George H. and Rene Richardson</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.19-04-042.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>City of Hornell</td>
</tr>
<tr>
<td>Disposition</td>
<td>Quitclaim Deed to cure title defect</td>
</tr>
</tbody>
</table>

Vote: Roll Call – Adopted. Yes – 8,219; No – 0; Absent – 1,056; Abstained – 597
(Absent: Legislators Lattimer and Swackhamer; Abstained – Legislator Mullen due to client relationship)

RESOLUTION NO. 002-19

Introduced by J. Hauryski
Seconded by G. Roush.

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 10, 2018
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,073, which represents the October 2018 surcharge payment for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

December 19, 2018
NYS Public Service Commission – Re: Order on waiver request issued and effective December 17, 2018 for Eight Point Wind LLC (Case# 18-T-0202). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

December 26, 2018
NYS Governor’s Traffic Safety Committee – Re: 2019 STOP DWI Plan Approval. Referred to: Public Safety & Corrections Committee; and Sheriff Allard.

NYS Department of Transportation – Re: Notification of the initiated payment process for the Accelerated Fourth Quarter SFY 2018-2019 Statewide Mass Transportation Operating Assistance (STOA) payments. Referred to: Amy Dlugos, Planning Director and filed with Brenda Mori, Clerk of the Legislature.

NYS Public Service Commission – Re: Notification of being in compliance with the Public Service Law effective December 17, 2018 for Eight Point Wind LLC (Case# 18-T-0202). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.
NYS Department of Motor Vehicles – Re: Notification of the revised procedures for the process of exempt plates will go into effect on January 4, 2019. Referred to: Administration Committee; and Judith Hunter, County Clerk.

December 28, 2018
NYS Office for the Aging – Re: Notification of Grant Award (NGA) and approved application for the New York Connects Expansion and Enhancement Program for the period of April 1, 2018 through March 31, 2019. Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.

January 4, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Notification of application deficiencies for the Canisteo Wind Project (Case# 16-F-0205). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

January 7, 2019
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,115, which represents the November 2018 surcharge payment for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and TTA Systems LLC (payment in lieu of tax) agreement and RP-412-a form for property located at One William K. Jackson Lane, Hornell, NY. Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Alan Reed, County Attorney.

January 9, 2019
NYS Homes and Community Renewal – Re: Budget Modification Approval for the NYS CDBG Project#115PR170-16. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

January 11, 2019
NYS Parks, Recreation and Historic Preservation – Re: Notification of approval of the remaining payment for the 2017-2018 Phase III of the snowmobile trail development and maintenance state grant-in-aid. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

January 14, 2019
NYS Office for the Aging – Re: Notification of Grant Award (NGA) for funding for FFY 2018 Title III-B, Title-D and Title-E programs. Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.

NYS Board on Electric Generation Siting and the Environment – Re: Ruling on the intervenor funding for the Eight Point Wind, LLC project (Case# 16-F-0062) issued January 10, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 003-19

Introduced by G. Roush. Seconded by R. Nichols.

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS.

WHEREAS, a project for the Bridge NY (2): Bridge Replacement (BIN 3255800) CR 115 over Canisteo River, Town of Erwin, Steuben County, PIN: 6755.33 (the “Project”) is eligible for funding under Title 23 U.S. Code, as
amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, the County of Steuben will design, let, and construct the Project; and

WHEREAS, the County of Steuben desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Steuben County Legislature hereby authorizes the County of Steuben to pay in the first instance 100% of the cost of Design and Right of Way Incidents work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED, that the sum of $511,000 is hereby appropriated and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED, that the County of Steuben hereby agrees that the County of Steuben shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or Bridge NY funding awarded to the County of Steuben; and it is further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the County of Steuben shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, that the County of Steuben hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the County Manager of the County of Steuben be and is hereby authorized to execute on behalf of the County of Steuben all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Steuben’s funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Department of Transportation, Attn: Sharon Grabosky, RPPM, 107 Broadway, Hornell, NY 14843 by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

Mr. Ryan asked is this is a standard method that we use? Mr. Spagnoletti replied yes, this is the standard method we use when we get Federal or substantial State funding.

Vote: Roll Call – Adopted.
RESOLUTION NO. 004-19

Introduced by Mr. Roush.
Seconded by Ms. Fitzpatrick.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO REVISE THE CABIN CAMPING FEES AT KANAKADEA PARK.

WHEREAS, the present cabin fee at Kanakadea Park is $200 for a four night package; and

WHEREAS, park attendees rarely use the four night fee but have requested the seven night fee; and

WHEREAS, the County wants to revoke the four night package and replace it with a seven night package for $350; and

WHEREAS, the County deems it appropriate to offer a seven night package cabin fee.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized and directed to revoke the $200 for a four night package cabin fee and to put into place a seven night package cabin fee of $350; and be it further

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

Mr. Ryan asked can people still reserve a four-night package? Mr. Spagnoletti replied they will no longer get the special fee; they will have to pay a per night fee. Mr. Ryan asked will this help us get out of the red? Mr. Spagnoletti replied we have a budget of $230,000 and get about $54,000 in revenue, so he doesn’t think this will close that gap.

Vote: Roll Call – Adopted. Yes – 8,223; No – 593, Absent – 1,056
(No: Legislator Ryan; Absent: Legislators Lattimer and Swackhamer)

RESOLUTION NO. 005-19

Introduced by J. Malter and S. Van Etten.
Seconded by F. Potter.

AUTHORIZING THE ACCEPTANCE OF THE FY18 STATEWIDE INTEROPERABLE COMMUNICATIONS FORMULA GRANT.

WHEREAS, Steuben County has a County-wide Communications System to support emergency response; and

WHEREAS, Steuben County emergency responders are dependent on the County-wide Communications System; and

WHEREAS, Steuben County has implemented a County-wide 911 system that makes use of this system for notification and operation of the county responders; and

WHEREAS, Steuben County has identified the need for additional capabilities within the system to address interoperable communications with all response agencies to address operational issues; and

WHEREAS, Steuben County has identified the need for funding to sustain and maintain our communications system for interoperability with all response agencies; and
WHEREAS, the New York State Department of Homeland Security and Emergency Services (DHSES) Office of Interoperable & Emergency Communications (OIEC) is responsible for the administration of the Statewide Interoperable Communications Grants; and

WHEREAS, the New York State DHSES has awarded Steuben County grant funds in the amount of $776,687 to facilitate the development, consolidation, improvement, sustainability and maintenance of public safety communications to support and enhance statewide interoperable communications for first responders.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to execute such documents or agreements with the New York State DHSES to accept funding in the amount of $776,687 for implementation of the Round 7 Statewide Interoperable Communications Formula Grant to support improved operations of public safety communications and interoperability; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to appropriate funding to a capital project entitled “Round 7 Interoperable Communications Grant” for the grant award amount of $776,687.00; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 006-19

Introduced by J. Malter
Seconded by G. Roush.

ADJUSTING THE FEE ARRANGEMENT WITH THE STEUBEN COUNTY FUNERAL DIRECTORS’ ASSOCIATION.

WHEREAS, Steuben County has initiated a contract with Twin Tiers Pathology and Lourdes Hospital in Binghamton, NY for Medical Examination of deceased persons; and

WHEREAS, upon the request of a County Coroner, deceased persons are transported to the Medical Examiner’s Office in Binghamton for the purpose of investigation and determination of the cause of death; and

WHEREAS, upon the completion of Autopsy Services, bodies may be returned to a Steuben County funeral home for preparation of funeral arrangements; and

WHEREAS, the performance by Funeral Directors of services relating to the transportation of deceased bodies is an integral part of the work of the Steuben County Coroner’s Office; and

WHEREAS, Steuben County has historically paid Funeral Directors Seventy-Five Dollars for transportation of deceased bodies from the Medical Examiner’s Office back to Steuben County.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby agrees to adjust the fee arrangement with the Steuben County Funeral Directors’ Association by increasing the amount paid to Funeral Directors for transportation of deceased bodies from the Medical Examiner’s Office back to Steuben County from Seventy-Five ($75) Dollars per transport to One Hundred Twenty-Five ($125) Dollars per transport; and be it further
RESOLVED, a certified copy of this resolution be forwarded to Mr. Michael Smith, President, Steuben County Funeral Directors’ Association, HP Smith Funeral Home, 29 East Main St., Canisteo, NY 14823; and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 007-19

Introduced by J. Malter

Seconded by K. Fitzpatrick.

CREATING A CAPITAL ACCOUNT ENTITLED “ANIMAL CRUELTY” AND APPROPRIATING $21,000 OF UNSPENT 2018 FUNDS.

WHEREAS, Steuben County has long supported animal safety efforts within the community; and

WHEREAS, the Sheriff’s Office involvement in animal cruelty enforcement efforts has created excess funds in the Animal Cruelty cost center (352000) of the 2018 Steuben County Budget; and

WHEREAS, these excess funds can be utilized to accumulate in a capital project to protect against any significant future cost for animal cruelty.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby directed to create a capital project entitled “Animal Cruelty” 3520H1 and transfer $21,000 of unspent 2018 funds from the Animal Safety cost center (352000); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 008-19

Introduced by J. Malter and B. Schu.

Seconded by H. Lando.

RECLASSIFICATION AND TRANSFER ONE (1) ZERO BASED GRADE X SENIOR ACCOUNT CLERK-TYPIST POSITION FROM THE YOUTH BUREAU DEPARTMENT, TO ONE (1) GRADE XI PARALEGAL ASSISTANT POSITION IN THE DISTRICT ATTORNEY’S OFFICE.

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

WHEREAS, a Senior Account Clerk-Typist position in the Youth Bureau Department is vacant and zero based; and

WHEREAS, there is a need for a Paralegal Assistant position in the District Attorney’s Office; and

WHEREAS, the Personnel Officer, the Public Safety and Corrections Committee and Administration Committee have reviewed the need for said position within the District Attorney’s Office and have approved the recommended change.

NOW THEREFORE, BE IT
RESOLVED, effective with the adoption of this resolution, the following position is hereby reclassified and funded as follows:

From: Youth Bureau Department - One (1) Zero Based Grade X Senior Account Clerk-Typist, Position # 3580-01 ($33,087 - $46,710)
To: District Attorney’s Office - One (1) Grade XI Paralegal Assistant ($34,587 - $48,827)

AND BE IT FURTHER RESOLVED, the 2019 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. Yes – 8,223; No – 593; Absent – 1,056
(No: Legislator Ryan; Absent: Legislators Lattimer and Swackhamer)

RESOLUTION NO. 009-19

Introduced by J. Malter and B. Schu. Seconded by C. Ferratella.

WAIVNG RULE 16B OF THE RULES OF PROCEDURE AND CREATING POSITIONS WITHIN THE LAW DEPARTMENT, PROBATION DEPARTMENT AND PUBLIC DEFENDER’S OFFICE.

WHEREAS, New York State has statutorily changed the age of criminal responsibility for non-violent felons from age sixteen (16) to age eighteen (18) by October 1, 2019; and

WHEREAS, New York State has also expanded indigent defense services to include Public Defender case load caps as well as off-hour arraignment coverage to include counsel at first appearance; and

WHEREAS, these positions are necessary to implement these New York State required programs; and

WHEREAS, funding for these positions has been included in the 2019 County Budget.

NOW THEREFORE, BE IT

RESOLVED, Rule 16B of the Rules of Procedure be and the same hereby is waived; and be it further

RESOLVED, the following positions are hereby created for the denoted departments:

<table>
<thead>
<tr>
<th>Department/Position</th>
<th>Quantity</th>
<th>Grade</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Department</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistant County Attorney</td>
<td>1</td>
<td>E (Mgmt.)</td>
<td>$52,677 - $83,351</td>
</tr>
<tr>
<td>Senior Assistant County Attorney</td>
<td>1</td>
<td>G (Mgmt.)</td>
<td>$63,659 - $98,687</td>
</tr>
<tr>
<td>Probation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Probation Officer</td>
<td>1</td>
<td>XIII</td>
<td>$38,005 - $53,653</td>
</tr>
<tr>
<td>Probation Officer Trainee</td>
<td>1</td>
<td>XII</td>
<td>$36,294 - $51,240</td>
</tr>
<tr>
<td>Public Defender</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistant Public Defender</td>
<td>2</td>
<td>E (Mgmt.)</td>
<td>$52,677 - $83,351</td>
</tr>
<tr>
<td>Paralegal Assistant</td>
<td>1</td>
<td>XI</td>
<td>$34,587 - $48,827</td>
</tr>
</tbody>
</table>

Legislative Meeting
Monday, January 28, 2019
Amended Monday, February 25, 2019
AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Public Defender, County Attorney, Probation Director, Commissioner of Finance and the Personnel Officer.

Mr. Mullen asked as a point of order, does this require 15 affirmative votes, or a majority? Mr. Wheeler replied under the Rules of Procedure, a simple majority vote is required if the positions are created due to a State mandate; which these are.

Vote: Roll Call – Adopted. Yes – 8,223; No – 593; Absent – 1,056

RESOLUTION NO. 010-19

Introduced by J. Malter and B. Schu. Seconded by K. Fitzpatrick.

WAIVING RULE 16B OF THE RULES OF PROCEDURE AND CREATING POSITIONS WITHIN THE SHERIFF’S OFFICE.

WHEREAS, the NYS Office of Court Administration has mandated that Steuben County begin implementing Counsel at First Appearance effective mid-February 2019; and

WHEREAS, in order to alleviate the excessive costs associated with implementing counsel at first appearance, the County developed a Centralized Arraignment Plan (CAP); and

WHEREAS, the Centralized Arraignment Plan includes having the Sheriff’s Office provide transportation for arrested individuals from the cities of Corning and Hornell to Central Arraignment Court in Bath; and

WHEREAS, these positions are necessary to implement this New York State required program; and

WHEREAS, funding for these positions is available in the 2019 County Budget.

NOW THEREFORE, BE IT

RESOLVED, Rule 16B of the Rules of Procedure be and the same hereby is waived; and be it further

RESOLVED, the following positions are hereby created for the denoted department:

<table>
<thead>
<tr>
<th>Department/Position</th>
<th>Quantity</th>
<th>Grade</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff’s Office</td>
<td></td>
<td></td>
<td>$38,064 - $60,180</td>
</tr>
<tr>
<td>Deputy Sheriff</td>
<td>2</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Deputy Sheriff</td>
<td>3</td>
<td>12</td>
<td>Zero (0) Based</td>
</tr>
</tbody>
</table>

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

Mr. Mullen stated he is willing to vote for this today; however, we should be careful whether we fill the other three positions and consider how efficient we can be on the pickups after gathering more data.

Vote: Roll Call – Adopted. Yes – 8,223; No – 593; Absent – 1,056
(No: Legislator Ryan; Absent: Legislators Lattimer and Swackhamer)
RESOLUTION NO. 011-19

Introduced by J. Malter. Seconded by K. Fitzpatrick.

AUTHORIZING A CENTRALIZED OFF-HOUR ARRAIGNMENT PLAN (CAP) FOR STEUBEN COUNTY.

WHEREAS, Steuben County is required to provide legal representation at arraignment for any criminal defendant charged with a crime and eligible for publicly funded representation; and

WHEREAS, Steuben County is committed to quality representation of indigent individuals charged with a crime; and

WHEREAS, Steuben County has developed the Steuben County Centralized Arraignment Part (CAP) Plan to facilitate counsel at first appearance; and

WHEREAS, the CAP Plan will create a Centralized Arraignment Court at the Steuben County Public Safety Building in Bath; and

WHEREAS, the CAP Plan is available for review in the County Manager’s Office.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby approves the Steuben County Centralized Arraignment Part (CAP) Plan, effective upon approval by the New York State Office of Court Administration; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, County Attorney, Sheriff, Probation Director, District Attorney, Public Defender, and Conflict Defender.

Mr. Van Etten stated he understands why Mr. Ryan is voting no because this was pushed down to us by the State in a very rushed scenario. He doesn’t think we can go forth without commending the Sheriff, District Attorney, Public Defender and the County Manager for putting together a program that is the least painful. At the end of the day, we are meeting the requirements of the State and the Office of Court Administration.

Mr. Ryan stated he agrees and as he stated in committee this morning, that everyone has done a tremendous job of making this work. However, he philosophically does not agree.

Ms. Fitzpatrick stated the Magistrate’s Association has been working on this for a long time and have put forth effort into a plan that works for all of us and abides by the rules of the Constitution of the State of New York.

Vote: Roll Call – Adopted. Yes – 8,223; No – 593; Absent – 1,056
(No: Legislator Ryan; Absent: Legislators Lattimer and Swackhamer)

RESOLUTION NO. 012-19

Introduced by J. Malter and B. Schu. Seconded by H. Lando.

AUTHORIZING INTER-MUNICIPAL AGREEMENTS WITH THE CITIES OF CORNING AND HORNELL FOR TRANSPORTS RELATIVE TO COUNSEL AT ARRAIGNMENT
WHEREAS, to comply with the Counsel at Arraignment mandate, Steuben County and its municipal partners have been actively working on creative solutions that are fiscally responsible; and

WHEREAS, the Centralized Off-Hour Arraignment Plan (CAP) provides an operational framework for an efficient system of arraignment; and

WHEREAS, to implement CAP with consideration of reducing impacts to police coverage in the two cities, our public safety officials have proposed utilizing additional Sheriff Personnel to provide transport of arrested individuals from the cities to the CAP Court at the Public Safety Building in Bath; and

WHEREAS, the Public Safety & Corrections and Administration Committees of the Legislature have authorized creation of positions for this purpose; and

WHEREAS, recognizing the fiscal burden to the County, the cities have tentatively agreed to an Inter-Municipal Agreement with reimbursement for these transports.

WHEREAS, the tentatively agreed-to initial rate of $85 per individual transported, with an annual maximum of $35,000 per city, with payment taken from the cities’ sales tax allocation.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is hereby authorized to execute an Inter-Municipal Agreement with the above-recited terms as approved to form by the County Attorney; and be it further

RESOLVED, that certified copies of this resolution shall be sent to Mark L. Ryckman, Corning City Manager, 500 Nasser Civic Center Plaza, Corning, NY 14830; John J. Buckley, Hornell City Mayor, 82 Main Street, Hornell, NY 14843; the County Manager, the Sheriff, and the Commissioner of Finance.

Vote: Roll Call – Adopted. Yes – 7,772; No – 1,044; Absent – 1,056
(No: Legislators Ryan and Weaver; Absent: Legislators Lattimer and Swackhamer)

RESOLUTION NO. 013-19

Introduced by J. Malter. Seconded by F. Potter.

AUTHORIZING THE EXECUTION OF A PERMANENT EASEMENT FOR THE COHOCTON WATER TOWER COMMUNICATIONS SITE.

WHEREAS, Steuben County Office of Emergency Services (Grantee) is establishing a communications site within the confines of property owned by the Village of Cohocton off County Route 121 in Cohocton, New York; and

WHEREAS, the County of Steuben has established an Inter-Municipal Agreement with the Village of Cohocton who has an existing easement to the property; and

WHEREAS, Steuben County will need access to the Village Property through an established permanent easement; and

WHEREAS, the property owner, Ms. Kathryn B. Deitsch, (Grantor) has agreed to provide the County with access to the site on the existing easement; and

WHEREAS, said easement shall be for the exclusive use of the Grantee, their successors and assigns, and any invitees of Steuben County for the purpose of installing and maintaining the communications tower.
NOW THEREFORE, BE IT

RESOLVED, the Steuben County Manager shall be and is hereby authorized and directed to execute a Permanent Easement in favor of Steuben County for the lands of Ms. Kathryn B. Deitsch; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Attorney, County Manager, Ms. Kathryn B. Deitsch 3619 County Route 121, Cohocton, NY 14826 and the Director of Emergency Management.

Vote: Roll Call – Adopted. Yes – 8,219; Absent 1,056; Abstained – 597
(Absent: Legislators Lattimer and Swackhamer; Abstained – Legislator Mullen due to having the Village of Cohocton as a client)

Motion: Grouping Resolutions 14 – 35 as one, withdrawing resolutions 25 and 28, and waiving the reading made by Mr. Van Etten, seconded by Mr. Nichols and duly carried.

RESOLUTION NO. 014-19

Introduced by J. Hauryski.  Seconded by S. Maio.

APPOINTING MEMBERS TO THE STEUBEN COUNTY ETHICS BOARD.

WHEREAS, the County of Steuben adopted Local Law No. 5 of 1990 establishing the Steuben County Ethics and Disclosure Law, as well as the Steuben County Board of Ethics; and

WHEREAS, pursuant to said local law, the Ethics Board consisted of seven members nominated by the Chairman, Majority Leader and Minority Leader of the Steuben County Legislature; and

WHEREAS, the County of Steuben adopted Local Law No. 3 of 2013 establishing the Steuben County Charter; and

WHEREAS, pursuant to Article 18, §808 of NYS General Municipal Law, the members of county boards of ethics in Charter counties are to be appointed by the County Manager, subject to confirmation by the County Legislature and shall consist of at least three members; and

WHEREAS, the terms of all existing members of the Steuben County Ethics Board have since expired; and

WHEREAS, it is being recommended by the County Manager to reconstitute the existing Ethics Board by reducing the number of members from seven to three; and

WHEREAS, the following individuals are being recommended by the County Manager for appointment to the Steuben County Ethics Board for a term of three years:

January 1, 2019 through December 31, 2021
Mitchell M. Alger, Bath, NY 14810
Brenda K. Mori, Hammondsport, NY 14840
Joseph Rumsey, Bath, NY 14810

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby approves the reduction in the number of members of the Steuben County Ethics Board from seven to three; and be it further
RESOLVED, the above mentioned individuals are hereby appointed to the Steuben County Ethics Board and 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, certified copies of this resolution shall be forwarded to the above-named individuals and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 015-19

Introduced by J. Hauryski.
Seconded by S. Maio.

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, 2018.

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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fire Services Representatives</strong></td>
<td></td>
</tr>
<tr>
<td>James Webster, Chief, Bath VA</td>
<td>01/01/17 – 12/31/19</td>
</tr>
<tr>
<td>Joseph J. Dick, North Hornell</td>
<td>01/01/18 – 12/31/20</td>
</tr>
<tr>
<td>Brian J. McCarthy, Painted Post</td>
<td>01/01/18 – 12/31/20</td>
</tr>
<tr>
<td>Frank Brzozowski, Hornell City Fire Chief</td>
<td>01/01/19 – 12/31/21</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Volunteer Ambulance Representatives</strong></th>
<th>TERM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rick Andrews, Woodhull</td>
<td>01/01/19 – 12/31/21</td>
</tr>
<tr>
<td>Gregg Learned, Hammondsport</td>
<td>01/01/17 – 12/31/19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Paid Ambulance Representative</strong></th>
<th>TERM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alan Lewis, AMR Ambulance <em>formerly known as Rural Metro</em></td>
<td>01/01/17 – 12/31/19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Local Police Representative</strong></th>
<th>TERM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chad Mullen, Bath Village Police Chief</td>
<td>01/01/17 – 12/31/19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>State Police Representative</strong></th>
<th>TERM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Captain George DelNegro, Bath Zone Commander</td>
<td>(filling unexpired term of Eric Dauber)</td>
</tr>
</tbody>
</table>
Sheriff Representative
James L. Allard, Sheriff 01/01/17 – 12/31/19

City Police Representative
Jeffrey Spaulding, Corning City Police Chief 01/01/19 – 12/31/21

City At-Large Representative
John Buckley, Hornell City Mayor 01/01/19 – 12/31/21
Mark L. Ryckman, Corning City Manager 01/01/19 – 12/31/21

County Government Representative
Jack K. Wheeler, County Manager 01/01/19 – 12/31/21

County Legislature Representatives
K. Michael Hanna, District 5 01/01/19 – 12/31/21
John V. Malter, District 4, Chairman’s Designee 01/01/17 – 12/31/19
Frederick G. Potter, District 10 01/01/18 – 12/31/20

Ex-Officio Members (Non-Voting)
David Hopkins, E-911 Director
Timothy Marshall, Director, Emergency Management Office

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 Chad Mullen 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. 016-19

Introduced by J. Haurycki. Seconded by S. Maio.

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 Steuben County Manager said vacancies must now be filled.

NOW THEREFORE, BE IT

RESOLVED, as recommended by the Steuben County Manager the following persons are hereby appointed:

AFFIRMATIVE ACTION COMMITTEE

Term Commencing January 1, 2017 through December 31, 2019
1. James Towner, President, Steuben County Corrections Officers, Dispatchers and Court Security Officers Unit (filling unexpired term of Shawn Gardiner)
2. Carol A. Ferratella, Legislator, District 13
3. Hilda T. Lando, Legislator, District 2

Term Commencing January 1, 2018 through December 31, 2020
1. Chris Myers, President, CSEA
2. Michael Ramirez, Deputy Sheriff, Steuben County Sheriff’s Office
3. Lise Reynolds, Deputy Commissioner, 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. Nathan Alderman, 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 Steuben County Manager, the following person is hereby appointed to serve at the pleasure of this Legislature:

AFFIRMATIVE ACTION OFFICER/EQUAL EMPLOYMENT OPPORTUNITY COUNSELOR
Nathan Alderman

AND BE IT FURTHER RESOLVED, the above-named appointee 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 the 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. 017-19

Introduced by J. Hauryski. Seconded by S. Maio.

APPOINTING MEMBERS TO THE STEUBEN COUNTY ALTERNATIVES TO INCARCERATION ADVISORY BOARD.

Pursuant to Section 12.20 of the Steuben County Charter, and Chapters 907 and 908, Laws of 1984.

WHEREAS, the Alternatives to Incarceration Program has been in effect since 1985; and

WHEREAS, there is a requirement that said Board exist in order for the County to procure funding for certain Alternatives to Incarceration Programs.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature appoints the following persons as members of the Steuben County Alternatives to Incarceration Advisory Board for a three-year term commencing January 1, 2017 and expiring December 31, 2019:

- Honorable Philip J. Roche
  Steuben County Court Judge/ATI Advisory Board Chairperson
  (*filling unexpired term of Joseph Latham*)

- Honorable Patrick F. McAllister
  Steuben County Surrogate Court Judge
  (*filling unexpired term of Marianne Furfure*)

- Honorable Chauncey J. Watches
  Steuben County Court Judge
  (*filling unexpired term of Peter C. Bradstreet*)

- Honorable Mathew K. McCarthy
  City Court Judge
  (*filling unexpired term of Cathy P. Rouse-Nicholson*)

- Brooks T. Baker, Esq.
  Steuben County District Attorney
  Chairman or Designee
  Public Safety & Corrections Committee

- Shawn M. Sauro, Esq.
  Steuben County Public Defender
  (*filling unexpired term of Philip J. Roche*)

- Honorable Patrick F. McAllister
  Steuben County Surrogate Court Judge
  (*filling unexpired term of Marianne Furfure*)

- Honorable Chauncey J. Watches
  Steuben County Court Judge
  (*filling unexpired term of Peter C. Bradstreet*)

- Alan P. Reed, Esq.
  Steuben County Attorney

- James L. Allard
  Steuben County Sheriff

- James Stewart
  ATI Representatives

- Sienna Evingham
  Crime Victim

- Cheryl Crocker, Director
  Steuben County Probation

- Craig Pomplas
  ATI Representative

- To be appointed by Chairman of the Steuben County Legislature
  Ex-Offender

- Henry W. Chapman, Psy.D., Director
  Steuben County Community Services/
  NYS Certified Alcohol and Substance Abuse Treatment Provider
AND BE IT FURTHER RESOLVED, the above-named Advisory Board members shall serve without compensation and shall be entitled to receive reimbursement for necessary expenses, including mileage, long-distance telephone calls and meals, with proper receipts, and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointees, the County Auditor, the County Commissioner of Finance, and Robert Maccarone, Deputy Commissioner and Director, NYS Department of Probation and Correctional Alternatives, 4 Tower Place, Albany, NY 12203.

Vote: Acclamation – Adopted.

RESOLUTION NO. 018-19

Introduced by J. Hauryski. Seconded by S. Maio.

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

<table>
<thead>
<tr>
<th>Community Services Board</th>
<th>TERM</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Cora Saxton</td>
<td>01/01/17 – 12/31/20</td>
</tr>
<tr>
<td>310 East Naples Street</td>
<td></td>
</tr>
<tr>
<td>Wayland, NY 14572</td>
<td></td>
</tr>
<tr>
<td>2. Darlene Smith, Director (filling unexpired term of Victoria Fuerst)</td>
<td>01/01/17 – 12/31/20</td>
</tr>
<tr>
<td>Steuben County Public Health</td>
<td></td>
</tr>
<tr>
<td>3 East Pulteney Square</td>
<td></td>
</tr>
<tr>
<td>Bath, NY 14810</td>
<td></td>
</tr>
<tr>
<td>3. Mark R. Alger</td>
<td>01/01/18 – 12/31/21</td>
</tr>
<tr>
<td>109 Rumsey Street</td>
<td></td>
</tr>
<tr>
<td>Bath, NY 14810</td>
<td></td>
</tr>
<tr>
<td>4. The Honorable Gary D. Swackhamer</td>
<td>01/01/18 – 12/31/21</td>
</tr>
<tr>
<td>Steuben County Legislator</td>
<td></td>
</tr>
<tr>
<td>67 N. Main Street</td>
<td></td>
</tr>
<tr>
<td>Hornell, NY 14843</td>
<td></td>
</tr>
<tr>
<td>5. Gina Reagan</td>
<td>01/01/18 – 12/31/21</td>
</tr>
<tr>
<td>Catholic Charities of Steuben</td>
<td></td>
</tr>
<tr>
<td>23 Liberty Street</td>
<td></td>
</tr>
<tr>
<td>Bath, NY 14810</td>
<td></td>
</tr>
<tr>
<td>6. Doreen Patterson (filling unexpired term of Mark Rectenwald)</td>
<td>01/01/19 – 12/31/22</td>
</tr>
<tr>
<td>Arbor Development</td>
<td></td>
</tr>
<tr>
<td>26 Bridge Street</td>
<td></td>
</tr>
<tr>
<td>Corning, NY 14830</td>
<td></td>
</tr>
</tbody>
</table>
7. Kathryn Muller, Commissioner (*filling unexpired term of George Basher*)
   Steuben County Department of Social Services
   3 East Pulteney Square
   Bath, NY 14810
   01/01/16 – 12/31/19

8. Nancy Bartell
   7 Pearl Street
   Hornell, NY 14843
   01/01/16 – 12/31/19

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

**Mental Health Subcommittee**
1. Cora Saxton
   310 East Naples Street
   Wayland, NY 14572
   01/01/17 – 12/31/20

2. Craig Pomplas
   Steuben County Probation
   3 East Pulteney Square
   Bath, NY 14810
   01/01/17 – 12/31/20

3. Kathryn Muller, Commissioner
   Steuben County Department of Social Services
   3 East Pulteney Square
   Bath, NY 14810
   01/01/18 – 12/31/21

4. Harmony Aries-Friedlander (*filling unexpired term of Barbara Eskridge*)
   Family Service Society, Inc.
   280 Princeton Avenue Ext.
   Corning, NY 14830
   01/01/18 – 12/31/21

5. Doreen Patterson
   Arbor Development
   26 Bridge Street
   Corning, NY 14830
   01/01/19 – 12/31/22

6. Stephanie Ulicny
   Finger Lakes Parent Network
   25 West Steuben Street
   Bath, NY 14810
   01/01/19 – 12/31/22

7. Gina Reagan
   Catholic Charities of Steuben
   23 Liberty Street
   Bath, NY 14810
   01/01/16 – 12/31/19

8. Lynn M. Goodwin
   Pathways, Inc.
   33 Denison Parkway East
   Corning, NY 14830
   01/01/16 – 12/31/19
9. Nancy Bartell  
    7 Pearl Street  
    Hornell, NY  14843  
    01/01/16 – 12/31/19

Chemical Dependency Subcommittee

1. Norman McCumiskey  
    Steuben Prevention Coalition  
    8 East Morris Street  
    Bath, NY  14810  
    01/01/17 – 12/31/20

2. Darlene Smith, Director *(filling unexpired term of George Basher)*  
    Steuben County Public Health  
    3 East Pulteney Square  
    Bath, NY  14810  
    01/01/17 – 12/31/20

3. Ruth Goodwin *(filling unexpired term of Carly Cushing)*  
    Family Service Society, Inc.  
    280 Princeton Avenue Ext.  
    Corning, NY  14830  
    01/01/18 – 12/31/21

4. Rick McInroy  
    Center for Dispute Settlement  
    25 Wilkes Avenue  
    Bath, NY  14810  
    01/01/18 – 12/31/21

5. Susan Hooker  
    Hornell Area Concern for Youth  
    76 East Main Street  
    Hornell, NY  14843  
    01/01/19 – 12/31/22

6. Chad Mullen, Chief  
    Bath Police Department  
    110 Liberty Street  
    Bath, NY  14810  
    01/01/19 – 12/31/22

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

8. Gina Reagan  
    Catholic Charities of Steuben  
    23 Liberty Street  
    Bath, NY  14810  
    01/01/16 – 12/31/19

9. Robert Cole, M.D.  
    10101 Grandview Lane  
    Hammondsport, NY  14840  
    01/01/16 – 12/31/19
**Developmental Disabilities Committee**

1. Matt Mehlenbacher  
   Steuben ARC  
   One Arc Way  
   Bath, NY 14810  
   01/01/17 – 12/31/20

2. Charlene Robinson (*filling unexpired term of Victoria Fuerst*)  
   5788 Bonny Hill Road  
   Bath, NY 14810  
   01/01/17 – 12/31/20

3. Sandra Buto  
   Capabilities, Inc.  
   1149 Sullivan Street  
   Elmira, NY 14901  
   01/01/18 – 12/31/21

4. The Honorable Gary D. Swackhamer  
   Steuben County Legislator  
   67 N. Main Street  
   Bath, NY 14810  
   01/01/18 – 12/31/21

5. Lynn M. Goodwin  
   Pathways, Inc.  
   33 Denison Parkway West  
   Corning, NY 14830  
   01/01/19 – 12/31/22

6. Mark R. Alger  
   109 Rumsey Street  
   Bath, NY 14810  
   01/01/19 – 12/31/22

7. Jeannie Wheeler  
   Bath Central School District  
   25 Ellas Avenue  
   Bath, NY 14810  
   01/01/19 – 12/31/22

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

   99 Miller Street  
   Wellsville, NY 14895  
   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. 019-19

Introduced by J. Hauryski. Seconded by S. Maio.

APPOINTING MEMBERS TO THE EMPLOYEE ASSISTANCE PROGRAM ADVISORY COMMITTEE.

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 Member
Robin K. Lattimer

Management Members
Nathan Alderman
Amy R. Dlugos
Kimberly Jessup
Darlene Smith

Civil Service Employees’ Association Members
Chris Myers
Brenda Campbell

Steuben County Deputy Sheriffs’ Association, Inc. Member
Robert McDaniels

Correction Officers, Dispatchers & Court Security Officer Member
James Towner

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. 020-19

Introduced by J. Hauryski. Seconded by S. Maio.

APPOINTING MEMBERS TO THE EMPLOYEE WELLNESS COMMITTEE.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, the Steuben County Employee Wellness Committee was formally established on October 26, 2015, pursuant to Resolution #148-15; and

WHEREAS, the Employee Wellness Committee shall consist of a total of ten (10) members; five (5) Union employees and five (5) Management/Confidential employees; and

NOW THEREFORE, BE IT

RESOLVED, the following persons are recommended by the Steuben County Manager, are hereby appointed as members of the Steuben County Employee Wellness Committee for a one-year term, commencing January 1, 2019 and expiring December 31, 2019:

Management/Confidential Employees
Lise Reynolds, Deputy Commissioner, Department of Social Services
Steve Catherman, Engineer, Department of Public Works
Mary Jo Snyder, Confidential Secretary, Personnel Office
Jennifer DeMonstoy, Deputy Personnel Officer
Jennifer Prossick, Deputy County Attorney

Union Employees
Lorelei Wagner, Public Health Educator
Alan Warriner, Deputy, Sheriff’s Office
James Warriner, Probation Officer
Nichole Barber, Dispatcher, E-911
Vincent Fanzo, Sergeant, Sheriff’s Office

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 Employee Wellness Committee; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to each of the above-mentioned appointees; the County Manager, the Personnel Officer and the County Auditor.

Vote: Acclamation – Adopted.
RESOLUTION NO. 021-19

Introduced by J. Hauryski. Seconded by S. Maio.

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

Steuben County Provider Representative:          Lee Moran, Speech Therapist
                                                 30 South Elm Street
                                                 Corning, NY 14830

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

RESOLVED, the Steuben County Manager hereby appoints the aforementioned individuals to the Finger Lakes Regional Early Childhood Coalition; 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: Constance Donohue, Director, Early Intervention Program, Corning Tower Building, Room 287, Empire State Plaza, Albany, NY 12237-0660; the S2AY Rural Health Network, PO Box 97, Corning, NY 14830; the County Auditor; Commissioner of Finance and to the Early Intervention Official/Administrative Officer of Special Children’s Services.
Vote: Acclamation – Adopted.

RESOLUTION NO. 022-19

Introduced by J. Hauryiski. 
Seconded by S. Maio.

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, 2019 and ending December 31, 2020:

**LEGISLATIVE MEMBER**
1. Kelly H. Fitzpatrick, 6342 Robie Road, Savona, NY 14879

**NON-LEGISLATIVE MEMBERS**
2. John Ford, 58 Maple Street, Addison, NY 14801
3. Frank Brzozowski, 108 Broadway, Hornell, NY 14843
4. William Todd Hall, 226 Main Street, Painted Post, NY 14870
5. Joseph Dick, 306 First Street, 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, DFC, 5 Swan Lane, Painted Post, NY 14870
12. J. David Sawyer, 1646 Jasper Street, Woodhull, NY 14898
13. Larry Day, 9623 County Route 87, Hammondsport, NY 14840
14. Dan Hulbert, 8813 State Route 36, Arkport, NY 14807
15. William Fries, Chief DFC, 7344 Fish Hatchery Road, Bath, NY 14810
16. Donald Fredericy, DFC, 27 East Avenue, Wayland, NY 14572
17. Michael Wilson, DFC, 307 Grand Street, Hornell, NY 14843
18. Timothy Martin, DFC, 6300 CR 100, Addison, NY 14801
19. Glen Miller, 11 South Fowler Street, Bath, NY 14810
20. James Webster, Bath VA, 76 Veterans Avenue, Bath, NY 14810
21. VACANT – (Cohocton Area)

**EX-OFFICIO MEMBERS**
23. Kenneth Forenz, Deputy Director, Emergency Management Office, Bath, NY 14810
25. David Hopkins, 911 Director/Tina Goodwin, Deputy 911 Director, Bath, NY 14810

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: Roll Call – Adopted.
RESOLUTION NO. 023-19

Introduced by J. Hauryski. Seconded by S. Maio.

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 Steuben County Manager, the following individuals are appointed to serve as representatives of the Fish and Wildlife Management Act Board:

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steuben County Landowner</td>
<td>Mike Warren</td>
<td>2901 County Road 56, Hornell, NY 14843</td>
</tr>
<tr>
<td>Representative:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>January 1, 2018 – December 31</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Steuben County Sportsman</td>
<td>Thomas J. Ryan</td>
<td>41 Chestnut Street, Canisteo, NY 14823</td>
</tr>
<tr>
<td>Representative:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>January 1, 2019 – December 31</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Steuben County Legislative</td>
<td>Frederick G. Potter</td>
<td>Steuben County Legislator</td>
</tr>
<tr>
<td>Representative:</td>
<td></td>
<td>134 State Route 36, Troupsburg, NY 14885</td>
</tr>
<tr>
<td>January 1, 2019 – December 31</td>
<td></td>
<td></td>
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</tbody>
</table>

AND BE IT FURTHER RESOLVED, the representative 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. 024-19

Introduced by J. Hauryski. Seconded by S. Maio.

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:
RESOLVED, the Steuben County Manager 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. 025-19

Introduced by J. Hauryiski. Seconded by S. Maio.

APPOINTING MEMBERS TO THE STEUBEN COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC).

Pursuant to Section 12.20 of the Steuben County Charter and Title III of the Superfund Amendments and Reauthorization Act of 1986.

WHEREAS, on October 17, 1986, the Superfund Amendments and Reauthorization Act of 1986 (SARA) was enacted into law; and

WHEREAS, one part of the new SARA provisions is Title III: the Emergency Planning and Community Right-to-Know Act of 1986; and

WHEREAS, Title III establishes requirements for Federal, State and local governments and industry regarding emergency planning and community right-to-know reporting on hazardous and toxic chemicals; and
WHEREAS, this legislation builds upon Environmental Protection Agency’s Chemical Emergency Preparedness Program (CEPP) and numerous State and local programs aimed at helping communities to better meet their responsibilities in regard to potential chemical emergencies; and

WHEREAS, Title III required each State to establish an Emergency Response Commission, and required that the State Commission designate local emergency planning districts and appoint local emergency planning committees to develop local emergency response plans.

NOW THEREFORE, BE IT

RESOLVED, the following members are hereby endorsed to the Steuben County Local Emergency Planning Committee by the Steuben County Manager, to be appointed by the New York State Emergency Response Commissioner (SERC), as follows:

MEMBERS

LOCAL & STATE GOVERNMENT REPRESENTATIVES

| Steuben County Legislature Chair | Public Safety & Corrections Committee Chair |
| 3 East Pulteney Square | Steuben County Legislature |
| Bath, NY 14810 | 3 East Pulteney Square |
| Bath, NY 14810 |
| NYS Senator/Designee, 58th District | NYS Assemblyman/Designee, 132nd District |
| 105 East Steuben Street | 105 East Steuben Street |
| Bath, NY 14810 | Bath, NY 14810 |

LAW ENFORCEMENT REPRESENTATIVES

| Steuben County Sheriff | Steuben County Undersheriff |
| Public Safety Building | Public Safety Building |
| 7007 Rumsey Street Extension | 7007 Rumsey Street Extension |
| Bath, NY 14810 | Bath, NY 14810 |

EMERGENCY SERVICES REPRESENTATIVES

| Timothy D. Marshall | Kenneth J. Forenz |
| EMO Director/Fire Coordinator | EMO Deputy Director/LEPC Chairman |
| 3 East Pulteney Square | 3 East Pulteney Square |
| Bath, NY 14810 | Bath, NY 14810 |
| David Hopkins | ALT: Tina Goodwin |
| 911 Enhanced Director | 911 Enhanced Deputy Director |
| 3 East Pulteney Square | 3 East Pulteney Square |
| Bath, NY 14810 | Bath, NY 14810 |

CITIZEN REPRESENTATIVES

Vacant
FIRE SERVICE REPRESENTATIVES

Frank Brzozowski, Chief  
Hornell City Fire Department  
108 Broadway  
Hornell, NY  14843

Brad Davies, Chief  
Corning City Fire Department  
2 Corning Boulevard  
Corning, NY  14830

Ed Fletcher  
NYS OFPC  
600 College Avenue  
Montour Falls, NY  14865

Corey Zydanowicz  
NYS OFPC  
600 College Avenue  
Montour Falls, NY  14865

HEALTH SERVICES REPRESENTATIVES

Darlene Smith, Director/Matthew Marmor, Alternate  
Steuben County Public Health  
3 East Pulteney Square  
Bath, NY  14810

Joanne Clark, Senior Sanitarian  
NYS Department of Health  
107 Broadway  
Hornell, NY  14843

HOSPITAL REPRESENTATIVES

Jim Webster, Emergency Manager  
Veterans Administration  
Medical Center  
Bath, NY  14810

Theresa Reed  
Ira Davenport Hospital  
NYS Route 54, Box 305  
Bath, NY  14810

Mary McInerny  
St. James Mercy Health  
411 Canisteo Street  
Hornell, NY  14843

Robert Philpott  
Corning Hospital  
1 Guthrie Drive  
Corning, NY  14830

INDUSTRIAL REPRESENTATIVES

Chief Joe McUmber  
Corning Inc.  
SP-TG01-01  
Corning, NY  14830

Shawn Torrey, EH&S Manager  
Dresser-Rand Company  
100 Chemung Street  
Painted Post, NY  14870

John Istler  
Upstate Niagara  
Main Street  
Campbell, NY  14821

Brian Polmanteer, Owner/Bob Halm, Alternate  
T & R Spill Response  
691 Addison Road  
Painted Post, NY  14870

ENVIRONMENTAL REPRESENTATIVES

Greg Young  
NYS Dept. of Environmental Conservation  
6274 East Avon-Lima Road  
Avon, NY  14414

Chad Kehoe  
NYS Dept. of Environmental Conservation  
100 North Main Street  
Elmira, NY  14901
NEW YORK STATE POLICE REPRESENTATIVES

Sgt. John O’Brien  
NYS Police Headquarters, Troop E  
1569 Rochester Road  
Canandaigua, NY  14424

Sgt. James Feely  
NYS Police Substation  
7237 State Route 415  
Bath, NY  14810

NON-GOVERNMENT ORGANIZATIONS

Brian McConnell  
Finger Lakes Chapter American Red Cross  
11371 LPGA Drive  
Corning, NY  14830

ALT: Donna Davis  
Finger Lakes Chapter American Red Cross  
11371 LPGA Drive  
Corning, NY  14830

BE IT FURTHER RESOLVED, that said members shall serve at the pleasure of the Steuben County Legislature and shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Local Emergency Planning Committee; and be it further

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

Vote:  Acclamation – Adopted.

RESOLUTION 026-19

Introduced by J. Hauryiski.  
Seconded by S. Maio.

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, 2019 and ending December 31, 2020; and be it further

RESOLVED, that Matthew Sousa, Senior Planner, 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. 027-19

Introduced by J. Hauryski. Seconded by S. Maio.

APPOINTING MEMBERS TO THE SOUTHERN TIER CENTRAL REGIONAL PLANNING AND DEVELOPMENT BOARD’S STEUBEN COUNTY HUMAN SERVICES COMMITTEE.

WHEREAS, at its July 1973 meeting, the Southern Tier Central Regional Planning and Development Board appropriated a proposal to recognize a Human Services Committee in each of the three participating counties to act as each respective County’s human services advisory council to the Southern Tier Central Regional Planning and Development Board and in addition, said Board voted to encourage the Legislature in each County to support its County Human Services Committee and to send representatives to such Committee; and

WHEREAS, vacancies have occurred on the committee.

NOW THEREFORE, BE IT

RESOLVED, that the following individuals are hereby authorized, in their fair and reasonable discretion and in relevant matters connected with human rights services, to represent their agencies and the County on the Southern Tier Central Regional Planning and Development Board’s Human Services Committee:

SOCIAL SERVICES
Teresa Stever, Deputy Commissioner
Department of Social Services

MENTAL HEALTH
Henry W. Chapman, Psy.D., Director
Office of Community Services

HOUSING PROGRAM
Wanda Carl
Arbor Development

HEALTH
Lorelei Wagner, Public Health Educator
Steuben County Public Health

AGING PROGRAM
Patty Baroody, Director
Office for the Aging

Christine Towner, RSVP Coordinator

EDUCATION
Dan Porter, Executive Director
CSS Workforce NY

COUNTY PLANNING
Amy R. Dlugos
Director of Planning

POVERTY PROGRAM
Laura Rossman, Executive Director
ProAction of Steuben and Yates

Amy Rusak, Deputy Director
ProAction of Steuben and Yates

YOUTH
Bill Caudill
Youth Bureau Coordinator

STEUBEN COUNTY LEGISLATOR
Carol A. Ferratella, District 13

COOPERATIVE EXTENSION
Larkin Podsiedlik, Executive Director

BE IT FURTHER RESOLVED, that said appointees shall serve at the pleasure of the Legislature, for a two-year term commencing January 1, 2019 and not beyond December 31, 2020; 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 Regional Human Services Committee; 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 Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 028-19

Introduced by J. Hauryski. Seconded by S. Maio.

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


RESOLVED, the recommended appointments made by the Steuben County Manager 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, 2018, and ending December 31, 2019.

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, 11331 Hendy Hollow Road, Corning, NY

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

MUNICIPAL OFFICERS
1. Jennifer Miller, Corning City Planning & Economic Development Director (filling unexpired term of Mark Ryckman, Corning City Manager)
2. John Buckley, Mayor, City of Hornell

REGIONAL COMMERCE – BUSINESS REPRESENTATIVE
1. James C. Johnson, 7234 Route 54 North, PO Box 393, Bath, NY

REGIONAL AGRICULTURE 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 Chelsea Robertson, Executive Director, Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 029-19

Introduced by J. Hauryski. Secended by S. Maio.

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 Supervisor 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, 2019 through December 31, 2020; 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. 030-19

Introduced by J. Hauryski. Secended by S. Maio.

APPOINTING MEMBERS TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.


Legislative Meeting
Monday, January 28, 2019
Amended Monday, February 25, 2019
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.

RESOLVED, the following persons, as recommended by the Steuben County Manager, 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 a successor is appointed, and has qualified to wit:

January 1, 2017 through December 31, 2019
Michael L. Nisbet, 20 Bennett Street, Canisteo, NY  14823
Anthony Russo, Southern Tier Provisions, 6683 Route 54 S, Bath, NY  14810

January 1, 2018 through December 31, 2020
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, 2019 – December 31, 2019
Joseph J. Hauryski, Chairman, Steuben County Legislature, 6301 County Route 17, Campbell, NY  14821

January 1, 2019 – December 31, 2021
Mark R. Alger, County Resident, 109 Rumsey Street, Bath, NY  14810
James R. Frame, District Superintendent, GST BOCES, 9579 Vocational Drive, Painted Post, NY 14870

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 County Planning Director; James C. Johnson, Executive Director, Steuben County Industrial Development Agency, 7234 Route 54 N, PO Box 393, Bath, NY 14810; Chelsea Robertson, Executive Director, Southern Tier Central Regional Planning & Development Board, 8 Denison Parkway East, Suite 301, Corning, NY 14830; counsel to the agency and the County Auditor.

Vote:  Roll Call – Adopted.

RESOLUTION NO. 031-19

Introduced by J. Hauryski.  Seconded by S. Maio.

APPOINTING MEMBERS TO THE STEUBEN AREA ECONOMIC DEVELOPMENT CORPORATION.

WHEREAS, by resolution dated July 28, 2011, the Steuben County Industrial Development Agency adopted certain amendments to the Certificate of Incorporation and By-Laws of the Steuben Area Economic Development
Corporation to reflect that the sole member of the Corporation shall be the County of Steuben acting by and through the Chair of the Legislature of the County; and

WHEREAS, the County desires to appoint the Board of Director of the Steuben Area Economic Development Corporation; and

WHEREAS, the by-laws of the Steuben Area Economic Development Corporation authorize that the number of Directors of the Corporation shall be seven (7); and

WHEREAS, the Directors of the Corporation are appointed to serve three (3) year staggered terms, excepting one appointee who shall serve a term of one (1) year.

NOW THEREFORE, BE IT

RESOLVED, the following persons, as recommended by the Steuben County Manager, are hereby appointed as members of the Steuben Area Economic Development Corporation for the terms as indicated and shall hold office until reappointed or a successor is appointed, and has qualified to wit:

January 1, 2017 through December 31, 2019
Michael L. Nisbet, 20 Bennett Street, Canisteo, NY 14823
Anthony Russo, Southern Tier Provisions, 6683 Route 54 S, Bath, NY 14810

January 1, 2018 through December 31, 2020
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, 2019 – December 31, 2019
Joseph J. Hauryski, Chairman, Steuben County Legislature, 6301 County Route 17, Campbell, NY 14821

January 1, 2019 – December 31, 2021
Mark R. Alger, County Resident, 109 Rumsey Street, Bath, NY 14810
James R. Frame, District Superintendent, GST BOCES, 9579 Vocational Drive, Painted Post, NY 14870

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 Area Economic Development Corporation; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to each of the above-named appointees; James C. Johnson, Executive Director, Steuben County Industrial Development Agency, 7234 Route 54N, PO Box 393, Bath, NY; Chelsea Robertson, Executive Director, Southern Tier Central Regional Planning & Development Board, 8 Denison Parkway East, Suite 301, Corning, NY; Counsel to the Steuben County Industrial Development Agency; and the County Auditor.

Vote: Roll Call – Adopted.

RESOLUTION NO. 032-19

Introduced by J. Hauryski. Seconded by S. Maio.

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, 2018 TO DECEMBER 31, 2020**
- James L. Allard, Steuben County Sheriff or Designee
- Amy R. Dlugos, Steuben County Planning Director or Designee
- Vincent Spagnoletti, Commissioner of Public Works or Designee
- Jeffrey R. Spaulding, Corning City Police Chief or Designee
- Lorelei Wagner, Steuben County Public Health

**JANUARY 1, 2019 TO DECEMBER 31, 2021**
- 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
- Cathy Rouse-Nicholson, Steuben County Magistrate’s Association or Designee
- Ted Murray, Hornell City Police Chief, or Designee

**EX-OFFICIO MEMBER SERVING JANUARY 1, 2019 TO DECEMBER 31, 2021**
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. 033-19**
 Introduced by J. Hauryski. 
Seconded by S. Maio.

**APPOINTING MEMBERS TO THE STEUBEN COUNTY YOUTH BOARD.**


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, 2019 through December 31, 2019:
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; Sonia Tate, NYS Office of Children and Family Services, Bureau of Youth Development and Crossover Initiatives, 80 Maiden Lane, 24th Floor, New York, NY 10038; the County Auditor; and the Youth Programs Coordinator.

Vote: Acclamation – Adopted.

Mr. Mullen commented with the STC resolutions, it is very heavy on the east side of the County and maybe next year you could consider putting someone on from the western side of the County. Mr. Wheeler stated that is a good point, although the attendance from individuals from the western side of the County has not been stellar, but we will look at that.

Ms. Mori reminded the Legislators that next month the Youth in Government interns will be here. If you cannot stay for the luncheon following next month’s meeting, please let her know.

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 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 Mr. Van Etten and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Roush, seconded by Mrs. Ferratella and duly carried.

Motion to Adjourn made by Mr. Potter, seconded by Mr. Malter and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 25th day of February, 2019, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislator Lattimer.

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

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

Chairman Hauryski asked Veronica Berry to come forward. Ms. Berry is an employee in the District Attorney’s Office. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Hauryski announced the Youth in Government luncheon has been cancelled as schools were cancelled due to the weather.

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

Wayne Wells, Cameron, opined about cancer in political life, President Trump and the need to cleanse politics of corruption.

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

Dr. Douglas stated this is her last presentation as President of Corning Community College. She began working at Corning Community College in 2011 and she stated that this morning she would like to provide a review of what has been accomplished over the past eight years. Dr. Douglas stated during her tenure they have instituted a joint admissions program with Binghamton University and are looking to expand to SUNY Geneseo. They have instituted student success initiatives which include the STEM Academy with BOCES, Guided Pathways with Stanford and Quantway with Columbia University. These three programs are all grant funded.

Dr. Douglas stated they have continued their efforts with regard to workforce development. They now offer a welding certificate program and recently built a welding lab which was funded with $1 million in Federal grants and $1 million in State grants. They are also offering a Technician Pipeline program along with various apprenticeships.

Dr. Douglas stated the campus of Corning Community College has expanded to include a residential facility, Perry Hall, the new Health Education Center located on Denison Parkway, the Center for Teaching Innovation and Excellence and the Center for Diversity and Inclusion. Additionally they have completed renovation at the Spencer Hill campus on the Houghton Library, Student Commons and the athletic fields.

Dr. Douglas stated during her tenure, Corning Community College has received many recognitions including in 2016 being named the number one two-year college in New York State by
BestColleges.com. In 2019, Corning Community College’s online Business degree was rated among the top seventy-five in the nation. Additionally, our founding Math faculty, Herb Gross was awarded the SUNY Honorary Doctorate in 2014. Our students have also received recognition; in 2017 Jacob Zelco was an AACC National Finalist for his development of a water filter. In 2019, Corning Community College was a co-winner in the NYS Department of Health’s Aging Innovation Challenge with the development of the GripM8.

Dr. Douglas stated the college is looking ahead to various projects including the Mechatronics lab, energy retrofits beginning with the STEAM Center for Innovation, Planetarium upgrade, expanding sustainable energy use and then installation of the new President in July 2019. The new President will be announced on March 20th. Dr. Douglas stated thank you for eight terrific years; it has been an honor and a privilege.

Mr. Mullen stated with regard to last month’s meeting, he would like it noted for the record the reason he abstained from Resolution No. 013-19 at last month’s meeting is he is the attorney for the Village of Cohocton, not the Town.

Approving the Minutes of the Previous Meeting as Amended made by Mr. Van Etten, seconded by Mr. Swackhamer and duly carried.

Mrs. Ferratella provided an update on the Ad Hoc Municipal Coordination Committee. This committee is focusing on assessing in the towns and how they can work with the County. Our goal is to make it easier for the assessors to accomplish 100 percent equalization rates. We will be providing a report to the Administration Committee in the near future.

Mrs. Ferratella announced that the former principal of the Columbine School will be speaking at the Corning-Painted School District on February 27th at 6:30 p.m. He will be talking about school safety and the lessons learned from Columbine.

Mr. Mullen stated late last week there was a ruling on a Supreme Court case regarding the potential for asset forfeiture loss to be unconstitutional if an excessive amount of property is taken. He thinks that we should take a look at that law to make sure that we are okay.

Mr. Haurycki announced that Legislator Weaver was named Businessman of the Year by the Central Steuben Chamber of Commerce.

RESOLUTION NO. 034-19

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

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, 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>William Martens &amp; Stephanie Spicer</td>
<td>140.19-01-070.000</td>
<td>Town of Howard</td>
<td>2019 Parcel Split</td>
</tr>
<tr>
<td>A-2</td>
<td>Murray Steiner</td>
<td>391.00-01-037.200</td>
<td>Town of Caton</td>
<td>2019 Parcel Split</td>
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<tr>
<td>A-3</td>
<td>Donald &amp; Stephanie Gates</td>
<td>308.00-01-002.112</td>
<td>Town of Jasper</td>
<td>2019 Parcel Split</td>
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<tr>
<td>A-4</td>
<td>Dale &amp; Helen M. Schenck</td>
<td>305.00-03-005.100</td>
<td>Town of Jasper</td>
<td>2019 Parcel Split</td>
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<tr>
<td>A-5</td>
<td>Dale &amp; Helen M. Schenck</td>
<td>305.00-03-003.000</td>
<td>Town of Jasper</td>
<td>2019 Parcel Split</td>
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<tr>
<td>A-6</td>
<td>Prattsburgh Holdings LLC</td>
<td>008.00-01-013.000</td>
<td>Town of Prattsburgh</td>
<td>2019 Parcel Split</td>
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<tr>
<td>A-7</td>
<td>Prattsburgh Holdings LLC</td>
<td>021.00-01-001.112</td>
<td>Town of Prattsburgh</td>
<td>2017 Court Ordered Refund</td>
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<tr>
<td>A-8</td>
<td>MGRE Colonial V, LLC</td>
<td>224.00-02-013.100</td>
<td>Town of Campbell</td>
<td>2017 Court Ordered Refund</td>
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<tr>
<td>A-9</td>
<td>MGRE Colonial V, LLC</td>
<td>224.00-02-013.100</td>
<td>Town of Campbell</td>
<td>2019 Court Ordered Correction</td>
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<tr>
<td>A-10</td>
<td>MGRE Colonial IV, LLC</td>
<td>224.00-02-012.000</td>
<td>Town of Campbell</td>
<td>2018 Court Ordered Refund</td>
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<tr>
<td>A-11</td>
<td>MGRE Colonial IV, LLC</td>
<td>224.00-02-012.000</td>
<td>Town of Campbell</td>
<td>2019 Court Ordered Correction</td>
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<tr>
<td>A-12</td>
<td>MGRE Colonial IV, LLC</td>
<td>224.00-02-012.000</td>
<td>Town of Campbell</td>
<td>2019 Correction - water debt error</td>
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<tr>
<td>A-13</td>
<td>Philip G. &amp; Judy M. Tuttle</td>
<td>337.07-01-021.000</td>
<td>Town of Corning</td>
<td>2019 Correction - water debt error</td>
</tr>
<tr>
<td>A-14</td>
<td>Kenneth S. &amp; Eloise R. Brew</td>
<td>319.15-01-085.000</td>
<td>Town of Corning</td>
<td>2019 Correction of Error (Court Order)</td>
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<tr>
<td>A-15</td>
<td>HHA, LLC</td>
<td>316.00-01-010.115</td>
<td>Town of Erwin</td>
<td>2019 Correction of Error (Court Order)</td>
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*Legislative Meeting*

*Monday, February 25, 2019*
<table>
<thead>
<tr>
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<th>Parcel No.</th>
<th>Municipality</th>
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<tbody>
<tr>
<td>A-17</td>
<td>Czado Family Trust</td>
<td>282.00-02-008.000</td>
<td>Town of Corning</td>
<td>2019 Parcel Split</td>
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<tr>
<td>A-18</td>
<td>Thomas &amp; Patricia Campbell</td>
<td>181.00-01-004.000</td>
<td>Town of Hornellsville</td>
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<tr>
<td>A-19</td>
<td>Yort, Inc.</td>
<td>144.00-02-033.000</td>
<td>Town of Bath</td>
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<td>A-20</td>
<td>Bennett Keuka LLC</td>
<td>064.14-01-004.000</td>
<td>Town of Wayne</td>
<td>2019 Correction of Re-levy Error</td>
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<tr>
<td>A-21</td>
<td>Margaret S Widuch Living Tr</td>
<td>259.00-01-001.110</td>
<td>Town of Thurston</td>
<td>2019 Correction of Re-levy Error</td>
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<tr>
<td>A-22</td>
<td>Joseph L. Cowell Jr.</td>
<td>169.00-01-014.000</td>
<td>Town of Howard</td>
<td>2019 Correction - Court Order</td>
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<tr>
<td>A-23</td>
<td>Czado Family Trust</td>
<td>282.00-02-008.000</td>
<td>Town of Corning</td>
<td>2019 Parcel Split</td>
</tr>
<tr>
<td>A-24</td>
<td>Richard A. Lattimer</td>
<td>154.00-01-018.100</td>
<td>Town of Howard</td>
<td>2019 Correction (Court Order)</td>
</tr>
<tr>
<td>A-27</td>
<td>Richard A. Lattimer</td>
<td>154.00-01-020.100</td>
<td>Town of Howard</td>
<td>2019 Correction (Court Order)</td>
</tr>
<tr>
<td>A-29</td>
<td>William Pfitzenmaier</td>
<td>155.00-01-027.000</td>
<td>Town of Howard</td>
<td>2019 Parcel Split</td>
</tr>
</tbody>
</table>
Resolution No.  A-33
Name       Randy L. Rhodes
Parcel No.  387.00-01-045.111
Municipality Town of Lindley
Disposition 2019 Correction of Error

Resolution No.  A-34
Name       Randy L. Rhodes
Parcel No.  387.00-01-045.111
Municipality Town of Lindley
Disposition 2019 Parcel Split

Vote: Roll Call – Adopted. Yes – 8670; Absent – 605; Abstained – 597
(Absent – Legislator Lattimer; Abstained – Legislator Mullen due to a client relationship)

RESOLUTION NO. 035-19

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

RECEIVING AND ACCEPTING THE FEBRUARY 25, 2019 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 18, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Revised procedural schedule for the Baron Winds LLC project (Case# 15-F-0122) issued January 16, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

January 28, 2019

NYS Office for the Aging – Re: Notification of Grant Award (NGA) for the 2019 federal fiscal year (FFY 2019) Nutrition Services Incentive Program (NSIP). Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.

January 31, 2019

February 4, 2019
NYS Homes and Community Renewal – Re: Notification of the application for the Steuben County Well and Septic Replacement Program (CDBG 1115WS319-18) is ineligible. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

February 6, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Ruling on motion for the Baron Winds LLC project (Case# 15-F-0122) issued February 4, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,019, which represents the December 2018 surcharge revenues for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.
February 7, 2019
Harris Beach, PLLC, Attorneys at Law – Re: Steuben Tobacco Asset Securitization Corporation annual meeting and accountability materials. Referred to: Jack Wheeler, County Manager; Jennifer Prossick, Deputy County Attorney; Patrick Donnelly, Commissioner of Finance; and Brenda Mori, Clerk of the Legislature.

NYS Board on Electric Generation Siting and the Environment – Re: Notice of corrected ruling on intervenor funding for the Eight Point Wind, LLC issued February 5, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

February 11, 2019
NYS Public Service Commission – Re: Factsheet and public statement hearings for the Eight Point Wind, LLC. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Empire Telephone Corporation Project for Tuesday, February 25, 2019 at 10:00am at the Prattsburgh Town Hall, Courtroom, located at 19 North Main Street, Prattsburgh, New York. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 036-19

Introduced by B. Schu. Seconded by R. Weaver.


WHEREAS, Local Law No. One of 1967 provides for the continuity of government of the County of Steuben, New York, in the event of an attack or public disaster in accordance with the New York State Defense Emergency Act of 1951, and addresses the continuity of government as it pertains to temporary succession of public offices headed by both elected officers and appointive officers; and

WHEREAS, Local Law No. Six of 1999, as amended by Local Law No. 9 of 2007, provides for the continuity of county and its chief executive in the event of absence, disability or vacancy in office pursuant to New York State Executive Law §27, in the event of a natural or man-made disaster causing an emergency; and

WHEREAS, Local Law No. Six of 1999, as amended by Local Law No. 9 of 2007, lists the chief executive of the County as the Chairman of the Legislature; and

WHEREAS, Local Law No. Three of 2013, establishing the Steuben County Charter, lists the chief executive officer as the County Manager; and

WHEREAS, it is preferable to codify the two existing local laws into one comprehensive local law, and repeal the two existing local laws, thereby clarifying the continuity of county government as it pertains to succession of all public offices, including the chief executive officer.

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 2019, repealing Local Law No. One of 1967 and Local Law No. Six of 1999, as
amended by Local Law No. Nine of 2007, Providing for the Continuity of Steuben County Government in the event of disaster or emergency.

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2019


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

SECTION 1. INTENT. The New York State Defense Emergency Act, in section 29-a thereof, authorizes political subdivisions of the state to provide for the continuity of their governments in the event of an actual or imminent attack upon the United States by an enemy or foreign nation. The Executive Law, in section 27 thereof, authorizes political subdivisions to provide for the continuity of the county and its Chief Executive in the event of absence, disability or vacancy in office in the event of a natural or man-made disaster causing an emergency. Based on the authority contained in such laws this local law is adopted so that on such occasions the government of the County of Steuben, New York, may continue to function properly and efficiently under emergency circumstances.

SECTION 2. DEFINITIONS. As used in this local law, the following terms shall mean and include:

a. “Attack.” Any attack, actual or imminent, or series of attacks by an enemy or foreign nation upon the United States causing or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of explosives, bombs, shell fire, or nuclear, radiological, chemical, bacteriological or biological means or other weapons or processes.

b. “Public disaster.” A disaster, catastrophe or emergency, actual or imminent, whether natural or man-made, of such unusual proportions or extent that (1) a substantial number of the residents of the County either sustain injury, become ill, are infected with disease, have their lives imperiled, are killed or die as a result of injury, disease or exposure, or the property of a substantial number of such residents is imperiled, damaged or destroyed and (2) it is necessary and essential in the interest of public safety, health and welfare that the continuity of the government of the County of Steuben be assured in order that it be enabled to function properly and efficiently and to exercise its essential powers in meeting emergency conditions. Such disasters, catastrophes and emergencies may include, but shall not be limited to, conflagrations, explosions, earthquakes or other convulsions of nature, floods, tidal waves, pestilence, riots, insurrections, storms, prolonged failure of electric power or essential transportation services, or any incident or occurrence which causes or threatens to cause danger to life, health or property from exposure to noxious materials or radiation.

c. “Duly authorized deputy.” A person authorized to perform all the powers and duties of a public office in the event the office is vacant or at such times as it lacks administration due to the death, absence or disability of the incumbent officer, where such authorization is provided pursuant to the provisions of any general, special, or local law other than this local law.

d. “Emergency interim successor.” A person designated pursuant to this local law for possible temporary succession to the powers and duties, but not the office, of a County Officer in the event that neither such officer nor any duly authorized deputy is able, due to death, absence from the county or other physical, mental or legal reasons, to perform the powers and duties of the office.

SECTION 3. ORDER OF SUCCESSION. In the event of the absence, disability, or vacancy in the office of the County Manager, the order of succession as Chief Executive Officer of the County of Steuben for purposes of public disaster or attack causing emergencies is as follows:

a. The County Manager.
b. The Deputy County Manager.

c. The Chairman, or the immediate former Chairman of the Legislature following midnight of December 31 in an election year until such time as a Chairman is elected, if said former Chairman is elected to office as a County Legislator.

d. The Vice Chairman in the event of an absence or disability of the Chairman, or the immediate former Vice Chairman who is elected to office, if no former Chairman is in office.

e. The Director of Emergency Management.

f. The Deputy Director of Emergency Management.

SECTION 4. DESIGNATION, STATUS, QUALIFICATIONS AND TERMS OF DESIGNATION OF EMERGENCY INTERIM SUCCESSORS.

a. Elective Officers. Within thirty days following the effective date of this local law, and thereafter within thirty days after first entering upon the duties of office, each elective officer shall, in addition to any duly authorized deputy, designate such number of emergency interim successors to the powers and duties of the office and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies or emergency interim successors, or combination thereof, to perform the powers and duties of the office.

b. Appointive Officers. Each officer or body of officers empowered by law to appoint officers shall, within the time specified in subdivision a of this section, in addition to any duly authorized deputy, designate for each such appointive officer, such number of emergency interim successors to such officers and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies or emergency interim successors, or combination thereof, for each such officer. Where such a body of officers consists of members having overlapping terms, such body of officers shall review and, as necessary, revise the previous designations of emergency interim successors by such board within thirty days after a new member is elected or appointed to such body of officers and first enters upon the duties of the office as a member of such body of officers.

c. Review of Designations. The incumbent in the case of those elective officers specified in subdivision a of this section, and the appointing officer of body of officers specified in subdivision b of this section shall, from time to time, review and, as necessary, promptly revise the designations of emergency interim successors to insure that at all times there are at least three duly authorized deputies or emergency interim successors, or combination thereof, for each elective and appointive officer of the county.

d. Qualifications. No person shall be designated to, nor serve as, an emergency interim successor unless he is legally qualified to hold the office of the person to whose powers and duties he is designated to succeed.

e. Status of emergency interim successor. A person designated as an emergency interim successor shall hold that designation at the pleasure of the designator and such a designation shall remain effective until replaced by another by the authorized designator.

f. Compensation. An emergency interim successor shall serve without salary, unless otherwise provided by local law. He/she shall, however, be entitled to reimbursement for actual expenses necessarily incurred in the performance of his/her powers and duties.

SECTION 5. ASSUMPTION OF POWERS AND DUTIES OF OFFICE BY EMERGENCY INTERIM SUCCESSOR. If, in the event of an attack or public disaster, an officer described in subdivision a or subdivision b of
section four of this local law or the duly authorized deputy, if any, is unable, due to death, absence from the county, or other physical, mental, or legal reasons, to perform the powers and duties of the office, the emergency interim successor of such officer highest in rank in order of succession who is able to perform the powers and duties of the office shall, except for the power and duty to discharge or replace duly authorized deputies and emergency interim successors of such officer, perform the powers and duties of such officer. An emergency interim successor shall perform such powers and duties only until such time as the lawful incumbent officer or his duly authorized deputy, if any, resumes the office or undertakes the performance of the powers and duties of the office, as the case may be, or until, where an actual vacancy exists, a successor is duly elected or appointed to fill such vacancy and qualifies as provided by law.

SECTION 6. SURVIVAL OF SUBORDINATE OFFICER’S SERVICE. The removal of a disability, absence or vacancy of an officer higher on the list or order of succession as provided to an office shall not terminate the service in such office of an individual lower on such list or order of succession who is temporarily filling such office.

SECTION 7. RECORDING AND PUBLICATION OF DESIGNATIONS.

a. The name, address, phone number and rank in order of succession of each duly authorized deputy and emergency interim successor shall be provided to the Clerk of the Legislature and the Director of Emergency Management for use upon declaration of an emergency.

b. The name and rank in order of succession of each duly authorized deputy and emergency interim successor shall be filed with the County Clerk and each designation, replacement or change in order of succession of any emergency interim successor shall become effective when the designator files with such clerk the successor’s name, address and rank in order of succession. Such clerk shall keep an up-to-date file of all such data regarding duly authorized deputies and emergency interim successors and the same shall be open to public inspection. The clerk shall notify in writing each designated person of the filing of his/her name as an emergency interim successor and his/her rank in order of succession and also shall notify in writing any person previously designated who is replaced, or whose place in order of succession has changed.

SECTION 8. QUALIFICATION FOR TAKING OFFICE. At the time of their designation, or as soon thereafter as possible, emergency interim successors shall take such oath and do such other things, if any, as may be required to qualify them to perform the powers and duties of the office to which they may succeed.

SECTION 9. QUORUM AND VOTE REQUIREMENTS. In the event of an attack or public disaster, the Chairman of the Legislature, or the duly authorized Vice Chairman or emergency interim successor performing the powers and duties of the Chairman, may suspend quorum requirements for the Steuben County Legislature. If quorum requirements are suspended, any local law, ordinance, resolution or other action requiring enactment, adoption or approval by an affirmative vote of a specified proportion of members may be enacted, adopted or approved by the affirmative vote of the specified proportion of those voting thereon.

SECTION 10. SEPARABILITY CLAUSE. If any section, subdivision, sentence, clause, phrase or portion of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the section, subdivision, sentence, clause, phrase or portion thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 11. EFFECTIVE DATE. This local law shall be effective immediately.

AND BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on Monday, March 25, 2019 at 10:00 a.m. at the Legislative Chambers, 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 and Corning and the DMV office in 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, Clerk of the Legislature, Director of Emergency Management and the County Clerk.

Vote: Acclamation – Adopted.

RESOLUTION NO. 037-19


AUTHORIZING A TRANSFER FROM THE CONTINGENT FUND TO THE 2018 BUDGET FOR THE ASSIGNED COUNSEL PROGRAM.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the Steuben County 2018 budget for the 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 2018 expenditures.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to adjust the following accounts in the 2018 budget:

EXPENSE ACCOUNTS:
Account 199000 5-499-000 Contingent - ($42,095.06)
Account 117300 5-423-200 Assigned Counsel - $42,095.06

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.

Mr. Weaver asked how will this be affected by the hiring of staff going forward? Mr. Wheeler replied having a Conflict Defender and the grants to expand has helped. This is based on the number of cases and they have done a great job managing Assigned Counsel.

Mr. Ryan asked are these numbers caused by mandates? Mr. Wheeler replied that is the root of this, but really it is based on caseload.

Mr. Van Etten commented we end up doing an adjustment every year. In the past it has been in the $70,000 - $100,000 range. It is good that this year it is only $40,000.

Ms. Prossick explained this is based on the number of cases. The income levels have increased and now more people qualify for assigned counsel.

Vote: Roll Call – Adopted. Yes – 8674, No – 593; Absent – 605
(No – Legislator Ryan; Absent – Legislator Lattimer)
RESOLUTION NO. 038-19

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 operational 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 2019 grant funds in the amount of $187,541 under the State PSAP Grant; and

WHEREAS, $187,541 of the funding will reimburse dispatch personnel payroll costs paid by the County.

NOW THEREFORE, BE IT

RESOLVED, 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, 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, the Commissioner of Finance be and the same hereby is authorized to appropriate such grant revenue received to 911 Capital Project 3020H7 (E-911 Dispatch Upgrades) within the budget of the 911 Department; 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 Commissioner of Finance; the 911 Director and the Director of Emergency Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 039-19

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

WHEREAS, there is currently one 1st Assistant Public Defender in the Public Defender’s Office; and
WHEREAS, there is now a need for a Senior Assistant Public Defender in the Public Defender’s Office instead of the current 1st Assistant Public Defender.

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:

One (1) 1st Assistant Public Defender position # 0530-01, Grade E ($52,677 - $68,104) to
One (1) Senior Assistant Public Defender, Grade G ($63,659 - $81,175).

AND BE IT FURTHER RESOLVED, the 2019 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. Yes – 82; No – 10; Absent – 60
(No – Legislators Ryan and Swackhamer; Absent – Legislator Lattimer)

RESOLUTION NO. 040-19


AUTHORIZING THE STEUBEN COUNTY SHERIFF’S OFFICE TO ENTER INTO INTER-MUNICIPAL AGREEMENTS FOR THE HOUSING OF INMATES.

WHEREAS, the Steuben County Sheriff agrees to house inmates in other Counties’ respective jails; and

WHEREAS, historically Steuben County has mutually accommodated conflict and over population in the respective jails by housing such inmates from the other Counties; and

WHEREAS, each County is authorized to so house inmates from other jurisdictions; and as a result, the Counties are authorized under GML § 119-0 to enter into an inter-municipal agreement for such purposes.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Sheriff is hereby authorized to enter into a contract with other counties to house the other counties’ inmates from time to time under such terms as approved by the Public Safety & Corrections Committee and approved as to form by the County Attorney; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 041-19

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

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE, THE STATE-AID PROGRAM ELIGIBLE COSTS OF A CAPITAL PROJECT, AND APPROPRIATING FUNDS THEREFORE.
WHEREAS, a Project for County Road 42 Reconstruction, Town of Hornby, Steuben County. P.I.N. 6755.41 (the Project”) is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, a sum not to exceed $250,000 in Program Funding is available to progress the project; and

WHEREAS, the County of Steuben desires to advance the Project by making a commitment of 100% of the State share of the costs of the County Road 42 Reconstruction, Town of Hornby, Steuben County.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, the Steuben County Legislature hereby authorizes the County of Steuben to pay in the first instance, 100% of the cost of Construction phase work for the Project or portions thereof; and it is further

RESOLVED, the sum of $250,000 is hereby appropriated from the County of Steuben and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full state share costs of the project exceeds the amount appropriated above, the County of Steuben shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, the County Manager of the County of Steuben be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the County of Steuben with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's/Sponsor’s first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, certified copies of this resolution shall be filed with the New York State Commissioner of Transportation of the State of New York by attaching it to any necessary agreements in connection with the Project between the County of Steuben and the State of New York.

Vote: Roll Call – Adopted.

RESOLUTION NO. 042-19


EXEMPTING THE PROPERTY COMMONLY KNOWN AND DESIGNATED AS MOSSY BANK PARK IN THE TOWN OF BATH FROM TAXATION BY THE COUNTY OF STEUBEN.

Pursuant to Real Property Tax Law Section 406(2) and GML §119-O.

WHEREAS, the property commonly known and designated as Mossy Bank Park in the Town of Bath, owned by the Village of Bath (Parcel ID# 173.00-01-026.220 ), is currently subject to County taxation; and

WHEREAS, said park is open and available to members of the public at no cost; and

WHEREAS, said park represents a valuable asset for the entire County of Steuben; and

WHEREAS, it is desirable to exempt same from taxation for County tax purposes.
NOW THEREFORE, BE IT

RESOLVED, that the aforesaid parcel be and the same hereby is exempt from County taxation; and be it further

RESOLVED, said exemption shall terminate in the event fees are charged for usage of the facilities and/or the County adopts a subsequent resolution; and be it further

RESOLVED, the effective date of said exemption shall be March 1, 2019; and be it further

RESOLVED, the County Manager is hereby authorized to enter into an Inter-Municipal Agreement memorializing the exemption; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance; Town of Bath and the Real Property Tax Director.

Vote: Roll Call – Adopted. Yes – 8670; Absent – 605; Abstained – 597
(Absent – Legislator Lattimer; Abstained – Legislator Mullen as he is the attorney for the Village of Bath)

RESOLUTION NO. 043-19


EXEMPTING THE PROPERTY COMMONLY KNOWN AND DESIGNATED AS VILLAGE OF SAVONA PARK IN THE TOWN OF BATH FROM TAXATION BY THE COUNTY OF STEUBEN.

Pursuant to Real Property Tax Law Section 406(2) and GML §119-O.

WHEREAS, the property commonly known and designated as Village of Savona Park in the Town of Bath, owned by the Village of Savona (Parcel ID# 191.00-01-031.000), is currently subject to County taxation; and

WHEREAS, said park is open and available to members of the public at no cost; and

WHEREAS, said park represents a valuable asset for the entire County of Steuben; and

WHEREAS, it is desirable to exempt same from taxation for County tax purposes.

NOW THEREFORE, BE IT

RESOLVED, that the aforesaid parcel be and the same hereby is exempt from County taxation; and be it further

RESOLVED, said exemption shall terminate in the event fees are charged for usage of the facilities and/or the County adopts a subsequent resolution; and be it further

RESOLVED, the effective date of said exemption shall be March 1, 2019; and be it further

RESOLVED, the County Manager is hereby authorized to enter into an Inter-Municipal Agreement memorializing the exemption; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance; Town of Bath and the Real Property Tax Director.
RESOLUTION NO. 044-19

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

DESIGNATING THE COUNTY OF STEUBEN AS LEAD AGENCY FOR SEQRA PURPOSES FOR MODIFICATION OF THE NYSDEC BATH LANDFILL OPERATING PERMIT.

WHEREAS, the County desires to modify the Bath Landfill NYSDEC Operating Permit to increase the permitted approved design capacity to 850 tons per day; and

WHEREAS, it is necessary and desirable as required by the State Environmental Quality Review Act (SEQRA) to designate a lead agency for purposes of complying with SEQRA.

NOW THEREFORE, BE IT

RESOLVED, by the County Legislature of the County of Steuben, as follows:

Section 1. It is hereby determined that the County Legislature adopting this resolution declares itself to be the lead agency under the State Environmental Quality Review Act and the regulations promulgated thereunder for purposes of determining the environmental impact of the project described in Section 3 hereof.

Section 2. Based upon the Environmental Assessment Form verified the 25th day of February, 2019 and filed with the Clerk of the Legislature and the Planning Department and made a part hereof as incorporated by reference, it is hereby determined that the project described in Section 3 hereof is a Type 1 Action, as of December 23, 2015, which will not have a significant impact upon the environment.

Section 3. The project which is the subject of this resolution is described as follows:

Modification of the Bath Landfill NYSDEC Operating Permit to increase the permitted approved design capacity to 850 tons per day.

Section 4. This resolution shall take effect immediately.

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 045-19

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

ADOPTING THE STEUBEN COUNTY LOCAL SOLID WASTE MANAGEMENT PLAN MODIFICATION.

WHEREAS, Steuben County is the planning unit responsible for developing a Local Solid Waste Management Plan (LSWMP) pursuant to New York State Conservation Law Section 27-0107 and the State’s Local Solid Waste Management Plan Contents regulations, 6 NYCRR Part 366-2; and
WHEREAS, on February 7, 2019 the New York State Department of Conservation (NYSDEC) issued a letter stating that the current draft of the LSWMP constitutes an approvable plan; and

WHEREAS, the Public Works Committee has reviewed the Final LSWMP and recommends approval of this resolution.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Final LSWMP is hereby adopted by the County Legislature as the solid waste planning unit for Steuben County effective upon NYSDEC’s final approval of the LSWMP; and it is further

RESOLVED, that the County will implement the solid waste management programs, projects and plans as identified in the LSWMP; and it is further

RESOLVED, that the County will submit annual planning unit reports and biennial updates; and it is further

RESOLVED, the Public Works Department is directed to send notice of the availability of the LSWMP to adjacent solid waste planning units and will ensure that an electronic copy of the final LSWMP is made available for public review on the County’s website; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works, the Planning Director and Richard Clarkson, Director, Bureau of Solid Waste Management, Division of Materials Management, New York State Department of Environmental Conservation, 623 Broadway, 9th Floor, Albany, NY 12233-7260.

Vote: Roll Call – Adopted.

RESOLUTION NO. 046-19

Introduced by K. Hanna. Seconded by C. Ferratella.

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, the County Manager is authorized to execute an agreement with the Steuben County Historical Society for a five-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. 047-19

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

ESTABLISHING THE DATE AND TIME FOR THE 2019 DELINQUENT REAL PROPERTY TAX PUBLIC 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 Tax Law; and

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

NOW THEREFORE, BE IT

RESOLVED, the 2019 Delinquent Real Property Tax Public Auction shall be conducted on Friday, July 12, 2019, commencing at 10:00 A.M. at the Campbell-Savona Jr./Sr. High School, 8455 County Route 125, Campbell, New York; and be it further

RESOLVED, 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: Roll Call – Adopted.

Motion Combining Resolutions 15 – 19 and Waiving the Reading made by Mrs. Lando, seconded by Mr. Van Etten and duly carried.

RESOLUTION NO. 048-19

Introduced by J. Hauryski. Secended by H. Lando.

APPOINTING STEUBEN COUNTY REPRESENTATIVES TO THE LAMOKA/WANETA LAKES COMMISSION.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, the counties of Steuben and Schuyler, and their respective affected townships, adopted resolutions creating the Lamoka/Waneta Lakes Protection and Rehabilitation District; and

WHEREAS, the management of said district is administered by the Lamoka/Waneta Lakes Commission comprised of seven (7) voting members and two (2) ex-officio non-voting members; and
WHEREAS, it is stipulated by Intergovernmental Agreement between Steuben and Schuyler County that five (5) voting members shall be from Schuyler County and two (2) voting members shall be from Steuben County, with each County being represented with an ex-officio non-voting member from the respective Soil and Water Conservation Districts; and

WHEREAS, all Commission members shall serve four-year staggered terms; and

WHEREAS, the term of a Steuben County appointee has expired and a vacancy has occurred.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Manager, recommends the appointments of the following individuals to the Lamoka/Waneta Lakes Commission for the term specified:

<table>
<thead>
<tr>
<th>Steuben County Property Owner in District</th>
<th>Steuben County Property Owner in District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dennis Carlson</td>
<td>Nancy Gabel</td>
</tr>
<tr>
<td>12182 East Lake Road</td>
<td>9150 Carpenter Road</td>
</tr>
<tr>
<td>Hammondsport, NY 14840</td>
<td>Wayne, NY 14893</td>
</tr>
<tr>
<td><strong>Term:</strong> 01/01/17 – 12/31/20</td>
<td><strong>Term:</strong> 01/01/19 – 12/31/22</td>
</tr>
</tbody>
</table>

Ex-Officio Member

Jeffrey Parker, District Manager
Steuben County Soil and Water Conservation District
415 West Morris Street
Bath, NY 14810

AND BE IT FURTHER RESOLVED, said members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Lamoka/Waneta Lakes Commission; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 049-19

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 & Visitors’ Bureau and establishing the appointment of voting members on the Board of Directors as staggered three (3) year terms, with the exception of one member who shall serve a one (1) year term; and

WHEREAS, the term for some Board members expired December 31, 2018.

NOW THEREFORE, BE IT
RESOLVED, the following individuals, as recommended by the Steuben County Manager, are hereby appointed as members of the Steuben County Conference & 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>Class</th>
<th>Individuals</th>
<th>Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodations</strong></td>
<td>Michele Donegan, General Manager, Radisson Hotel, Corning</td>
<td>01/01/17 – 12/31/19</td>
</tr>
<tr>
<td></td>
<td>Brett Bixby, General Manager, Hampton Inn, Corning – Painted Post</td>
<td>01/01/18 – 12/31/20</td>
</tr>
<tr>
<td></td>
<td>Ronald F. Leonard, President, Keuka Lakeside Inn, Hammondsport</td>
<td>01/01/19 – 12/31/21</td>
</tr>
<tr>
<td><strong>Attractions</strong></td>
<td>Ryan Doolittle, Tourism Sales Specialist, Corning Museum of Glass</td>
<td>01/01/17 – 12/31/19</td>
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<td></td>
<td>Vacant</td>
<td>01/01/18 – 12/31/20</td>
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<tr>
<td></td>
<td>Coleen Fabrizi, Executive Director, Corning’s Gaffer District</td>
<td>01/01/19 – 12/31/21</td>
</tr>
<tr>
<td><strong>Community-At-Large</strong></td>
<td>Justin Recktenwald, Owner, Wild Brute Winery, Arkport</td>
<td>01/01/17 – 12/31/19</td>
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<td></td>
<td>(filling unexpired term of Cameron Dunlap)</td>
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<tr>
<td></td>
<td>Larkin Podsiedlik, Executive Director, Cornell Cooperative Extension</td>
<td>01/01/18 – 12/31/20</td>
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<td></td>
<td>Chris Waters, Community Arts Manager, The ARTS Council of Southern Finger Lakes</td>
<td>01/01/19 – 12/31/21</td>
</tr>
<tr>
<td><strong>Chamber of Commerce Representative</strong></td>
<td>Denise Ackley, Corning Area Chamber of Commerce</td>
<td>01/01/19 – 12/31/19</td>
</tr>
<tr>
<td><strong>County Manager Designee</strong></td>
<td>Amy Dlugos, Planning Director</td>
<td>01/01/19 – 12/31/21</td>
</tr>
<tr>
<td><strong>County Legislators</strong></td>
<td>K. Michael Hanna, District 5</td>
<td>01/01/19 – 12/31/21</td>
</tr>
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<td></td>
<td>Hilda T. Lando, District 2</td>
<td>01/01/18 – 12/31/20</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 the Executive Director of the Steuben County Conference and Visitors’ Bureau, Inc., 1 West Market Street, Baron Steuben Building, Suite 301, Corning, NY 14830.

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 050-19**

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

**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 term indicated:

Robert Mahany  
10046 State Route 36 South, Dansville, NY 14437  
01/01/19 – 12/31/2022

Andrew Merry  
8507 Canaseraga Road, Arkport, NY 14807  
01/01/19 – 12/31/2022

Robert V. Nichols  
743 Thompson Road, Addison, NY 14801  
01/01/18 – 12/31/2021

RESOLVED, that these appointees are hereby appointed to the Marsh Ditch Watershed Protection District Administrative Board for the 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 Steuben County Auditor; and the Steuben County Soil & Water Conservation District.

Vote: Acclamation – Adopted.

RESOLUTION NO. 051-19

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

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 Legislature has recommended that Thomas J. Ryan, District 9, and Robert V. Nichols, District 11, be reappointed as the Legislative Representatives to the Soil and Water Conservation District Board of Directors; and

WHEREAS, the Chairman of the Legislature recommended that David Stull of Addison, New York, be reappointed as the At-Large Representative to the Soil and Water Conservation District Board of Directors.

NOW THEREFORE, BE IT

RESOLVED, that Legislator Thomas J. Ryan, District 9, be and the same hereby is appointed as a Legislative Representative to the Soil and Water Conservation District Board of Directors for a term of two (2) years commencing January 1, 2019 and not beyond December 31, 2020; and be it further

RESOLVED, that Legislator Robert V. Nichols, District 11, be and the same hereby is appointed as a Legislative Representative to the Soil and Water Conservation District Board of Directors for a term of two (2) years commencing January 1, 2019 and not beyond December 31, 2020; and be it further
RESOLVED, that David Stull of 3461 County Route 3, Addison, New York, be reappointed as the At-Large Representative to the Soil and Water Conservation District Board of Directors for a term of three (3) years commencing January 1, 2019 and not beyond December 31, 2021; 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 Soil & Water Conservation District Office, 415 West Morris Street, Bath, NY 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 052-19

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

APPOINTING MEMBERS TO THE SOUTHERN TIER CENTRAL REGIONAL PLANNING AND DEVELOPMENT BOARD’S STEUBEN COUNTY HUMAN SERVICES COMMITTEE.

WHEREAS, at its July 1973 meeting, the Southern Tier Central Regional Planning and Development Board appropriated a proposal to recognize a Human Services Committee in each of the three participating counties to act as each respective County’s human services advisory council to the Southern Tier Central Regional Planning and Development Board and in addition, said Board voted to encourage the Legislature in each County to support its County Human Services Committee and to send representatives to such Committee, and

WHEREAS, vacancies have occurred on the committee

NOW THEREFORE, BE IT

RESOLVED, that the following individuals are hereby authorized, in their fair and reasonable discretion and in relevant matters connected with human rights services, to represent their agencies and the County on the Southern Tier Central Regional Planning and Development Board’s Human Services Committee:

SOCIAL SERVICES
Teresa Stever, Deputy Commissioner
Department of Social Services

MENTAL HEALTH
Henry W. Chapman, Psy.D., Director
Office of Community Services

HOUSING PROGRAM
Sharron Beckworth
Arbor Development

HEALTH
Lorelei Wagner, Public Health Educator
Steuben County Public Health

STEUBEN COUNTY LEGISLATOR
Steven P. Maio, District #2

COUNTY PLANNING
Amy R. Dlugos
Director of Planning

POVERTY PROGRAM
Laura Rossman, Executive Director
ProAction of Steuben and Yates

YOUTH
Bill Caudill
Youth Bureau Coordinator

COOPERATIVE EXTENSION
Larkin Podsiedlik, Executive Director
Christine Towner, RSVP Coordinator

BE IT FURTHER RESOLVED, that said appointees shall serve at the pleasure of the Legislature, for a two-year term commencing January 1, 2019 and not beyond December 31, 2020, 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 Regional Human Services Committee, 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 Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East, Suite 301, Corning, NY 14830.

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 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 and Article 7§ 105.1.H. The Proposed Acquisition, Sale, or Lease of Real Property of the Proposed Acquisition of Securities, or Sale or Exchange of Securities Held by Such Public Body, but only when Publicity would Substantially Affect the Value Thereof made by Mr. Potter. Seconded by Mr. Malter and duly carried.

Motion: Authorizing the Negotiation of a Claim made by Mr. Van Etten. Seconded by Mr. Malter. Roll Call – Adopted. Yes – 8725; No – 542; Absent – 605. (No – Legislator Lando; Absent – Legislator Lattimer)

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

RESOLUTION NO. 053-19

Introduced by C. Ferratella. Seconded by R. Weaver.

AUTHORIZING THE TERMINATION OF THE EXISTING LANDFILL GAS UTILIZATION PROJECT AGREEMENT WITH STEUBEN RURAL ELECTRIC COOPERATIVE, INC. AND THE PURCHASE OF THE SAME GAS TO ENERGY PROJECT AND ALL RELATED EQUIPMENT.

WHEREAS, the County of Steuben and Steuben Rural Electric Cooperative, Inc. entered into a Landfill Gas Utilization Project Agreement in March of 2009 located at the Steuben County Landfill; and

WHEREAS the Landfill Gas Utilization Project Agreement was negotiated by the parties for a twenty five (25) year term; and

WHEREAS, Steuben Rural Electric Cooperative, Inc. has since 2009 purchased and installed equipment and a building to run and operate the Landfill Gas Utilization Project; and

WHEREAS, the County of Steuben and Steuben Rural Electric Cooperative, Inc. both now desire to terminate the parties’ March of 2009 Landfill Gas Utilization Project Agreement; and
WHEREAS, after negotiations being had between the parties, the County of Steuben now desires to terminate the Agreement and purchase the project and personal property installed by Steuben Rural Electric Cooperative, Inc. for the same.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature approves the termination of the 2009 Landfill Gas Utilization Project Agreement with Steuben Rural Electric Cooperative, Inc.; and be it further

RESOLVED, the Steuben County Legislature approves the purchase of the gas to energy project and equipment, including the building installed by Steuben Rural Electric Cooperative, Inc., at the agreed-to-price of TWO MILLION THREE HUNDRED FIFTY THOUSAND and 00/100 ($2,350,000.00); and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to appropriate said amount from the Enterprise Fund Balance; and be it further

RESOLVED, the within termination of the Agreement and purchase are subject to receipt of a Resolution authorizing the same from Steuben Rural Electric Cooperative, Inc.’s Board of Directors and approval of a written agreement by the County Attorney for the terms and conditions of the termination and purchase consistent with the terms of this resolution; and be it further

RESOLVED, a certified copy of this Resolution shall be forwarded to Steuben Rural Electric Cooperative, Inc., Commissioner of Finance, Commissioner of Public Works, the County Manager and the County Attorney.

Secretary’s Note: Legislators Hauryski and Nichols recused themselves from discussion and abstained from voting as they are members of Steuben Rural Electric’s Board of Directors.

Vote: Roll Call – Adopted. Yes – 8110; Absent – 605; Abstained – 1157
(Absent – Legislator Lattimer; Abstained – Legislators Hauryski and Nichols)

RESOLUTION NO. 054-19

Introduced by J. Hauryski. Seconded by J. Malter.

AUTHORIZATION TO PURCHASE 0.65 ACRES OF LAND WITH AN EXISTING BUILDING LOCATED AT 29 E. STEUBEN STREET, VILLAGE OF BATH.

WHEREAS, there is an available parcel of land with an existing building available for purchase adjacent to the Steuben County Office Building; and

WHEREAS, in planning for the future, the County is desirous of purchasing the adjacent 29 E. Steuben Street, Bath real property; and

WHEREAS, the owners of 29 E. Steuben Street property, Mark E. Foster and David M. Fusco, have agreed to sell said parcel to the County of Steuben for $70,000.00 total; and

WHEREAS, adequate funding exists in the Office Space Utilization Capital Project (HB030 HB0301); and

WHEREAS, this purchase amount is within the guidelines set by the Ad-Hoc Office Space Committee.

NOW THEREFORE, BE IT
RESOLVED, the Commissioner of Finance is hereby authorized to appropriate $70,000 from the Office Space Utilization Capital Project (HB030 HB0301) for this purchase; and be it further

RESOLVED, the County Manager is authorized and directed to execute all contracts and agreements for purchase said parcel of land; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, Commissioner of Finance, County Auditor, Real Property Tax Director and the Risk Manager.

Vote: Roll Call – Adopted. Yes – 8219; No – 451; Absent – 605; Abstained – 597
(No – Legislator Weaver; Absent – Legislator Lattimer; Abstained – Legislator Mullen as he owns the adjoining building)

Motion to Adjourn made by Mr. Roush, seconded by Mr. Ryan and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 25th day of March, 2019 at 10:00 a.m. and was called to order by the Vice Chairwoman of the Legislature, Carol A. Ferratella.

Roll Call and all members present except Legislators Haureyksi and Hanna.

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

Vice Chairwoman Ferratella asked Lisa Adams to come forward. Ms. Adams is an employee in the Department of Social Services. She presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Vice Chairwoman Ferratella asked Janice Schuck to come forward. Ms. Schuck is an employee in the Department of Social Services. She presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Vice Chairwoman Ferratella asked Tracy Phillips from the Department of Motor Vehicles to come forward. She presented her with a Certificate of Appreciation and a clock in recognition of her retirement with 30 years of service to Steuben County.

Vice Chairwoman Ferratella opened the floor for opportunity for public comments.

Doug Mitchell, Addison, introduced himself as the Chairman of the Steuben County Chapter of SCOPE. On behalf of the 1,319 petitioners, we thank you for considering the resolution on this morning’s agenda memorializing the continued support of the Second Amendment.

Vice Chairwoman Ferratella declared the opportunity for public comment closed.


Motion adopting the minutes of the previous meeting(s) made by Mr. Swackhamer, seconded by Ms. Fitzpatrick and duly carried.

Ms. Mori reminded the Legislators that the Youth In Government interns will be attending the April Legislative meeting. She also reminded everyone that the Steuben County Land Bank Corporation meeting will be at 11:00 a.m. this morning and also the Elections demonstration will be occurring immediately following today’s meeting at the new Office Annex Building.
RESOLUTION NO. 055-19

Introduced by S. Van Etten.                         Seconded by F. Potter.

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

RESOLVED, the Steuben County Commissioner of Finance is authorized and directed to withdraw the property 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 the unpaid taxes against the property set forth in Schedule “B”, pursuant to Real Property Tax Law §558, as approved by the Steuben County Finance Committee on July 10, 2018 and March 12, 2019; 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, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District; 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>Daniel Riesen</td>
<td>098.00-01-043.110</td>
<td>Town of Avoca</td>
<td>2019 Parcel Split</td>
</tr>
<tr>
<td>A-2</td>
<td>William Pfitzenmaier</td>
<td>154.00-01-008.111</td>
<td>Town of Howard</td>
<td>2019 Parcel Split</td>
</tr>
<tr>
<td>A-3</td>
<td>Randolph Weaver</td>
<td>144.18-01-001.110</td>
<td>Village of Bath</td>
<td>2019 Parcel Split</td>
</tr>
<tr>
<td>A-4</td>
<td>Richard C. &amp; Shirley I. Tostanoski (William A. Lyons)</td>
<td>279.00-01-016.100</td>
<td>Town of Erwin</td>
<td>2019 Parcel Split</td>
</tr>
<tr>
<td>A-5</td>
<td>Andrew &amp; Linda Templin</td>
<td>173.00-01-005.120</td>
<td>Town of Bath</td>
<td>2019 Parcel Split</td>
</tr>
<tr>
<td>A-6</td>
<td>Richard D. &amp; Pamela M. Webster</td>
<td>283.00-01-017.000</td>
<td>Town of Corning</td>
<td>2019 Correction of Error</td>
</tr>
</tbody>
</table>

Legislative Meeting  
Monday, March 25, 2019
Resolution No. A-7
Name Ann Schutt
Parcel No. 300.13-01-020.100
Municipality Town of Corning
Disposition 2019 Correction of Error

SCHEDULE "B"

Resolution No. B-1
Name Leon R. Babcock Sr.
Parcel No. 151.80-01-041.000
Municipality City of Hornell
Disposition Cancellation of Void Taxes: 2012 through 2017 Hornell City Taxes

Resolution No. B-2
Name Leon R. Babcock Sr.
Parcel No. 151.80-01-041.000
Municipality City of Hornell
Disposition Cancellation of Void Taxes: 2012 through 2017 City School Taxes

Mr. Weaver stated he will be abstaining as he is listed on the resolution.

Vote: Roll Call – Adopted. Yes – 8258; No – 0; Abstained – 451; Absent – 1163
(Abstained – Legislator Weaver; Absent – Legislators Hauryski and Hanna)

RESOLUTION NO. 056-19

Introduced by Mrs. Ferratella. Seconded by Mr. Roush.

RECEIVING AND ACCEPTING THE MARCH 25, 2019 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 21, 2019
NYS Department of Transportation – Re: Statewide Mass Transportation Operating Assistance (STOA) SFY 2018-2019 payment. Referred to: Amy Dlugos, Planning Director.


NYS Office of Children and Family Services – Re: OCFS Fatality Report #RO-18-026. Referred to: Joseph Hauryski, Legislature Chairman; and Jack Wheeler, County Manager.

February 25, 2019

Pandion Optimization Alliance – Re: Annual Disclosure Notice in compliance with the Medicare/Medicaid Fraud and Abuse Law. Referred to: Darlene Smith, Public Health Director; Kathy Muller; Commissioner of Social Services and Patrick Donnelly, Commissioner of Finance.

February 27, 2019
March 4, 2019
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $1,843, which represents the January 2019 surcharge revenue for Steuben County. Referred to: Finance and Administration Committees; and Patrick Donnelly, Commissioner of Finance.

March 11, 2019
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Corning Properties Inc. termination of tax agreement for property located at 238 E Parkway, Corning, NY (318.46-01-027.000). Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and County Attorney.

Vote: Acclamation – Adopted.

RESOLUTION NO. 057-19

Introduced by Mr. Schu. Seconded by Mr. Roush.


WHEREAS, Local Law No. One of 1967 provides for the continuity of government of the County of Steuben, New York, in the event of an attack or public disaster in accordance with the New York State Defense Emergency Act of 1951, and addresses the continuity of government as it pertains to temporary succession of public offices headed by both elected officers and appointive officers; and

WHEREAS, Local Law No. Six of 1999, as amended by Local Law No. 9 of 2007, provides for the continuity of county and its chief executive in the event of absence, disability or vacancy in office pursuant to New York State Executive Law §27, in the event of a natural or man-made disaster causing an emergency; and

WHEREAS, Local Law No. Six of 1999, as amended by Local Law No. 9 of 2007, lists the chief executive of the County as the Chairman of the Legislature; and

WHEREAS, Local Law No. Three of 2013, establishing the Steuben County Charter, lists the chief executive officer as the County Manager; and

WHEREAS, it is preferable to codify the two existing local laws into one comprehensive local law, and repeal the two existing local laws, thereby clarifying the continuity of county government as it pertains to succession of all public offices, including the chief executive officer.

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 2019, repealing Local Law No. One of 1967 and Local Law No. Six of 1999, as amended by Local Law No. Nine of 2007, Providing for the Continuity of Steuben County Government in the event of disaster or emergency.

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

**SECTION 1. INTENT.** The New York State Defense Emergency Act, in section 29-a thereof, authorizes political subdivisions of the state to provide for the continuity of their governments in the event of an actual or imminent attack upon the United States by an enemy or foreign nation. The Executive Law, in section 27 thereof, authorizes political subdivisions to provide for the continuity of the county and its Chief Executive in the event of absence, disability or vacancy in office in the event of a natural or man-made disaster causing an emergency. Based on the authority contained in such laws this local law is adopted so that on such occasions the government of the County of Steuben, New York, may continue to function properly and efficiently under emergency circumstances.

**SECTION 2. DEFINITIONS.** As used in this local law, the following terms shall mean and include:

e. “Attack.” Any attack, actual or imminent, or series of attacks by an enemy or foreign nation upon the United States causing or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of explosives, bombs, shell fire, or nuclear, radiological, chemical, bacteriological or biological means or other weapons or processes.

f. “Public disaster.” A disaster, catastrophe or emergency, actual or imminent, whether natural or man-made, of such unusual proportions or extent that (1) a substantial number of the residents of the County either sustain injury, become ill, are infected with disease, have their lives imperiled, are killed or die as a result of injury, disease or exposure, or the property of a substantial number of such residents is imperiled, damaged or destroyed and (2) it is necessary and essential in the interest of public safety, health and welfare that the continuity of the government of the County of Steuben be assured in order that it be enabled to function properly and efficiently and to exercise its essential powers in meeting emergency conditions. Such disasters, catastrophes and emergencies may include, but shall not be limited to, conflagrations, explosions, earthquakes or other convulsions of nature, floods, tidal waves, pestilence, riots, insurrections, storms, prolonged failure of electric power or essential transportation services, or any incident or occurrence which causes or threatens to cause danger to life, health or property from exposure to noxious materials or radiation.

g. “Duly authorized deputy.” A person authorized to perform all the powers and duties of a public office in the event the office is vacant or at such times as it lacks administration due to the death, absence or disability of the incumbent officer, where such authorization is provided pursuant to the provisions of any general, special, or local law other than this local law.

h. “Emergency interim successor.” A person designated pursuant to this local law for possible temporary succession to the powers and duties, but not the office, of a County Officer in the event that neither such officer nor any duly authorized deputy is able, due to death, absence from the county or other physical, mental or legal reasons, to perform the powers and duties of the office.

**SECTION 3. ORDER OF SUCCESSION.** In the event of the absence, disability, or vacancy in the office of the County Manager, the order of succession as Chief Executive Officer of the County of Steuben for purposes of public disaster or attack causing emergencies is as follows:

g. The County Manager.

h. The Deputy County Manager.
i. The Chairman, or the immediate former Chairman of the Legislature following midnight of December 31 in an election year until such time as a Chairman is elected, if said former Chairman is elected to office as a County Legislator.

j. The Vice Chairman in the event of an absence or disability of the Chairman, or the immediate former Vice Chairman who is elected to office, if no former Chairman is in office.

k. The Director of Emergency Management.

l. The Deputy Director of Emergency Management.

SECTION 4. DESIGNATION, STATUS, QUALIFICATIONS AND TERMS OF DESIGNATION OF EMERGENCY INTERIM SUCCESSORS.

g. Elective Officers. Within thirty days following the effective date of this local law, and thereafter within thirty days after first entering upon the duties of office, each elective officer shall, in addition to any duly authorized deputy, designate such number of emergency interim successors to the powers and duties of the office and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies or emergency interim successors, or combination thereof, to perform the powers and duties of the office.

h. Appointive Officers. Each officer or body of officers empowered by law to appoint officers shall, within the time specified in subdivision a of this section, in addition to any duly authorized deputy, designate for each such appointive officer, such number of emergency interim successors to such officers and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies or emergency interim successors, or combination thereof, for each such officer. Where such a body of officers consists of members having overlapping terms, such body of officers shall review and, as necessary, revise the previous designations of emergency interim successors by such board within thirty days after a new member is elected or appointed to such body of officers and first enters upon the duties of the office as a member of such body of officers.

i. Review of Designations. The incumbent in the case of those elective officers specified in subdivision a of this section, and the appointing officer of body of officers specified in subdivision b of this section shall, from time to time, review and, as necessary, promptly revise the designations of emergency interim successors to insure that at all times there are at least three duly authorized deputies or emergency interim successors, or combination thereof, for each elective and appointive officer of the county.

j. Qualifications. No person shall be designated to, nor serve as, an emergency interim successor unless he is legally qualified to hold the office of the person to whose powers and duties he is designated to succeed.

k. Status of emergency interim successor. A person designated as an emergency interim successor shall hold that designation at the pleasure of the designator and such a designation shall remain effective until replaced by another by the authorized designator.

l. Compensation. An emergency interim successor shall serve without salary, unless otherwise provided by local law. He/she shall, however, be entitled to reimbursement for actual expenses necessarily incurred in the performance of his/her powers and duties.

SECTION 5. ASSUMPTION OF POWERS AND DUTIES OF OFFICE BY EMERGENCY INTERIM SUCCESSOR. If, in the event of an attack or public disaster, an officer described in subdivision a or subdivision b of section four of this local law or the duly authorized deputy, if any, is unable, due to death, absence from the county, or other physical, mental, or legal reasons, to perform the powers and duties of the office, the emergency interim successor of such officer highest in rank in order of succession who is able to perform the powers and duties of the office shall,
except for the power and duty to discharge or replace duly authorized deputies and emergency interim successors of such officer, perform the powers and duties of such officer. An emergency interim successor shall perform such powers and duties only until such time as the lawful incumbent officer or his duly authorized deputy, if any, resumes the office or undertakes the performance of the powers and duties of the office, as the case may be, or until, where an actual vacancy exists, a successor is duly elected or appointed to fill such vacancy and qualifies as provided by law.

SECTION 6. SURVIVAL OF SUBORDINATE OFFICER’S SERVICE. The removal of a disability, absence or vacancy of an officer higher on the list or order of succession as provided to an office shall not terminate the service in such office of an individual lower on such list or order of succession who is temporarily filling such office.

SECTION 7. RECORDING AND PUBLICATION OF DESIGNATIONS.

c. The name, address, phone number and rank in order of succession of each duly authorized deputy and emergency interim successor shall be provided to the Clerk of the Legislature and the Director of Emergency Management for use upon declaration of an emergency.

d. The name and rank in order of succession of each duly authorized deputy and emergency interim successor shall be filed with the County Clerk and each designation, replacement or change in order of succession of any emergency interim successor shall become effective when the designator files with such clerk the successor’s name, address and rank in order of succession. Such clerk shall keep an up-to-date file of all such data regarding duly authorized deputies and emergency interim successors and the same shall be open to public inspection. The clerk shall notify in writing each designated person of the filing of his/her name as an emergency interim successor and his/her rank in order of succession and also shall notify in writing any person previously designated who is replaced, or whose place in order of succession has changed.

SECTION 8. QUALIFICATION FOR TAKING OFFICE. At the time of their designation, or as soon thereafter as possible, emergency interim successors shall take such oath and do such other things, if any, as may be required to qualify them to perform the powers and duties of the office to which they may succeed.

SECTION 9. QUORUM AND VOTE REQUIREMENTS. In the event of an attack or public disaster, the Chairman of the Legislature, or the duly authorized Vice Chairman or emergency interim successor performing the powers and duties of the Chairman, may suspend quorum requirements for the Steuben County Legislature. If quorum requirements are suspended, any local law, ordinance, resolution or other action requiring enactment, adoption or approval by an affirmative vote of a specified proportion of members may be enacted, adopted or approved by the affirmative vote of the specified proportion of those voting thereon.

SECTION 10. SEPARABILITY CLAUSE. If any section, subdivision, sentence, clause, phrase or portion of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the section, subdivision, sentence, clause, phrase or portion thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 11. EFFECTIVE DATE. This local law shall be effective immediately.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on March 25, 2019 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 and Corning and the DMV office in 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 No. One for the Year 2019, 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, Clerk of the Legislature, Director of Emergency Management and the County Clerk.

Mr. Swackhamer asked is this taking any powers or duties away from the Legislature, or just cleaning it up? Mr. Wheeler stated this is just cleaning the language up from when we had a County Administrator, to now being a County Charter.

Vote: Roll Call – Adopted.

RESOLUTION NO. 058-19

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

RETURNING THE WILSON HOLLOW ROAD BOX CULVERT (BIN 3371440) TO THE TOWN OF HORNBY FOR ALL FUTURE MAINTENANCE OF THE STRUCTURE AND APPROACHES.

Pursuant to Section 234 of the Town Highway Law of the State of New York.

WHEREAS, the Town of Hornby passed a resolution on March 13, 2017 requesting that Steuben County take over Partial Maintenance of the Wilson Hollow Road bridge that had a span of approximately thirty-one (31) feet; and

WHEREAS, the Steuben County Legislature approved, by resolution, taking over the Wilson Hollow Road bridge in the Town of Hornby for Partial Maintenance; and

WHEREAS, the Commissioner of Public Works subsequently replaced the Wilson Hollow Road bridge in September of 2018 with a box culvert with a span of approximately twenty-four (24) feet; and

WHEREAS, the Town of Hornby passed a resolution on February 11, 2019 agreeing to take back all responsibility of the ownership and future maintenance of the Wilson Hollow Road box culvert from Steuben County.

NOW, THEREFORE BE IT

RESOLVED, the Steuben County Legislature does hereby approve of returning the Wilson Hollow Road box culvert to the Town of Hornby for all future maintenance of the structure and approaches; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Regional Director of the New York State Department of Transportation, 107 Broadway, Hornell, NY 14843, the Town Clerk of the Town of Hornby, 4830 Hornby Road, Beaver Dams, NY 14812, and the County Commissioner of Public Works.

Vote: Roll Call – Adopted.
RESOLUTION NO. 059-19

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

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH TOWN OF HORNELLSVILLE.

WHEREAS, the Steuben County Solid Waste Division desires to purchase a tractor with a boom mower for maintenance of County Landfill properties; and

WHEREAS, a tractor with boom mower is on the 2019 major equipment list; and

WHEREAS, the Town of Hornellsville owns a surplus 2017 Kubota Tractor with a Boom Mower; and

WHEREAS, the Town of Hornellsville desires to sell the above mentioned for $120,000 to the County; and

WHEREAS, the Commissioner of Public Works recommends an Inter-Municipal Agreement for the purchase of the 2017 Kubota Tractor with a Boom Mower from the Town of Hornellsville.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works is authorized to sign an Inter-Municipal Agreement with the Town of Hornellsville for the purchase of the 2017 Kubota Tractor with a Boom Mower for $120,000; and be it further

RESOLVED, that said Agreement is subject to the approval of the County Law Department; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 060-19


AUTHORIZING THE ACCEPTANCE OF THE FY17 STATEWIDE INTEROPERABLE COMMUNICATIONS FORMULA GRANT.

WHEREAS, Steuben County has a County-wide Communications System to support emergency response; and

WHEREAS, Steuben County emergency responders are dependent on the County-wide Communications System; and

WHEREAS, Steuben County has implemented a County-wide 911 system that makes use of this system for notification and operation of the county responders; and

WHEREAS, Steuben County has identified the need for additional capabilities within the system to address interoperable communications with all response agencies to address operational issues; and

WHEREAS, Steuben County has identified the need for funding to sustain and maintain our communications system for interoperability with all response agencies; and
WHEREAS, the New York State Department of Homeland Security and Emergency Services (DHSES) Office of Interoperable & Emergency Communications (OIEC) is responsible for the administration of the Statewide Interoperable Communications Grants; and

WHEREAS, the New York State DHSES has awarded Steuben County grant funds in the amount of $804,996 to facilitate the development, consolidation, improvement, sustainability and maintenance of public safety communications to support and enhance statewide interoperable communications for first responders.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to execute such documents or agreements with the New York State DHSES to accept funding in the amount of $804,996 for implementation of the Round 6 Statewide Interoperable Communications Formula Grant to support improved operations of public safety communications and interoperability; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to appropriate funding to a capital project entitled “Round 6 Interoperable Communications Grant” to the grant award amount of $804,996; and be it further

RESOLVED, the County Manager and Commissioner of Finance are hereby authorized to make all necessary budget adjustments and transfers to facilitate the acceptance of revenue and appropriations of funds; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 061-19

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

AUTHORIZING A TRANSFER FROM THE 2018 CONTINGENT FUND TO THE 2018 BUDGET FOR THE JUDGEMENTS AND CLAIMS COST CENTER.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the Steuben County 2018 budget for the Judgements and Claims cost center contains insufficient funds to cover expenditures; and

WHEREAS, the insufficient funds total $125,000; and

WHEREAS, the Finance Committee has approved a transfer of $125,000 from the Contingent Fund to the Judgements and Claims account to cover the 2018 expenditures.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to adjust the following accounts in the 2018 budget:

EXPENSE ACCOUNTS:
Account 199000 5-499-000 Contingent - ($125,000.00)
Account 193000 5-410-500 Judgements & Claims - $125,000.00
AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance.

**Vote:** Roll Call – Adopted. Yes – 8116; No – 593; Abstained – 0; Absent – 1163
(No – Legislator Ryan; Absent – Legislators Haursky and Hanna)

RESOLUTION NO. 062-19

Introduced by J. Malter and B. Schu. Seconded by S. Maio.

AUTHORIZING THE RECLASSIFICATION OF ONE PART-TIME CONFLICT DEFENDER TO ONE FULL-TIME CONFLICT DEFENDER.

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

WHEREAS, there is a need to reclassify one Conflict Defender (PT) position within the County Manager’s Office to a Conflict Defender (FT) Position; and

WHEREAS, the Public Safety and Corrections Committee and Administration Committee have approved reclassification of the position listed below.

NOW THEREFORE, BE IT

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

FROM: One (1) Conflict Defender (PT), Management Grade E ($36,388)

TO: One (1) Conflict Defender (FT), Management Grade E ($52,677 – $68,104)

AND BE IT FURTHER RESOLVED, the 2019 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, Conflict Defender and the County Manager.

**Vote:** Roll Call – Adopted. Yes – 7214; No – 1495; Abstained – 0; Absent – 1163
(No – Legislators Ryan, Swackhamer and Weaver; Absent – Legislators Haursky and Hanna)

RESOLUTION NO. 063-19

Introduced by Mr. Malter and Mr. Schu. Seconded by R. Nichols.

AUTHORIZING THE TRANSFER AND RECLASSIFICATION OF ONE ZERO-BASED LANDFILL RECYCLING MANAGER POSITION, GRADE XIII, FROM THE DEPARTMENT OF PUBLIC WORKS, TO ONE RADIO TECHNICIAN POSITION, GRADE XII, WITHIN THE EMERGENCY MANAGEMENT OFFICE

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

WHEREAS, the Landfill Recycling Manager position in the Department of Public Works is vacant and zero-based; and

WHEREAS, there is a need for a Radio Technician position in the Emergency Management Office; and
WHEREAS, the Personnel Officer, the Public Safety Committee, and Administration Committee have reviewed the needed position and funding for said position, within the Emergency Management Office, and have approved the recommended transfer.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position is hereby reclassified, transferred, and funded as follows:

FROM: Department of Public Works - One (1) Zero Based Landfill Recycling Manager, Position # 2395-01, Grade XIII ($38,005 – $53,653)

TO: Emergency Management Office - One (1) Radio Technician, Grade XII ($36,294 - $51,240)

AND BE IT FURTHER RESOLVED, that the 2019 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 Emergency Management Office.

Vote: Roll Call – Adopted.

RESOLUTION NO. 064-19

Introduced by R. Lattimer. Seconded by G. Roush.

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

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

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

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

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

NOW THEREFORE, BE IT

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

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

RESOLVED, that the 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 Planning Director, and to the Executive Director, Arbor Development, Inc., 26 Bridge St., Corning NY 14830.

Vote: Roll Call – Adopted.

RESOLUTION NO. 065-19

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

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A SALES TAX AGREEMENT WITH THE CITIES OF CORNING AND HORNELL FOR A FIVE-YEAR TERM.

WHEREAS, Section 1262(c) of the Tax Law authorizes the County to enter into an agreement with each of its Cities regarding the allocation of sales and compensating use tax revenue; and

WHEREAS, the County and the Cities of Corning and Hornell have negotiated a Sales Tax Allocation Agreement in the form attached to this resolution; and

WHEREAS, this agreement was tentatively approved by the Corning City Council and by the Hornell City Council; and tentative approval has been received from the Office of the State Comptroller.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is authorized to execute the attached Sales Tax Allocation Agreement with the Cities of Corning and Hornell to be effective March 1, 2020; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager; County Attorney; Commissioner of Finance; Mark Ryckman, Corning City Manager, 1 Nasser Civic Center Plaza, Corning, NY 14830; John Buckley, Mayor of Hornell, 82 Main Street, PO Box 627, Hornell, NY 14843; and Thomas P. DiNapoli, New York State Comptroller, 110 State Street, Albany, NY 12236.

AGREEMENT
SALES TAX ALLOCATION
COUNTY OF STEUBEN, CITY OF CORNING, and CITY OF HORNELL

THIS AGREEMENT made this day of ____________ by and between the COUNTY OF STEUBEN, with offices at the 3 East Pulteney Square, Bath, NY 14810, the CITY OF CORNING, with offices at 1 Nasser Civic Center Plaza, Corning, NY 14830, and the CITY OF HORNELL, with offices at 82 Main Street, Hornell, NY 14843.
WITNESSETH:

WHEREAS, Steuben County, the City of Corning, and the City of Hornell have hereto reached an agreement in principal regarding the allocation and distribution of sales and compensating use tax revenue in Steuben County; and

WHEREAS, Steuben County, the City of Corning, and the City of Hornell recognize that the interests of residents in each municipality would be best served if the revenue derived from sales and taxes were to be stabilized and distributed in an equitable manner; and

WHEREAS, the parties hereto wish to enter into an Agreement pursuant to Subdivision (c) of Section 1262 of the Tax Law of the State of New York.

NOW, THEREFORE, IT IS AGREED TO AS FOLLOWS:

FIRST: Steuben County shall, during the term of this Agreement, impose all of the sales and use taxes authorized by section 1210(i) of the Tax Law of the State of New York, at the rate of three percent (3%) and shall set aside, pay and allocate net collections from such taxes during such term as provided in this Agreement.

SECOND: This agreement shall not apply to Steuben County’s additional one percent (1%) rate of sales and use taxes and Steuben County will continue to apply net collections from such additional rate as required by Section 1262-H of the Tax Law of the State of New York, as amended.

THIRD: The City of Corning and the City of Hornell shall each repeal their sales and use taxes authorized by section 1210 of the Tax Law, effective March 1st, 2020, and they shall not reimpose any such taxes to take effect earlier than March 1, 2025.

FOURTH: Steuben County shall set aside or allocate and distribute net collections from its three percent (3%) rate of sales and use taxes as follows:

A. In each year of this agreement, Steuben County shall allocate and distribute the following amounts: to the City of Corning, $2,200,000; to the City of Hornell, $2,150,000; and to the Towns and Villages within the County, $11,100,000.

B. If the County’s net collections in any year are insufficient to cover the allocations described in paragraph B of this section, the allocations shall each be reduced on a pro rata basis.

C. If the County’s net collections in a year exceed the allocations described in paragraph B of this section, the County shall set aside for County purposes forty nine percent (49%) of such excess; and the County shall allocate eight percent (8%) of such excess to the City of Corning, seven percent (7%) to the City of Hornell, and thirty six percent (36%) to the Towns and Villages in the County.

D. A Town or Village’s share of the amounts that paragraph C of this section requires the County to allocate to the Towns and Villages in the County shall be determined on the basis of the ratio which the full valuation of real property in the Town or Village bears to the aggregate full valuation of real property in all of the Towns and Villages in the County.
E. For purposes of this section, the term “year” shall mean a twelve month period commencing March first and ending the last day of the following February.

FIFTH: The term of this Agreement shall be five years commencing March 1st, 2020, and ending February 29, 2025.

SIXTH: That on or before the first day of 2024, the Steuben County Manager, the Corning City Manager, and the Hornell City Mayor and/or their representatives will meet to develop recommendations for the Steuben County Legislature and each City Council whether or not to amend, modify, or extend this Agreement for an additional term.

The County Legislature and each City Council thereafter, and prior to June 1st, 2024, shall, by resolution, notify the other bodies that it intends, at the end of the term or any extension, thereof, to terminate, amend or modify this Agreement.

SEVENTH: Within the time frames set forth herein and the statutory notice requirements in Article 29 of the Tax Law, this Agreement may be modified, terminated, or otherwise amended in the event that both City Councils and the County Legislature, by formal resolution, mutually agree to do so. Neither party may do so unilaterally. Any such modification, termination, or amendment must be reduced to writing, executed by such officers of each body as they shall respectively designate and be approved by the Office of the State Comptroller as set forth above.

EIGHTH: Notwithstanding any contrary provision of this Agreement, if the County and Cities cannot agree by May 15, 2024, and receive approval of such agreement from the State Comptroller by such date, on terms either to extend this Agreement effective March 1, 2025, or to enter into a new agreement to take effect March 1, 2025, and if either City elects, or both Cities elect, to impose sales and use taxes authorized by section 1210 of the Tax Law to take effect March 1, 2025, the Steuben County Legislature hereby agrees to waive, and does waive, pursuant to Tax Law section 1223(b), the requirements of either City to provide notice to the County of the City’s imposition of taxes on transactions taxed by the County and of the postponement of the effective date of such taxes imposed by the City, so that such City’s taxes, can take effect March 1, 2025.

NINTH: This Agreement is subject to the approval of the State Comptroller of the State of New York as set forth in section 1262(c) of the Tax Law.

IN WITNESS WHEREOF, the undersigned have set their hands this day of ____________________.

COUNTY OF STEUBEN

CITY OF CORNING

CITY OF HORNELL

Title: Title: Title:

Mr. Mullen asked has this changed from the original agreement? Mr. Wheeler replied the original agreement had an incentive payment and that has been taken out, with the agreement of both of the cities.

Vote: Roll Call – Adopted.
RESOLUTION NO. 066-19

Introduced by J. Malter and B. Schu. Seconded by S. Maio.

AUTHORIZING THE COUNTY MANAGER TO SIGN THE CONTRACT FOR STATEWIDE EXPANSION OF HURRELL-HARRING REFORM.

WHEREAS, A.10360/S.7209-A, signed by Governor Andrew Cuomo on November 28, 2016, and the Hurrell-Harring, et al. v. State of New York settlement mandate indigent defense reform to ensure counsel at first appearance; the hiring of lawyers, investigators and support staff to ensure attorneys have the time and support necessary to vigorously represent defendants; the setting of caseload standards that will substantially limit the number of cases any lawyer can carry to ensure a better defense; requiring the State of New York to spend $4 million over the next two years to increase attorney communications with defendants, promote the use of investigators and experts, and improve the qualifications, training and supervision of lawyers representing indigent defendants; mandating the creation of eligibility standards for representation, allowing more New York residents to access public defense services; and strengthening the Office of Indigent Legal Services as a state-level oversight entity tasked with ensuring the constitutional provision of public defense services and committing New York to provide the office with the resources it needs to develop plans and implement and monitor reforms mandated by the settlement; and

WHEREAS, a Contract between Steuben County and the State of New York for “Statewide Expansion of Hurrell-Harring Reform” has been developed through the combined efforts of the Steuben County Public Defender; Steuben County Conflict Defender; Steuben County Assigned Counsel Program; Steuben County Attorney; representatives of the Steuben County Legislature, and the Steuben County Manager; and

WHEREAS such a contract will greatly enhance the ability of the County of Steuben to deliver quality legal services to the community.

NOW THEREFORE, BE IT

RESOLVED, that the Contract for Statewide Expansion of Hurrell-Harring Reform in its current proposed form is hereby approved and shall become effective upon execution by all parties; and it is further

RESOLVED, that the County Manager is authorized to execute the Contract for Statewide Expansion of Hurrell-Harring Reform on behalf of the County of Steuben; and it is further

RESOLVED, that a copy of this resolution shall be forwarded to the County Public Defender, County Conflict Defender, County Attorney, County Manager and Commissioner of Finance.

Vote: Roll Call – Adopted. Yes – 8116; No – 593; Abstained – 0; Absent – 1163
(No – Legislator Ryan; Absent – Legislators Hauryski and Hanna)

RESOLUTION NO. 067-19


AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS WITH THE NEW YORK ENVIRONMENTAL PROTECTION AND SPILL COMPENSATION FUND.

WHEREAS, Steuben County has four (4) current tax delinquent properties that tax foreclosure proceedings have been commenced against identified as follows:
1. Owner: Dragon Arch, Inc.  
Address: 7324 State Route 54, Bath, NY  
Tax Map #: 144.02-01-020.200

2. Owner: JMK 235, Inc.  
Address: 511 East High Street, Painted Post, NY  
Tax Map #: 299.14-01-028.000

3. Owner: Hornell Development Company LLC  
Address: 179 Seneca Street, Hornell, NY  
Tax Map #: 151.10-01-051.000

4. Owner: Mukhtar Ahmed  
Address: 10881 State Route 21S, Wayland, NY  
Tax Map #: 027.00.02-023.100

; and

WHEREAS, the New York Environmental Protection and Spill Compensation Fund (the "Fund") was created by Navigation Law § 179; and

WHEREAS, these four (4) properties have current liens held by the New York Environmental Protection and Spill Compensation Fund for cleanup of contaminants at the four Sites; and

WHEREAS, the Fund may continue to have costs for cleanup of contaminants at the four Sites; and

WHEREAS, pursuant to Navigation Law §180, the administrator of the Fund is authorized to settle claims on behalf of the Fund and to make additional expenditures for cleanup of any potentially petroleum contaminated sites; and

WHEREAS, any agreement between the Fund and the County would require the State of New York to perform all environmental contamination remediation at the Sites after the County acquires title to the Sites through tax foreclosure at a cost to be solely borne by the State of New York; and

WHEREAS, in order to facilitate redevelopment of the Site, the County desires to enter into an agreement with the Fund wherein the Fund would release its potential claims against the County, for past and future cleanup and removal costs incurred by the State, including interest thereon and applicable penalties prior to the County taking title to the Sites through tax foreclosure in consideration for fifty percent (50%) of any sale price at the foreclosure auction; and

WHEREAS, any release provided by the Fund to the County shall extend to the County’s successors or assigns with respect to each of the Sites, however, such release shall not extend, nor can it be transferred to any successors or assigns of the County at the Sites, if such successors in title are persons deemed legally responsible for the discharge of petroleum at the Sites, respectively.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature authorizes the Chairman to sign an agreement with the New York Environmental Protection and Spill Compensation Fund, and any other agreements necessary, for these tax delinquent properties in Steuben County, upon approval of the County Attorney; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Finance and the County Attorney.
Mr. Weaver stated he will be abstaining as he has a property that is contiguous to one of the properties listed on this resolution.

**Vote:** Roll Call – Adopted. Yes – 8258; No – 0; Abstained – 451; Absent – 1163
(Abstained – Legislator Weaver; Absent – Legislators Haurski and Hanna)

**RESOLUTION NO. 068-19**

Introduced by G. Swackhamer. Seconded by F. Potter.

**AUTHORIZING THE CONTRACTS FOR CONSTRUCTION SERVICES FOR THE CATON SHOP REPLACEMENT PROJECT.**

WHEREAS, Steuben County desires to secure contractors to build the Caton Highway Shop; and

WHEREAS, the Steuben County Purchasing Department received bids for construction services on February 7, 2019; and

WHEREAS, the Public Works Department and LaBella Associates reviewed the bids and made the recommendation to the Public Works Committee to award the contracts as noted:

1. General Construction - JS General Contracting, Inc., Osceola, PA - $496,500
4. Electrical – Bouille Electric, Inc., Elmira, NY - $98,260; and

WHEREAS, the Public Works Committee has determined that the Caton Shop Replacement capital project has sufficient funds and recommends the awards as noted.

**NOW THEREFORE, BE IT**

**RESOLVED,** that the Steuben County Legislature authorizes the award of the Caton Shop Construction Services as follows:

1. General Construction - JS General Contracting, Inc., Osceola, PA - $496,500
4. Electrical – Bouille Electric, Inc., Elmira, NY - $98,260; and be it further

**RESOLVED,** that construction services are to be paid with the Caton Shop Replacement capital project; and be it further

**RESOLVED,** that the County Manager is authorized and directed to execute the contracts as noted above; and be it further

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

**Vote:** Roll Call – Adopted.
RESOLUTION NO. 069-19


MEMORIALIZING CONTINUED SUPPORT OF THE SECOND AMENDMENT OF THE UNITED STATES CONSTITUTION.

WHEREAS, the right of the people to keep and bear arms is guaranteed to law abiding individuals under the Second Amendment of the United States Constitution; and

WHEREAS, the lawful ownership of firearms has been and continues to be a valued tradition in Steuben County; and

WHEREAS, the Steuben County Legislature opposes any legislative infringements on the Second Amendment and other constitutionally protected rights of its law abiding residents, such as, but not limited to, long-gun registration; social media and search engine history backgrounds and lack of procedural due process rights; and

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby goes on record reaffirming and memorializing its support for the Second Amendment of the United States Constitution Which states: "A well-regulated militia, being necessary to the security for a free state, the right of the people to keep and bear arms, shall not be infringed."; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Thomas M. O’Mara, New York State Senator, 406 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 320 Legislative Office Building, Albany, NY 12248; Honorable Marjorie Byrnes, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, 525 Legislative Office Building, Albany, NY 12248; Honorable Andrea Stewart-Cousins, NYS Senate Majority Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable Carl Heastie, Assembly Speaker, 932 Legislative Office Building, Albany, NY 12248; Rochelle Stein, President, Inter-County Association of Western New York, c/o Genesee County Legislature, 7 Main Street, Batavia, NY 14020; and New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207.

Mrs. Lando asked why are we doing this again? Mr. Ryan stated laws are being forced down our throats from Albany. Those laws coming down to us are violating our constitutional rights. This is just sending a message.

Mrs. Lando stated she looked at the minutes and didn’t see any discussion on this last month. Mr. Maio stated there was some discussion about it and he moved to amend the resolution as proposed and it was approved. Mr. Wheeler stated this resolution reflects the change that was made. The discussion was that a memorializing resolution is a way to get your voice on record. Mr. Maio commented the wording of the resolution is such that he can support. Does he think it is effective, no. Mr. Ryan stated this is just to let the State know that we will not be stepped on.

Vote: Acclamation – Adopted. (Mrs. Lando was opposed)

RESOLUTION NO. 070-19

Introduced by B. Schu.                Seconded by F. Potter.

MEMORIALIZING THE GOVERNOR AND STATE LEGISLATURE IN OPPOSITION TO THE PROPOSED AND AMENDED 2020 EXECUTIVE STATE BUDGET IMPACTING AIM FUNDING.
WHEREAS, on February 15, 2019, Governor Cuomo announced a 30-Day Amendment to the 2020 Executive Budget making impacted Towns and Villages whole from changes to Aid and Incentives for Municipalities (AIM) funding by utilizing revenue from county sales tax; and

WHEREAS, instead of restoring AIM with State funding and signifying a desire by the State to act as partners with local governments, this budget amendment requires Counties to make up for lost AIM funding with sales tax revenue, imposing a new mandate on Counties; and

WHEREAS, already-existing unfunded State mandates are the cause of high local taxes in New York State; and

WHEREAS, Counties were granted the authority to levy a local sales tax in the late 1960s to help pay for Medicaid, indigent legal defense services, and other state mandates on counties; and

WHEREAS, requiring Counties to make up for the State's cut in AIM funding to Towns and Villages sets an unsustainable precedent and unnecessarily shifts the State's burden to local taxpayers who already pay some of the highest property taxes in the nation; and

WHEREAS, currently nine state mandated programs placed on counties equals more than 90 percent of the typical County property tax levy, and these mandated costs continue to grow; and

WHEREAS, cutting AIM funding in the first place is a tax-shift from broad-based State income taxes to regressive local property taxes; and

WHEREAS, replacing what had been State AIM assistance with funding from County revenues is simply a tax-shift that will ultimately result in higher property taxes; and

WHEREAS, the projected cost to Steuben County for this proposed mandate is $247,619.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature opposes the Governor’s proposal to utilize County sales tax to make Towns and Villages whole for cuts to AIM funding; and be it further

RESOLVED, that this Legislature supports the full restoration of AIM funding and urges the Governor and State Legislature to fully restore this State funding in the final 2019/2020 state budget; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Thomas M. O’Mara, New York State Senator, 406 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 320 Legislative Office Building, Albany, NY 12248; Honorable Marjorie Byrnes, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, 525 Legislative Office Building, Albany, NY 12248; Honorable Andrea Stewart-Cousins, NYS Senate Majority Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable Carl Heastie, Assembly Speaker, 932 Legislative Office Building, Albany, NY 12248; Rochelle Stein, President, Inter-County Association of Western New York, c/o Genesee County Legislature, 7 Main Street, Batavia, NY 14020; and New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207.

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 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. Potter, seconded by Mr. Malter and duly carried.

Legislative Meeting
Monday, March 25, 2019
Motion to adjourn Executive Session and reconvene in Regular Session made by Mr. Maio, seconded by Mrs. Lando and duly carried.

Motion authorizing the settlement of a claim in the amount of $110,000 made by Mr. Swackhamer, seconded by Mr. Van Etten and duly carried.

Motion to Adjourn made by Mrs. Lando, seconded by Ms. Lattimer and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 22nd day of April, 2019 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislator Hanna.

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

Chairman Hauryski asked Calvin Willis to come forward. Mr. Willis is an employee in the Public Works Department. He presented him with a Certificate of Appreciation and Clock in recognition of his retirement with 35 years of service.

Mr. Gallagher introduced the students participating in the spring session of the Youth In Government Program.

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

Wayne Wells, Cameron, provided his opinion regarding President Trump and the challenges our nation faces.

Chairman Hauryski declared the opportunity for public comment closed.

Ms. Muller stated once again it is my pleasure to represent the County’s task force, Prevent Child Abuse Steuben, in its annual recognition of child abuse prevention. The task force is operating in its 25th year in promoting the prevention of child abuse through awareness and educational campaigns. I think the most notable activity you will see countywide is the Pinwheel and Promises Campaign. As you might have noticed outside of various schools, businesses and personal homes, there are pinwheels planted in the ground. The pinwheel is a symbol to identify and promote awareness of child abuse and child abuse prevention; and I have noticed with all the wind we have been experiencing this month these pinwheels are really in motion, much like the task force.

The beginning of April kicked off the pinwheel campaign. I’d like to thank Carol Ferratella, Vice Chair, for representing this Legislature by presenting the proclamation naming April as Child Abuse Prevention Month. Further thanks to Hilda Lando and Robin Lattimer for attending the kick off and of course, thank you to this Board and our County Manager, Jack Wheeler, for your continued support of the prevention activities and services across county departments and community agencies.

Finally, last but certainly not least, many thanks go out to Bill Caudill who chairs the task force, and thanks to all of its members. Bill works very hard at ensuring not only the task force is operating at full speed, but also the other youth programs including the upcoming Tyrtle Beach jump this Friday.

As part of this national recognition, locally we recognize an individual, a program or an organization that has significantly contributed to the prevention of child abuse in Steuben County. This year we are recognizing Mike Morey from Hornell. Ms. Muller asked Mr. Morey to join her at the podium. She stated Mike Morey was nominated by Patty Kelly, a board member for Hornell Area Concern for Youth. Amongst the many nominations, the committee chose Mike as standing out amongst the rest.
Mike Morey makes a huge difference for many lives and many programs in the Hornell area, particularly for Hornell Area Concern for Youth. He began volunteering back in 2016. He serves as a chaperone on youth outings conducted by the agency including, but not limited to, frequent trips to Alfred University, the Garden of Fire in Corning, and to Strong Kids Safe Kids and Family Fling Events held throughout the year. He is frequent flyer. He served as a founding leader and advisor with Hornell Concern as they formed their venturing leadership program in partnership with Boy Scouts. He attends this group every Monday afternoon without fail. He is a community mentor working with ages 8 – 13 every Thursday evening of every week. Given his long history of mentoring, he now mentors other mentors including high school and college students to assist them in understanding their role as a mentor for younger students.

Mike is also a substitute teacher at BOCES where is actively involved with students both as a mentor and as a support during school and after-school activities. Mike serves on the Board of Directors for Hornell Area Concern for Youth. As a board member, he joined the quality assessment team monitoring all of the agency’s programs. This role took him to the schools to observe the agency’s “Educators Lead Prevention Curriculum”. This took numerous hours to both monitor and report out.

Mike also volunteers every Sunday with the free community suppers program, coordinated by various churches within Hornell. He engages with individuals and families to find out what needs they might have and then further facilitates services where he can. He has had a direct and strong impact on the mission and activities of Prevent Child Abuse Steuben.

Mike is described by Susan Hooker, the Director of Hornell Area Concern for Youth, as having a positive attitude. He is so kind and because of this kindness, the kids gravitate to him and he is such a good influence. Patty Kelly who submitted his nomination also describes Mike as positive. He is an outstanding role model who maintains an excellent rapport with all youth. The kids seek him out. He focuses on their individual needs, making each one feel special in their own way. He goes above and beyond with only respectful qualities that speak to his character, and therefore this nomination. He is truly an exceptional young man. Please join me in congratulating Mike Morey as this year’s recipient for the Child Abuse Prevention Award presented by Prevent Child Abuse Steuben.

Mr. Morey stated it is an honor to receive this award. He has been involved in this work for only five years and really appreciates this recognition early on what he is hopeful will be a long journey. He would like to recognize all of the people who have come across his path. He stated he would like to dedicate this award to Christian, a 9 year old that first got him started in this work and was his first teacher. He also thanked Susan Hooker, Paul Shephard and so many others as they are amazing people and have taught him so much. We are all working as a team and he wants to recognize the entire team and wants to dedicate this award not only to Christian, but to all of the kids. Thank you.

Motion adopting the minutes of the previous meeting(s) made by Mr. Ryan, seconded by Mrs. Lando and duly carried.

RESOLUTION NO. 071-19

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

RESOLVED, it being hereby determined that there is no practical method to enforce the collection of delinquent tax liens against the parcel contained in Schedule “B”, and it being further determined that there is no practical method to enforce the collection of tax liens arising hereafter against said parcel; the Steuben County Commissioner of Finance is authorized and directed to withdraw the property contained in Schedule “B” from tax foreclosure proceedings pursuant to Real Property Tax Law §1138 and to cancel the unpaid taxes against the property set forth in Schedule “B” pursuant to Real Property Tax Law §558; and is further authorized to issue forthwith a Certificate of Prospective Cancellation as approved by the Finance Committee on April 9, 2019. The Commissioner of Finance shall file a copy of the recited certificate with the assessor of the respective assessing unit in which said parcel is located and with the Director of Real Property Tax Services; and upon the filing as directed such parcel shall become and be exempt from further taxation, 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, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District; and certified copies of this resolution contained in Schedule “B” shall be forwarded to the Director of the Steuben County Real Property Tax Service Agency, the Steuben County Commissioner of Finance, and the Chairman of the Board of Assessors of the appropriate community.

### SCHEDULE "A"

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Parcel No.  316.11-03-006.000  
Municipality  Town of Erwin  
Disposition  2016 Court-Ordered Refund  

Resolution No.  A-12  
Name  101 Creekside Drive LLC / Three Rivers LLC  
Parcel No.  316.11-03-006.000  
Municipality  Town of Erwin  
Disposition  2017 Court-Ordered Refund  

Resolution No.  A-13  
Name  101 Creekside Drive LLC / Three Rivers LLC  
Parcel No.  316.11-03-006.000  
Municipality  Town of Erwin  
Disposition  2018 Court-Ordered Refund  

Resolution No.  A-14  
Name  101 Creekside Drive LLC / Three Rivers LLC  
Parcel No.  316.11-03-006.000  
Municipality  Town of Erwin  
Disposition  2019 Court-Ordered Refund  

SCHEDULE "B"

Resolution No.  B-1  
Name  Kevin H. Ludden  
Parcel No.  158.08-01-005.111  
Municipality  Village of Bath  

Vote:  Roll Call – Adopted. Yes – 8674; No – 0; Abstained – 597; Absent – 601  
(Absent – Legislator Hanna; Abstained – Legislator Mullen due to a client relationship)

RESOLUTION NO. 072-19

Introduced by J. Haurski.  
Seconded by G. Roush.

RECEIVING AND ACCEPTING THE APRIL 22, 2019 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 18, 2019
NYS Public Service Commission – Re: Notification of being in compliance with the Public Service Law effective March 14, 2019 for the Canisteo Wind Energy LLC (Case# 16-F-0205). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Department of Transportation – Re: Notification of grant approval for the Rural Areas Capital Master Grant Agreement (C004142MA) in the amount of $623,024. Referred to: Amy Dlugos, Planning Director.

Steuben County Hunger Coalition – Re: 2018 Annual Report. Referred to: Human Services/Health & Education Committee; Patty Baroody, OFA Director; and Kathryn Muller, Commissioner of Social Services.

March 20, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Notice of procedural telephone conference for the Canisteo Wind Energy LLC Project (Case# 16-F-0205) issued March 18, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.
NYS Board on Electric Generation Siting and the Environment – Re: Notice of continued evidentiary hearing for the Baron Winds, LLC project (Case# 15-F-0122) is scheduled for March 25, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

March 25, 2019
NYS Public Service Commission – Re: Ruling for the Eight Point Wind LLC (Case# 18-T-0202) issued March 22, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

March 26, 2019
Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and FHFCU HQ LLC and FHFCU LOT LLC Project for Tuesday, April 9, 2019 at 10:00am at the Corning City Hall, located at 500 Civic Center Plaza, Second Floor Council Chambers, Corning, New York. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

March 28, 2019
NYS Department of Environmental Conservation – Re: Public input requested for the Great Divide Unit Management Plan. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

EDF Renewables – Re: Public meeting on the Moraine Solar Energy Center Project is scheduled for Thursday, April 11, 2019 from 4:00pm-8:00pm at the American Legion Hall located at 83 Main Street, Canaseraga, NY. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

April 1, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Notice of informational forums and public statements hearings for the Canisteo Wind Energy LLC Project (Case# 16-F-0205) issued March 26, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Board on Electric Generation Siting and the Environment – Re: Notice of second procedural conference for the Canisteo Wind Energy LLC Project (Case# 16-F-0205) issued March 27, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Public Service Commission – Re: Ruling adopting protective order on the Eight Point Wind, LLC project issued March 29, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

City of Hornell Industrial Development Agency – Re: Notice of public hearing regarding the City of Hornell Industrial Development Agency and PG Rockland Silk Mill, LLC Project for Tuesday, April 11, 2019 at 10:00am at the offices of the City of Hornell Industrial Development Agency, located at 40 Main Street, Hornell, New York. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

April 3, 2019
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $1,922, which represents the February 2019 surcharge revenue for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

April 5, 2019
John Clifford, Director of Western Regional Off-Track Betting Corporation – Re: Letter of resignation effective May 30, 2019. Referred to: Filed with the Clerk of the Legislature, Brenda Mori.

Innogy – Re: CD format on the joint application permit for the Baron Winds Project. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.
Federal Aviation Administration – Re: Notification of an aeronautical study (SCN# 327263673–401649426) concerning the project located in Greenwood, NY. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

NYS Board on Electric Generation Siting and the Environment – Re: Ruling granting party status and awarding application-stage intervenor funding for the Canisteo Wind Energy LLC Project (Case# 16-F-0205) issued April 8, 2019. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

NYS Public Service Commission – Re: Notice of information forums and public statement hearings for the Canisteo Wind Energy LLC (Case# 16-F-0205) is scheduled for April 16, 2019 at the Canisteo Fire Hall located at 14 S. Main Street Canisteo, NY 14823. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

Young/Sommer LLC., Counselors at Law – Re: Notice of submission of joint permit application, including water quality certification for the Baron Winds LLC Project (Case#15-F-0122). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

**April 11, 2019**

NYS Board on Electric Generation Siting and the Environment – Re: Ruling on motion for the Baron Winds LLC Project (Case# 15-F-0122) issued April 8, 2019. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 073-19**


**AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A DONATION OF A K-9 FROM THE DEVIN SNYDER MEMORIAL FUND.**

**WHEREAS,** the Devin Snyder Memorial Fund has offered to provide all necessary funding for the purchase, training and additional living expenses for one (1) narcotics dog; and

**WHEREAS,** the estimated value of the K-9 and requisite training is $8,500 and approximately $1,000 annually for food and veterinary expenses; and

**WHEREAS,** the Devin Snyder Memorial Fund will provide funding on an annual basis for the life of the dog.

**NOW THEREFORE, BE IT**

**RESOLVED,** the Steuben County Sheriff be, and the same hereby is authorized to accept the donation of a narcotics dog valued at $8,500 and to accept an annual donation in the amount of $1,000 for food and veterinary expenses for the life of the dog; and be it further

**RESOLVED,** certified copies of this resolution shall be forwarded to the Steuben County Sheriff.

**Vote:** Roll Call – Adopted.
RESOLUTION NO. 074-19

AUTHORIZING THE ACCEPTANCE OF LIFESPAN’S ELDER ABUSE EDUCATION AND OUTREACH GRANT.

WHEREAS, Steuben County Office for the Aging has been awarded a $7,500 New York State Office for the Aging grant that will be administered through Lifespan of Greater Rochester, Inc.; and

WHEREAS, the purpose of the grant is to heighten awareness of elder abuse.

NOW THEREFORE, BE IT

RESOLVED, that the Director of Office for the Aging is authorized to sign the grant contract; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized and directed to accept the grant funds into revenue account 42705013 and appropriate the same to expenditure accounts within the Steuben County Office of Aging for the purpose of executing the aforementioned grant; 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. 075-19

AUTHORIZING A TIRE AMNESTY WEEK AND ESTABLISHING AN EVENT RECYCLE FEE.

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

WHEREAS, the Solid Waste Division (Division) provides an ongoing tire recycling program for the residents and businesses of Steuben County; and

WHEREAS, the established recycle fee for tires is $2.50 per passenger vehicle tire; and

WHEREAS, residents expressed concerns that there continues to be an abundance of abandoned tires on properties located within Steuben County; and

WHEREAS, a tire amnesty event would assist with the cleanup of abandoned tires; and

WHEREAS, the Public Works Committee recommends that the Division provide one (1) week each year for a week-long tire amnesty event at the landfill and transfer stations, appropriately named “Tire Dollar Days”; and

WHEREAS, “Tire Dollar Days” is for the recycling of passenger vehicle tires only; normal posted recycle fees apply to large commercial, construction and agricultural tires; and

WHEREAS, the Public Works Committee has established the recycle fee of $1.00 per tire for passenger vehicle tires delivered to the landfill and transfer stations.

NOW THEREFORE, BE IT
RESOLVED, the Steuben County Legislature does hereby authorize the Commissioner of Public Works to host “Tire Dollar Days” for one (1) week each year for the recycling of passenger vehicle tires at the landfill and transfer stations and has established a $1.00 per tire recycle fee for that one week only; and be it further

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

Vote: Roll Call – Adopted.

Mr. Weaver requested an Executive Session at the end of the meeting to discuss personnel relative to resolution number six on the agenda.

RESOLUTION NO. 076-18

Introduced by J. Malter. Seconded by K. Fitzpatrick.

AUTHORIZING THE DIRECTOR OF EMERGENCY MANAGEMENT TO ENTER INTO AN INTERMUNICIPAL AGREEMENT BETWEEN STEUBEN COUNTY AND LIVINGSTON COUNTY FOR INTEROPERABLE COMMUNICATIONS.

WHEREAS, Livingston County Sheriff’s Department has implemented a new P25 Land Mobile Radio system, serving Public Safety agencies and jurisdictions within Livingston County; and

WHEREAS, Livingston County desires to implement methods for interoperability with all jurisdictions that neighbor the County including Steuben County; and

WHEREAS, in order to provide interoperability, Livingston County desires to provide interconnectivity with Steuben County through connecting of radio networks; and

WHEREAS, to implement this interoperability with Steuben County, Steuben County proposes to install control stations, programmed to operate on a Steuben County selected channel pair, from the Livingston County “County Line Road” tower site; and

WHEREAS, this Inter-Municipal Agreement will provide mutual benefit to Steuben County which has the desire to have access to the “County Line Road” tower site in order to fill voids in its current radio infrastructure; and

WHEREAS, all fees associated with the licensing will be incurred and paid by Steuben County.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature authorizes the County Director of Emergency Management to sign the Inter-municipal agreement upon approval of the same by the County Attorney; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to Timothy D. Marshall, Director of Steuben County Emergency Management; and Mr. David LeFeber, Livingston County Board of Supervisors Livingston County Government Center, 6 Court Street, Room 302, Geneseo, NY 14454.

Vote: Roll Call – Adopted.
RESOLUTION NO. 077-19


AUTHORIZING THE STEUBEN COUNTY LAW DEPARTMENT TO ENTER INTO A CONTRACT WITH HARTER SECREST AND EMERY.

WHEREAS, Steuben County is entitled to a disputed portion of funds as part of what is commonly known as the Universal Settlement; and

WHEREAS, there is a dispute between Steuben County and another entity regarding the amount of the funds that each is entitled to under the Universal Settlement; and

WHEREAS, it is in the best interest of Steuben County to resolve said dispute in a manner that brings it the most financial gain possible; and

WHEREAS, the County Attorney has received a proposal for retaining legal counsel regarding the aforementioned dispute wherein $50,000 is payable up front together with a 40% contingency with a total cap of $200,000.

NOW THEREFORE, BE IT

RESOLVED, that the County Attorney is authorized to enter into such retainer agreement with Harter Secrest and Emery for legal representation in relation to moneys payable under the Universal Settlement; and it is further

RESOLVED, that the Commissioner of Finance is authorized to pay said $50,000 from Judgements & Claims account 193000-5410500; and it is further

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

Mr. Potter asked what is this? Ms. Prossick replied this is relative to the Universal Settlement which was money that was awarded to the Health Care Facility. There is currently $800,000 in a trust account and we are entitled to a portion of that. We would like to enter into a contract with Harter Secrest and Emery to try to resolve this issue.

Mr. Weaver asked what is our share? Ms. Prossick replied we, along with another party, are trying to obtain the highest portion. Mr. Mullen asked does Centers for Specialty Care Group have any claim to this? Ms. Prossick stated they are the other interested party.

Mr. Van Etten asked were the funds received prior to or after the sale of the Health Care Facility? That is the argument of who would get the whole part. Mr. Wheeler explained this is all part of the Medicaid recoupment. The State is returning what the facility should have received over a period of time. Every facility, whether county-owned or not was entitled to receive a recoupment. We had a change of ownership and the question is who is entitled to what portion.

Mr. Maio asked is this the going rate for a case of this nature? A 40 percent contingency seems high. Ms. Prossick replied they said they would reduce their rate, but then other items increased. In comparison, it was to our benefit to do the 40 percent contingency. There is a cap of $200,000.
Mr. Mullen commented it seems like there is a lot of room to settle that with Centers. Mr. Wheeler replied we have had conversations with them over the last two years to no avail.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 078-19**

Introduced by R. Lattimer. Seconded by S. Maio.

**ADOPTING THE STEUBEN COUNTY COORDINATED PUBLIC TRANSIT – HUMAN SERVICES TRANSPORTATION PLAN 2019 UPDATE.**

WHEREAS, the Steuben County Coordinated Public Transit – Human Services Transportation Plan has been prepared to comply with the regulations of the Federal Transportation Administration (FTA); and

WHEREAS, FTA programs require projects to be derived from such a locally developed and coordinated plan; and

WHEREAS, the Plan guides the funding of specific projects funded by the FTA under said programs; and

WHEREAS, the goal of the Plan is to improve transportation services for persons with disabilities, elderly people, those with low incomes, youth, and all citizens of Steuben County; and

WHEREAS, it is in the County’s interest to serve our citizens efficiently, cost effectively, and with minimal duplication of services.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby approves the Steuben County Coordinated Public Transit – Human Services Transportation Plan 2019 Update; and be it further

RESOLVED, transportation agencies operating in Steuben County may seek funding from FTA programs for local coordinated transit projects that carry out the intent of the Plan; and be it further

RESOLVED, as stated in policy in the Steuben County Administrative Code, Steuben County operates its programs and services in accordance with Title VI of the Civil Rights Act of 1964, as amended, and 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 in Federal Transit Administration (FTA) Circular 4702.1.B.; and be it further

RESOLVED, a certified copy of this resolution shall be sent to the County Planning Director and Belinda Hoad, Steuben County Mobility Manager, at the Institute for Human Services, Inc., 50 Liberty Street, Bath NY 14810-1523.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 079-19**

Introduced by R. Lattimer. Seconded by R. Nichols.

**AUTHORIZING A PUBLIC HEARING ON LAND SUBMITTED FOR INCLUSION IN CERTIFIED AGRICULTURAL DISTRICTS DURING THE 2019 ANNUAL THIRTY-DAY PERIOD.**

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 February 15th to March 17th 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 20th day of May 2019, 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.

RESOLUTION NO. 080-19

Introduced by R. Lattimer. Secended by T. Ryan.

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 Legislature, upon the recommendation of the Agriculture, Industry and Planning Committee, has recommended that James McGlynn of Bath, New York, be appointed as the Pomona Grange Representative to the Soil and Water Conservation District Board of Directors.

NOW THEREFORE, BE IT

RESOLVED, that James McGlynn of 5217 Turnpike Road, Bath, New York, be appointed as the Pomona Grange Representative to the Soil and Water Conservation District Board of Directors for a three-year term commencing January 1, 2019 and ending December 31, 2021; and be it further

RESOLVED, said appointee shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his 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, New York 14810.

Vote: Acclamation – Adopted.
RESOLUTION NO. 081-19

Introduced by J. Hauryski. Seconded by R. Weaver.

APPOINTING STEUBEN COUNTY REPRESENTATIVES TO THE LAMOKA/WANETA LAKES COMMISSION.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, the counties of Steuben and Schuyler, and their respective affected townships, adopted resolutions creating the Lamoka/Waneta Lakes Protection and Rehabilitation District; and

WHEREAS, the management of said district is administered by the Lamoka/Waneta Lakes Commission comprised of seven (7) voting members and two (2) ex-officio non-voting members; and

WHEREAS, it is stipulated by Intergovernmental Agreement between Steuben and Schuyler County that five (5) voting members shall be from Schuyler County and two (2) voting members shall be from Steuben County, with each County being represented with an ex-officio non-voting member from the respective Soil and Water Conservation Districts; and

WHEREAS, all Commission members shall serve four-year staggered terms; and

WHEREAS, a vacancy has occurred.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Manager, recommends the appointment of the following individuals to the Lamoka/Waneta Lakes Commission for the term specified:

<table>
<thead>
<tr>
<th>Steuben County Property Owner in District</th>
<th>Steuben County Property Owner in District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephen Butchko <em>(filling unexpired term of Dennis Carlson)</em></td>
<td>Nancy Gabel</td>
</tr>
<tr>
<td>9772 Silsbee Road</td>
<td>9150 Carpenter Road</td>
</tr>
<tr>
<td>Wayne, NY 14840</td>
<td>Hammondsport, NY 14840</td>
</tr>
<tr>
<td><strong>Term:</strong> 01/01/17 – 12/31/20</td>
<td><strong>Term:</strong> 01/01/19 – 12/31/22</td>
</tr>
</tbody>
</table>

Ex-Officio Member

Jeffrey Parker, District Manager
Steuben County Soil and Water Conservation District
415 West Morris Street
Bath, NY 14810

AND BE IT FURTHER RESOLVED, said members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Lamoka/Waneta Lakes Commission; and be it further

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

Vote: Acclamation – Adopted.
RESOLUTION NO. 082-19

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

FILLING VACANCIES ON THE COMMUNITY SERVICES BOARD AND SUBCOMMITTEES.

WHEREAS, a vacancy exists on a Steuben County Community Services Subcommittee; 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:

Chemical Dependency Subcommittee
1. Colleen Banik (filling unexpired term of Norman McCumiskey)
   Steuben Prevention Coalition
   8 East Morris Street
   Bath, NY 14810
   TERM 01/01/17 – 12/31/20

RESOLVED, the Steuben County Legislature shall confirm the appointment of the aforesaid person to the Community Services Board Chemical Dependency Subcommittee for the term 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 Community Services Board Chemical Dependency Subcommittee; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 083-19

Introduced by R. Lattimer. Seconded by F. Potter.

OPPOSING THE GOVERNOR’S AND STATE LEGISLATURE’S PROPOSED FARMWORKERS FAIR LABOR PRACTICES ACT.

WHEREAS, the New York State Senate and Assembly are in the process of considering a bill entitled the Farmworkers Fair Labor Practices Act (S.2837/A.2750), which would extend collective bargaining rights to farm laborers, including overtime and unemployment insurance benefits; and

WHEREAS, opponents of the bill, including the New York Farm Bureau, estimate the impact to be over $300 million to farmers in the State, increasing labor costs by over 20%; and

WHEREAS, the regulatory climate of New York State already places a significant burden upon our agriculture sector, which remains one of the primary economic engines of Steuben County; and

WHEREAS, it is estimated that over the past five years, 20% of dairy farms in New York State have closed; and

WHEREAS, the proposed legislation would only further economically disadvantage farmers at a time they can least afford.
NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature opposes the Farmworkers Fair Labor Practices Act (S.2837/A.2750), and urges the Governor and New York State Legislature to reject its passage; and be it further

RESOLVED, that prior to any consideration of similar legislation, that the New York State Legislature hold regional public hearings to directly receive feedback from our local farmers; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Thomas M. O’Mara, New York State Senator, 406 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 320 Legislative Office Building, Albany, NY 12248; Honorable Marjorie Byrnes, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, 525 Legislative Office Building, Albany, NY 12248; Honorable Andrea Stewart-Cousins, NYS Senate Majority Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable Carl Heastie, Assembly Speaker, 932 Legislative Office Building, Albany, NY 12248; Rochelle Stein, President, Inter-County Association of Western New York, c/o Genesee County Legislature, 7 Main Street, Batavia, NY 14020; and New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207.

Mr. Nichols commented if the Governor and State Legislature pass this, it will eliminate many dairy farms in the State. This hurts others types of agriculture as well. Under this proposal, any time a farm worker works over eight hours in one day they will be paid overtime. This is devastating to agriculture. On rainy days, they may not work, but when it is sunny, workers may put in 14 – 16 hour days to make up for the time lost on rainy days. For what little they are paying agriculture today, this will be devastating. With the larger farms, you will see that they will probably go to using robots and they will no longer need the workers. Other farms will just end up going out of business or will only have family labor. This proposal is a real threat to New York State agriculture. This will be devastating to Steuben County and all agriculture within the State of New York. This is a very clear message to agriculture that New York is not the place to be. The State population is decreasing and if the State keeps doing things like this, the population will decrease even more. This is a very unfriendly business climate. At today’s prices, farms cannot afford to pay for this.

Chairman Hauryski commented that agriculture is the largest industry we have in the State. This proposal will also affect the fruit and vegetable growers. This is totally unfriendly to agriculture and will devastate New York agriculture. This is very unreasonable.

Mr. Mullen stated that he read an article that was sent out by the New York State Association of Counties (NYSAC). In short, the most recent agricultural census showed that New York lost 2,100 farms. There has been a 20 percent decline in the number of dairy farms since 2012. The USDA agricultural census is done every five years. For the period 2013 – 2017, the decline in the number of farms in New York was the largest in 20 years and was three times the national average. The net average income was $42,875 per farm, which is below the national average. Farms in New York are not in a position to take this.

Mr. Ryan stated this is on top of the already stifling regulations that are put on the farmers.

Mrs. Ferratella stated at last Friday’s InterCounty meeting, they also opposed this proposal. She has heard that even the farm workers are opposed to this.

Vote: Acclamation – Adopted. No – 451; Absent – 601
(No – Legislator Weaver; Absent – Legislator Hanna)
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 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 Mrs. Ferratella and duly carried.

Motion to adjourn Executive Session and reconvene in Regular Session made by Mr. Potter, seconded by Mr. Weaver and duly carried.

RESOLUTION NO. 084-19

Introduced by J. Malter and B. Schu. Seconded by T. Ryan.

AUTHORIZING THE RECLASSIFICATION OF A VACANT DEPUTY SHERIFF SERGEANT POSITION, GRADE XIII TO A SENIOR CRIMINAL INVESTIGATOR POSITION, GRADE XIV WITHIN THE SHERIFF’S OFFICE.

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

WHEREAS, this Deputy Sheriff Sergeant position in the Sheriff’s Office performs basic Law Enforcement work; and

WHEREAS, this Deputy Sheriff Sergeant position is vacant in the Sheriff’s Office; and

WHEREAS, a Senior Criminal Investigator position is more appropriate for the needs of the Sheriff’s Office; 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:

One (1) Deputy Sheriff Sergeant Position, Grade XIII ($66,586 annually) to
One (1) Senior Criminal Investigator Position, Grade XIV ($69,707 annually).

AND BE IT FURTHER RESOLVED, that the 2019 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 085-19

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

MATTER(S) PERTAINING TO THE SETTLEMENT OF CLAIM(S) BY OR AGAINST THE COUNTY.

Pursuant to Steuben County Charter Section 2.07(12) and Administrative Code Part IX (C) (2).

WHEREAS, a disciplinary matter was commenced against an employee in the Sheriff’s Office; and
WHEREAS, the parties are desirous of settling the matter and such settlement is determined to be in the best interests of the County; and

WHEREAS, it is determined that the matter is properly payable through the Judgments and Claims account to the extent such account is not subject to the provisions of General Municipal Law §6-n.

NOW THEREFORE, BE IT

RESOLVED, that the County does hereby approve and ratify the Stipulation of Settlement and General Release executed by the Sheriff on April 12, 2019 requiring the payment of $110,000.00 on the part of the County; and be it further

RESOLVED, that the Commissioner of Finance is authorized and directed to make a payment of $110,000.00 from Judgements and Claims account 193000-5410500.

AND BE IT FURTHER RESOLVED, that the Commissioner of Finance is authorized and directed to pay the sum of $110,000.00 to Clark Zimmerman, Attorney for the claimant; and be it further

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

Vote: Roll Call – Adopted.

Motion to adjourn made by Mr. Mullen, seconded by Mr. Potter and duly carried.
REGULAR MEETING  
Morning Session  
Monday, May 20, 2019  
Legislative Chambers

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 20th day of May, 2019 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 Maio and Nichols.

Mrs. Ferratella provided the Invocation and the Pledge of Allegiance was led by Mr. Van Etten.

Chairman Hauryski asked Sue Hopkins to come forward. Ms. Hopkins is an employee in the Information Technology Department. He presented her with a Certificate of Appreciation and a clock in recognition of her retirement with 44 years of service to Steuben County.

Chairman Hauryski 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 relative to land submitted for inclusion in certified agricultural districts 2 and 3 during the 2019 annual thirty-day review period. Chairman Hauryski opened the floor to comments by members of the public. There being none, he declared the public hearing closed.

Motion adopting the minutes of the previous meeting(s) made by Mr. Schu, seconded by Mr. Mullen and duly carried. Mr. Ryan stated he would like to recognize the following individuals for their service:

Joshua Woodward  
Hunter Erway  
Rachel Muller

RESOLUTION NO. 086-19

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

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, 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" Resolution No. A-1

<table>
<thead>
<tr>
<th>Name</th>
<th>Steven P. and Amy Graham</th>
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</thead>
<tbody>
<tr>
<td>Parcel No.</td>
<td>151.15-01-070.000</td>
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<tr>
<td>Municipality</td>
<td>City of Hornell</td>
</tr>
<tr>
<td>Disposition</td>
<td>2019-20 Correction of Assessment</td>
</tr>
</tbody>
</table>

Vote: Roll Call – Adopted.

RESOLUTION NO. 087-19

Introduced by J. Hauryks. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE MAY 20, 2019 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, 2019
Paul, Weiss, Rifkind, Wharton & Garrison LLP – Re: The amicus brief regarding the 2020 census. Referred to: Joseph Hauryks, Legislature Chairman; Jack Wheeler, County Manager; and Jennifer Prossick, Deputy County Attorney.

April 22, 2019
Southern Tier Central – Re: Thank you letter for Steuben County’s support at the 2019 Regional Leadership Conference. Referred to: Steuben County Legislature.

NYS Board on Electric Generation Siting and the Environment – Re: Ruling admitting testimony for the Baron Winds LLC Project (Case# 15-F-0122) issued April 19, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Board on Electric Generation Siting and the Environment – Re: Ruling adopting procedural schedule for the Canisteo Wind Energy LLC Project (Case# 16-F-0205) issued April 19, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Board on Electric Generation Siting and the Environment – Re: Ruling adopting protective order for the Canisteo Wind Energy LLC Project (Case# 16-F-0205) issued April 19, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and BD Realty Holdings LLC distribution of first amendment to the tax agreement and form RP-412-a for part of vacant land located on State Route 54, Bath, NY (144.00.02-009.114 f/k/a part of 144.00-02-009.112). Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, Deputy County Attorney.

April 26, 2019
Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and Strobels Supply Inc. (payment in lieu of tax) agreement and RP-412-a form for property located at 40 Shawmut Drive, Hornell, N.Y. (151.05-02-002.200). Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, Deputy County Attorney.
April 29, 2019
NYS Public Service Commission – Re: Ruling revising schedule for the Eight Point Wind LLC (Case# 18-T-0202) issued April 25, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Department of Environmental Conservation – Re: Notification of a public meeting for Thursday, May 9, 2019 to discuss the upcoming work in the study area and next steps for the NYSDEC Project ID# 851046, located in Corning, NY. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Corning Inc. – Re: Fact Sheet for NYSDEC Project ID#851046 located in Corning, NY. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

May 2, 2019
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,667, which represents the March 2019 surcharge payment for Steuben County. Referred to: Finance and Administration Committees; and Patrick Donnelly, Commissioner of Finance.

May 8, 2019
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and SWP Enterprises, LLC (f/k/a SWP Environmental LLC) termination of lease agreement and memorandum of lease agreement for property located at 11399 State Route 21 S, Wayland, NY. Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, Deputy County Attorney.

Vote: Acclamation – Adopted.

RESOLUTION NO. 088-19
Introduced by B. Schu and S. Van Etten. Seconded by F. Potter.

AUTHORIZING DISTRIBUTION OF SEMI-ANNUAL 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 October 2018 to the 31st day of March 2019, 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, 2019, 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, 2018, 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 $505,902.96.

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 2019

<table>
<thead>
<tr>
<th>Town &amp; Cities</th>
<th>Town/City AMT Due</th>
<th>Villages AMT Due</th>
<th>Total AMT Due</th>
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<td>Addison 3,575.58</td>
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<tr>
<td>21601 Bath</td>
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<tr>
<td>98345 Bradford</td>
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<td>54771 Cameron</td>
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RESOLUTION NO. 089-19

Introduced by J. Malter and B. Schu. Seconded by R. Lattimer.

AMENDING THE MANAGEMENT SALARY PLAN RELATIVE TO ONE (1) ASSISTANT DISTRICT ATTORNEY POSITION.

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

WHEREAS, in accordance with the Management Salary Plan, adjustments are anticipated from time to time; and

WHEREAS, duties and supervisory roles have increased for this position and a re-evaluation has been completed, which has been approved by the Public Safety and Correction Committee and Administration Committee; and

WHEREAS, the title and salary for one (1) Assistant District Attorney position was recommended to be changed.

NOW THEREFORE, BE IT

RESOLVED, the following change be and the same hereby is authorized and directed:

One (1) Assistant District Attorney position, Grade E ($52,677 - $83,531)) to One (1) Senior Assistant District Attorney position, Grade G ($63,659 - $98,687)

AND BE IT FURTHER RESOLVED, this resolution shall be effective immediately upon adoption; and be it further

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

Vote: Roll Call – Adopted. Yes – 8142; No – 593; Abstained – 0; Absent – 1137. (No – Legislator Ryan; Absent – Legislators Maio and Nichols)
RESOLUTION NO. 090-19


AMENDING THE MANAGEMENT SALARY PLAN RELATIVE TO THE NURSE PRACTITIONER WITHIN THE SHERIFF’S OFFICE.

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

WHEREAS, in accordance with the Management Salary Plan, adjustments are anticipated from time to time; and

WHEREAS, a re-evaluation has been completed and approved by the Public Safety and Corrections Committee and Administration Committee; and

WHEREAS, the salary grade of the Nurse Practitioner within the Sheriff’s Office was recommended to be changed.

NOW THEREFORE, BE IT

RESOLVED, the following change be and the same hereby is authorized and directed:

Nurse Practitioner Grade F ($57,877 - $89,711) to Grade G ($63,659 - $98,687)

AND BE IT FURTHER RESOLVED, this resolution shall be effective immediately upon adoption; and be it further

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

Vote: Roll Call – Adopted. Yes – 8142; No – 593; Abstained – 0; Absent – 1137
(No – Legislator Ryan; Absent – Legislators Maio and Nichols)

RESOLUTION NO. 091-19

Introduced by C. Ferratella. Seconded by H. Lando.

AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO ENTER INTO A LEASE AGREEMENT WITH ARNOT HEALTH.

WHEREAS, Arnot Health is the owner of certain premises located in the Town of Urbana, County of Steuben, State of New York, located at 7571 State Route 54, Bath, New York; and

WHEREAS, the Steuben County Department of Social Services has found these premises to be suitable for the Child Advocacy Center (CAC); and

WHEREAS, Arnot Health agrees to lease a portion of the premises at 7571 State Route 54, Bath, New York to Steuben County for the CAC.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Social Services is hereby authorized to enter into an agreement with Arnot Health subject to the following terms and conditions:
1. **TERM** - The term of this Lease shall be for a period of three (1) years beginning June 1, 2019 and ending May 31, 2022.

2. **BASE RENT** - During the entire term Base Rent shall be established at the current Fair Market rent currently $14/ square foot and remain at $1,232/month or $14,784 per year.

**AND BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be forwarded to Arnot Health at 7571 State Route 54, Bath, New York; and the Commissioner of Social Services.

Mr. Mullen asked how is this related to the mobile Child Advocacy Center (CAC)? Ms. Muller stated we will have both, but this pertains to the stationary site.

Ms. Fitzpatrick asked is this being paid for with the same funding as the mobile unit? Ms. Muller replied yes. Mr. Wheeler explained this gives us a number of years to evaluate while using State funds and then an opportunity for further discussion.

Mr. Ryan commented his constituents cannot see this working out in the country. Ms. Muller stated we will evaluate whether the mobile unit is effective. We have the opportunity to use the unit for three years. Mr. Van Etten commented with the concept of the mobile unit, we were the first county to receive it. Ms. Muller stated the mobile unit has been found to work well in other states with rural populations such as West Virginia. It will be interesting to see how effective it is. She thinks this will be advantageous for people in rural areas who do not have access to transportation.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 092-19**

Introduced by J. Malter.  
Seconded by C. Ferratella.

**AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH CORNING PROPERTY MANAGEMENT CORPORATION.**

WHEREAS, Corning Property Management Corporation is the owner of certain premises located in the City of Corning, County of Steuben, State of New York, located at the Baron Steuben Building, One West Market Street, Corning, New York; and

WHEREAS, the District Attorney has official need for use of said space; and

WHEREAS, the District Attorney desires to lease from Corning Property Management Corporation, and Corning Property Management Corporation desires to lease to the District Attorney.

**NOW THEREFORE, BE IT**

**RESOLVED,** the District Attorney is hereby authorized to enter into an agreement with Corning Property Management Corporation subject to the following terms and conditions:

1. **TERM** - The term of this Lease shall be for a period of five (5) years beginning July 18, 2019.

2. **RENT** - $1.

**AND BE IT FURTHER RESOLVED,** a certified copy of this resolution shall be forwarded to the District Attorney and Colleen M. Caravati, Director, Corporate Real Estate, One Riverfront Plaza, MP-HQ-01-E07, Corning, NY 14830.
RESOLUTION NO. 093-19

AUTHORIZING THE RISK MANAGER TO ENTER INTO INTER-MUNICIPAL AGREEMENTS WITH PARTICIPATING TOWNS AND VILLAGES TO UPDATE THE DRUG AND ALCOHOL PROGRAM.

WHEREAS, General Municipal Law §119-0 authorizes municipalities to enter into agreements covering a governmental function performed by both entities; and

WHEREAS, the County has implemented a Drug and Alcohol Testing Program for the purposes of complying with the requirements of Federal DOT and FMCSA Regulations for Drug and Alcohol Testing, pursuant to 49 CFR Parts 40 and 382; and

WHEREAS, the County has entered into an Agreement with an independent contractor for the purpose of providing controlled substance and alcohol testing services for the aforementioned regulations; and

WHEREAS, the Municipalities are desirous of availing themselves of the County’s aforesaid Agreement for purposes of joining the County Drug and Alcohol Testing Program for purposes of Federal compliance; and

WHEREAS, the respective governing bodies, by resolution, have determined it to be in the best interest of their respective Municipality and the public at large, to enter into this Inter-Municipal Agreement.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Risk Manager is authorized to sign an Inter-Municipal Agreement with the participating municipalities upon approval by the County Attorney; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 094-19

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.

WHEREAS, the Steuben County Legislature established a required annual period from February 15 to March 17 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 20th day of May, 2019 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

RESOLVED, the proposed action will not result in any significant adverse environmental impacts; and be it further

RESOLVED, that the following tax parcel shall be added to Agricultural District No. 2: 467600 078.00-01-002.120; and be it further

RESOLVED, that the following tax parcel shall be added to Agricultural District No. 3: 468000 075.00-01-021.000; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of the Steuben County Planning Department; 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. 095-19

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

RENEWING THE INTER-MUNICIPAL AGREEMENT BETWEEN BATH ELECTRIC GAS & WATER SYSTEMS AND STEUBEN COUNTY.

WHEREAS, Steuben County owns and operates a Leachate Pre-Treatment facility (the “Facility”) located in the Town of Bath designed and permitted for the pre-treatment of leachate derived from solid waste as defined in New York Environmental Conservation Law, Article 27, Title 7 6NYCRR Part 360; and

WHEREAS, the Bath Electric, Gas & Water Systems and their Municipal Utility Commission (BEGWS) has the necessary permits and the ability to provide the final treatment of the effluent from the Facility; and

WHEREAS, BEGWS has permitted and authorized the Facility to discharge treated leachate to the BEGWS treatment system through a force main pipeline owned and operated by the Facility; and

WHEREAS, both parties are desirous of renewing the IMA.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works or his designee is authorized to continue this arrangement and execute the BEGWS Utilization Agreement and Industrial User Permit through 12/31/2019 and pay the pertinent fees associated with the treatment of the Facility’s effluent; and be it further
RESOLVED, two (2) certified copies of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted. Yes – 8138; No – 0; Abstained – 597; Absent – 1137
(Abstained – Legislator Mullen as Bath Electric Gas & Water Systems is a client; Absent – Legislators Maio and Nichols)

RESOLUTION NO. 096-19

Introduced by G. Swackhamer. Seconded by R. Lattimer.

ACCEPTING MAINTENANCE JURISDICTION FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR APPROXIMATELY 0.79 ACRES OF LAND ADJACENT TO STATE ROUTE 415 IN THE TOWN OF BATH AND AUTHORIZING ABANDONING THIS 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 34,393 Square Feet (0.79 acres±) of land adjacent to State Route 415 in the Town of Bath (“the property”); and

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

WHEREAS, upon receiving the Official Order for the transfer of maintenance jurisdiction for the property from the NYSDOT under Surplus Case No. 06-III-338, the County of Steuben is desirous of abandoning the property to the adjacent landowner, Finger Lakes Land Holding LLC, 7253 State Route 415, Bath, NY 14810, per Section 118-a of the Highway Law, 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 the property; and be it further

RESOLVED, that this Steuben County Legislature does hereby approve of abandoning the property to the adjacent landowner, Finger Lakes Land Holding LLC, 7253 State Route 415, Bath, NY 14810 upon receiving the Official Order for the transfer of maintenance jurisdiction for the property from the NYSDOT, should there be nothing in said order restraining the County from such a transfer; and be it further

RESOLVED, that the Commissioner of Public Works is authorized to execute any necessary documents to effectuate said abandonment; 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. Yes – 7533; No – 0; Abstained – 1202; Absent – 1137
(Abstained – Legislator Mullen as Finger Lakes Holding, LLC is a client and Legislator Fitzpatrick due to client relationships; Absent – Legislator Maio and Nichols)
RESOLUTION NO. 097-19

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

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, the Town of Erwin has completed a cyclical reassessment plan and has further requested the County to participate in two (2) Tax Certiorari Proceedings under Index No.’s: 2017-0846CV and 2018-0903CV pursuant to the County’s participation policy; and

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

WHEREAS, counsel for the Town of Erwin has submitted initial preliminary appraisal estimates of $9,325 and $3,950 respectively; 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 $2,800 and $1,500 respectively, 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 $4,300 total for both appraisals; 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 Megan Dorritie, Esq., Counsel for the Town of Erwin, 1600 Bausch & Lomb Place, Rochester, NY 14604-2711.

Vote: Roll Call – Adopted. Yes – 8012; No – 0; Abstained – 723; Absent – 1137
   (Abstained – Legislator Roush due to a conflict of interest; Absent – Legislators Maio and Nichols)

RESOLUTION NO. 098-19


RATIFYING AND CONFIRMING THE NOTICE TO BIDDERS AND TERMS OF SALE 2019. Pursuant to the Steuben County Charter, Article II, Section 2.07.

WHEREAS, on February 25, 2019, the Commissioner of Finance was authorized and directed to establish and publish the terms and conditions of the 2019 Delinquent Tax Auction; and

WHEREAS, on May 14, 2019 the Commissioner of Finance did present the Notice to Bidders and Terms of Sale – 2019 to the Finance Committee of the County Legislature for review and approval; and
WHEREAS, the specific Sale Numbers are not yet assigned to the properties listed in Term No. 4, but will be assigned upon compilation of the tax auction book listings; and

WHEREAS, on May 14, 2019 the Finance Committee did unanimously approve the recited Notice to Bidders and Terms of Sale – 2019 as modified, and with the later addition of the Sale Numbers to Term No. 4.

NOW THEREFORE, BE IT

RESOLVED, upon the assignment of Sale Numbers to the properties identified in Term No. 4, the Commissioner of Finance is directed to insert those Sale Numbers into the designated places in Term No. 4; and be it further

RESOLVED, the revised Notice to Bidders and Terms of Sale - 2019 as attached hereto, and with the addition of the proper Sale Numbers to Term No. 4, is hereby 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.

Notice to Bidders and Terms of Sale – 2019

1. All bidders are urged to consult an attorney before submitting a bid.
2. The County obtained title to these properties in accordance with the procedures of Article 11 of Real Property Tax Law of the State of New York.
3. There is absolutely no representation as to the quality of title, lot size, condition or existence of improvements of any parcel to be auctioned and all persons proceed at their own risk with respect to same. Any photographs, maps, and all other depictions of the property are for reference only and all properties are subject to such state of facts that an instrument survey will determine. The County sells only its interest. Any information provided by any County employee is subject to the terms and conditions of this Notice to Bidders and Terms of Sale - 2019.
4. Four (4) certain properties offered in this tax sale are locations where discharges of petroleum products had occurred in the past for which the New York State Department of Environmental Conservation (“NYSDEC”) had assigned certain spill numbers to these locations and had or continue to perform certain remedial measures at these properties. Further, such properties are each subject to a separate agreement with the NY Environmental Protection and Spill Compensation Fund (“Agreement”). The parcels are:
   Sale No. TBD: Bath Town, Tax Map No. 144.02-01-020.200 (formerly Dragon Arch, Inc./Ahmed Qudrat/Stanbury Mobil)
   Sale No. TBD: Riverside Village, Tax Map No. 299.14-01-028.000 (formerly JMK 235, Inc./Briggs Auto/Kapral)
   Sale No. TBD: Hornell City, Tax Map No. 151.10-01-051.000 (formerly Hornell Development, LLC/Griffith Energy/Wellington/Debs Citgo/Essex Property Mgt/Seneca Street Citgo/Seneca Shell)
   Sale No. TBD: Wayland Town, Tax Map No. 027.00-02-023.100 (formerly Mukhtar Ahmed/Wayland Mart)

These Agreements are recorded with the Steuben County Clerk and each Agreement recites the duties of the parties necessary to effect a Release of Liability and Liens. Copies of the Agreement(s) are available from the County Finance Department, on the County’s website (Tax Sale), and at the Tax Sale itself.

Under the terms of such Agreements, the successful bidder of each of these four (4) parcels will be required to execute a sworn affidavit attesting to the fact that said bidder has never had any relationship, whether a business, contractual, familial or agency, with any of the parties deemed responsible according to applicable principals of statutory or common law for the discharge of petroleum on or at the sites.

Further, under the terms of such Agreements, if the Spill Status in the Agreement is shown as “Not Closed” and the NYDEC Cleanup Status is shown as “On-Going”, the successful bidder must agree and declare in such sworn affidavit that said bidder will not interfere with the NYSDEC’s on-going remediation efforts at the site and will not disturb any remediation equipment at such site, including any monitoring wells located there, without the express prior written consent of the NYSDEC.
Further, any prospective bidders are advised to carefully review all public records associated with environmental conditions of each parcel, including but not limited to agreements, promises, covenants, representations, or warranties regarding the information contained in this Notice or regarding the past, present, or future environmental conditions of the Property.

5. All properties are offered for sale to the highest bidder.
6. There is no minimum bid requirement.
7. The Commissioner of Finance retains the right to establish the auction with or without reserve.
8. The County shall retain the right to reject any and all bids.
9. To the extent allowable under law the County reserves the option to retain all the oil and gas rights. This reservation will be announced at the commencement of the bidding on an applicable parcel.
10. All real property, including any buildings thereon, are sold "as is...where is" as of the date of closing without any representation or warranty whatsoever as to the condition or title and subject to (a) any state of facts an accurate survey or personal inspection of the premises would disclose, and (b) applicable zoning and use/building regulations.
11. Any improvement description concerning manufactured homes, mobile homes, and trailers is done for identification purposes of the parcel in question. The manufactured home, mobile home, or trailer may or may not be deemed a fixture on the parcel in question and no representations or warranties are made in that regard.
12. The premises being sold may be subject to tenancies and/or leases affecting the said premises. Purchaser is to determine the existence and status of such interests and the applicable legal rights thereto. Evictions, if necessary, are solely the responsibility of the purchaser after closing and recording of the deed. Subject to the rights of a tenant or lease affecting the property, no one is permitted to enter upon any parcels offered for sale for any purpose whatsoever, at any time prior to the closing of the sale and recording of the Deed conveying title to the Grantee. See also Term #’s 18 & 19.
13. No personal property is included in the sale. The disposition of any personal property shall be the sole responsibility of the successful bidder following the closing of the sale. The previous owner should be notified and provided the opportunity to remove personal items.
14. Any taxes levied after January 1 of the current year will be the responsibility of the purchaser (City – Village – School, if applicable). PURCHASER MAY ALSO BE LIABLE FOR UNPAID WATER AND SEWER CHARGES NOT INCLUDED IN PREVIOUSLY LEVIED TAXES. IT IS THE BUYER’S RESPONSIBILITY TO CONTACT THE TAXING ENTITY, OBTAIN INFORMATION AND PAY THESE TAXES, FEES, CHARGES AND ASSESSMENTS, AS THE CASE MAY BE.
15. All prospective bidders must register at the door and show a valid NYS Driver’s License or other acceptable identification. Bidders must disclose if they are acting as the agent for another party and the identity of the party they are acting as agent for. Failure to show proper ID and disclose principals will result in disqualification from bidding.
16. The purchaser shall provide information consistent with #15 above and such other information necessary to complete the deed, and shall execute the necessary forms and documents required for recording the deed. [Note: Social Security or Federal Identification Number will be required.] Such information shall be furnished to the County Finance Department on the date of the sale or within 5 business days thereafter. Failure to provide this information will result in a failure to complete the purchase (see Term # 24 & 25). The charge to issue and record a correction deed is $500 per parcel.
17. Conveyance shall be by quit claim deed only, containing a description of the property on the tax roll for the year during which the County acquired title. A separate deed shall be issued for each parcel, and applicable fees charged.
18. Buyers requesting expedited handling shall pay in full and provide correct recording information on the day of the sale.
19. The County will record the deed after receipt of the full purchase price and recording fees, and information necessary to complete the transfer of title (see Term #16). The purchaser may take possession only after the deed has been recorded.
20. Purchaser shall be responsible for the payment of a ten percent (10%) buyer’s premium and recording fee in addition to the accepted bid price; the sum of these items is the purchase price.
21. Thirty percent (30%) of the purchase price shall be paid on the day of the auction. The minimum deposit is $1,000.00. If the total amount of your purchase (including fees) is less than $1,000 the entire amount is due in full on the date of the sale.
22. All sales are subject to subsequent County Legislature confirmation and any balance due must be remitted within thirty days (30) of such confirmation. Any balance due must be paid in full in one payment; partial payments are not permitted. Those requesting expedited handling must pay in full on the day of the sale.

Legislative Meeting
Monday, May 20, 2019
23. Payment may be in the form of cash, money order, bank draft, certified check, wire transfer or good personal check payable to STEUBEN COUNTY FINANCE DEPARTMENT, payable in US Dollars only; any negotiable instrument tendered in payment must be drawn on a bank located in the United States. Credit/debit card payments are available; there is a service fee on the amount charged, based on the type of card used.

24. All parcels purchased by a purchaser must be paid for in full, selective closings are not permitted. Failure to remit full payment on all parcels purchased at the auction will result in a forfeiture of all deposits paid, which will be retained by the County as liquidated damages, and the cancellation of all sales to the purchaser.

25. Failure of the purchaser to complete the purchase within the required time limits shall result in the forfeiture of both the down payment and the buyer’s premium as liquidated damages. In the event of default of the highest bidder, the County reserves the right to offer the property to the second highest bidder, or to dispose of the property by any means as may be authorized by the Steuben County Legislature.

26. Any person who fails to complete a purchase may be disqualified from participating in future County tax auctions as a non-responsible bidder as determined by the Commissioner of Finance.

27. Those persons who have allowed the foreclosure of real property for nonpayment of taxes shall be disqualified from participating in County tax auctions for a period of 10 years from the date of such foreclosure proceeding.

28. All employees and immediate families of Steuben County Legislators, the auctioneers’ service, and the following County offices are forbidden to purchase properties at tax auction: Finance Department, Law Department, County Manager, Real Property Tax Office, and the Clerk of the Legislature.

29. All sales are final, absolute and without recourse.

30. The auctioneer’s decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the previous bid.

31. In the event a sale is cancelled by Court Order, the purchaser shall be entitled to a return of the purchaser’s payment of the purchase price, together with any deposit paid, “deposit” being those sums paid under #21. The purchaser shall not be entitled to any special or consequential damages, attorney fees, reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.

32. All Buyers agree to accept title according to these terms and conditions. In the event the Successful Bidder nominates a third party to receive title, such nominee will be required to execute an acknowledgment of the said terms of sale prior to receiving title.

33. In the event that any recited term herein or part thereof is determined to be unlawful, then in such event, the remaining terms of sale and unaffected portion(s) thereof shall survive and remain in full force and effect.

34. Auction results and updates will be posted at www.steubencony.org

Prior history redacted.
5/14/2019 – approved Finance Committee

Vote: Roll Call – Adopted.

RESOLUTION NO. 099-19

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

RATIFYING SUPPORT OF AMICUS CURIAE BRIEF.

WHEREAS, the County of Steuben was presented with a bipartisan, pro bono, Amicus Brief from the Law Firm of Paul, Weiss, Rifkind, Wharton & Garrison to be filed before the United State Supreme Court on March 27, 2019 which was due before the Court on April 1, 2019; and

WHEREAS, upon reading the proposed brief, the sole argument presented before the Court therein was the likely financial repercussions of federal funding to States, including New York, that will result from the question of one’s citizenship being included in the upcoming census questionnaire; and

WHEREAS, the evidence presented in the Brief shows the citizenship question will likely result in a significant undercount of people living in numerous states, including, New York State; and
WHEREAS, historically the census count determines the distribution of $900 billion in federal funding; and

WHEREAS, an undercount in New York State will lead to a significant reduction and reallocation of federal funding away from New York State for the next 10 years causing either a cut in various programs or creating local costs for traditionally federally funded programs.

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben hereby ratifies its’ signing of the Amicus Brief in support of affirming all lower courts in excluding the citizenship question in the 2020 census as a financial strain on the residents of the State of New York; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Law Department.

Mr. Mullen stated he is confused as to how the County could sign onto this without the Legislature’s approval? On one side is the Trump Administration saying the citizenship question should be on the census and on the other side is the County and the State of New York Democrats arguing against it. Why wouldn’t we have a citizenship question? It provides good data and there are concerns with the illegal immigrant population boosting the electoral college and that is not in our interest.

Ms. Prossick explained this has nothing to do with the immigration question. The issue is how Federal funds are distributed to all of the states. There is $900 billion of funds that will be distributed differently if this question is included on the census. An undercount on the census does not provide for the infrastructure needs. This brief only has to do with how the funds can be disbursed through the results of the census.

Mr. Mullen stated he is not sure this is in the County’s interest to have California using electoral votes and money. Ms. Prossick stated in New York State a case study was done showing that if this question is allowed to remain on the census, the Lackawanna School District would lose funds for education to the point that there will be no preschool program and no after-school activities.

Mr. Ryan commented New York State has provided $27 million for free education for illegal immigrants. At the same time, they would not allow out of the State Education Committee, a resolution that would allow funding for veterans. With how the funds are being spent, we do not have any representation.

Mrs. Lando commented the citizenship question does not just cover illegal immigrants. It also refers to individuals with green cards and students on visas.

Ms. Prossick stated the lower courts deemed the question unconstitutional. Studies have shown that less people will respond to the census if the citizenship question is included.

Mr. Mullen stated he thinks that people who are here legally will not back off from checking that box. Was the Amicus Brief filed against that question on the census? Ms. Prossick replied the brief was filed specifically for the purpose of what that question relates to Federal funding. There might be an ancillary relationship. Studies have shown that if the question remains on the census, New York State will lose a percentage of funds and that in turn means Steuben County will also lose funds.

Mr. Ryan asked does this have anything to do with the congressional districts? Mr. Wheeler replied no. Studies have shown that New York State and its counties will lose Federal funding. He thinks this will have a tangible effect on our residents. Ms. Prossick commented this has bipartisan support.

Vote: Roll Call – Adopted. Yes – 6319; No – 2416; Abstained – 0; Absent – 1137
(No – Legislators Hanna, Mullen, Potter and Ryan; Absent – Legislators Maio and Nichols)
RESOLUTION NO. 100-19

Introduced by J. Hauryski. Secended by H. Lando.

APPOINTING MEMBERS TO THE CORNING COMMUNITY COLLEGE REGIONAL BOARD OF TRUSTEES.

Pursuant to §6306 of the Education Law of the State of New York and §12.20 of the Steuben County Charter.

WHEREAS, by resolution duly adopted the May 24, 2010, John W. Kelly of Painted Post, New York, was appointed to the Regional Board of Trustees of Corning Community College for a term to expire June 30, 2024; and

WHEREAS, John W. Kelly has submitted his resignation to said Board effective June 30, 2019; and

WHEREAS, the Chairman of the Legislature has recommended George Welch, Jr. of Corning, New York, for appointment to the Regional Board of Trustees to fill the unexpired term of John W. Kelly through June 30, 2024; and

WHEREAS, by resolution duly adopted March 26, 2012, and amended June 24, 2013, Donald B. Creath of Corning, New York, was appointed to the Regional Board of Trustees of Corning Community College for a term to expire June 30, 2019; and

WHEREAS, Donald B. Creath has submitted his resignation to said Board effective June 30, 2019; and

WHEREAS, the Chairman of the Legislature has recommended Polly Chu of Painted Post, New York, for appointment to the Regional Board of Trustees to fill the vacancy left by the resignation of Donald B. Creath.

NOW THEREFORE, BE IT

RESOLVED, that George Welch, Jr., and Polly Chu, be and the same hereby are appointed to the Corning Community College Regional Board of Trustees for the above-mentioned terms; and be it further

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

RESOLVED, a certified copy of this resolution shall be forwarded to Dr. Katherine Douglas, President of Corning Community College, 1 Academic Drive, Corning, New York 14830; George Welch, Jr., 5 East Market Street, Suite 401, Corning, New York 14830; Polly Chu, 3450 Conhocton Road, Painted Post, New York 14870; and the County Auditor.

Mr. Van Etten commented he has known Polly Chu for a number of years and she will be an excellent addition to the Board of Trustees. Mrs. Lando stated she echoes Mr. Van Etten’s comment. Chairman Hauryski commented he received a number of favorable comments regarding Ms. Chu.

Mr. Hanna asked how are the representatives chosen? Chairman Hauryski replied one of the considerations is location. Traditionally the Board of Trustees has vetted potential members and brings the list to me. Mr. Van Etten commented he also believes another aspect is the individual’s association to the college. Chairman Hauryski commented these positions are very time consuming.

Vote: Acclamation – Adopted.

RESOLUTION NO. 101-19

Introduced by J. Malter. Seconded by Ms. Fitzpatrick.
MEMORIALIZING THE UNITED STATES CONGRESS IN SUPPORT OF CLASSIFYING 911 TELECOMMUNICATORS AS A PROTECTIVE SERVICE OCCUPATION.

WHEREAS, H.R. 1629 and it’s Senate Companion Bill, also known as the ‘911 SAVES’ Act, directs the US Office of Management and Budget to reclassify Public Safety Telecommunicators from “Office and Administrative Support Occupations” to the category of “Protective Service Occupations”; and

WHEREAS, the Federal Government’s Standard Occupational Classification System (SOCS) sorts workers into occupational categories for statistical purposes, according to the nature of the work performed and, in some cases, on the skills, education, or training needed to perform the work; and

WHEREAS, America’s 9-1-1 telecommunicators are currently incorrectly categorized in the SOCS as an “Office and Administrative Support Occupation,” a category which includes secretaries, office clerks, and taxicab dispatchers; and

WHEREAS, classifying 9-1-1 telecommunicators as an “Office and Administrative Support Occupation” fails to recognize their central role in Public Safety, their specialized training and skills, and their unique work environment; and

WHEREAS, classifying Public Safety Telecommunicators as “Protective Service Occupations” alongside Police, Firefighters, Security Guards, Lifeguards, and others whose job it is to protect our communities would better reflect the work they perform, and align the SOCS with related classification systems.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature encourages all members of the State of New Congressional delegation to support H.R. 1629, the Supporting Accurate Views of Emergency Services Act of 2019 (911 SAVES Act), which would direct the White House Office of Management and Budget (OMB) to reclassify Public Safety Telecommunicators as a “Protective Service Occupation”; and be it further

RESOLVED, that certified copies of this resolution shall be sent to Honorable Thomas 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 Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Thomas M. O’Mara, New York State Senator, 307 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 320 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 700 W. State Street, Olean, NY 14760; Honorable Joseph A. Errigo, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Honorable John Flanagan, NYS Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Carl Heastie, Assembly Speaker, 932 Legislative Office Building, Albany NY 12248; Honorable Andrea Stewart-Cousins, Senate Democratic Conference Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey D. Klein, Senate Independent Democratic Conference Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Joseph D. Morelle, Assembly Majority Leader, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Assembly Minority Leader, 933 Legislative Office Building, Albany, NY 12248; Rochelle Stein, President, Inter-County Association of Western New York, c/o Genesee County Legislature, 7 Main Street, Batavia, NY 14020; and New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207.

Mr. Van Etten asked is this just symbolic or will these positions turn into a different retirement classification? Mr. Wheeler replied no, these will not turn into different retirement classifications. New York State could change the classification if they choose. This is really about recognizing the hard work and sacrifice of telecommunicators. Any changes locally would have to be done through union negotiations.

Mr. Weaver asked will this recognition give them tax benefits similar to what the volunteer firefighters received? Mr. Wheeler replied he does not know.
Mr. Mullen stated he has concerns that this will change the status of collective bargaining. He appreciates the work telecommunicators do and realizes it is more demanding than a typical secretary, but he does not feel that the position is on the same level as those who are out on the front lines.

Mr. Ryan asked do they receive any secondary training? Mr. Wheeler replied most are EMT’s, volunteer firefighters or have some other first responder background; however, that is not a requirement.

Mr. Van Etten commented in some situations they have a significant emotional attachment to the individuals out in the field. They work so tightly together, he can see where there is a lot of stress and added pressure to their job. He stated his only concern was that he just wanted to make sure that we were not on a slippery slope with regards to changing classifications.

Ms. Fitzpatrick commented she thinks the classification is important. She really feels that it is more than a secretary position as they keep the callers calm and provide them with detailed instructions. It is important to give them the recognition they need and deserve.

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 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. Ryan, seconded by Mrs. Lando and duly carried.**

**Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Potter, seconded by Ms. Lattimer and duly carried.**

**RESOLUTION NO. 102-19**

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

**MOTION: ACCEPTING THE MUTUALLY AGREED UPON RESIGNATION OF STEUBEN COUNTY ATTORNEY, ALAN P. REED, EFFECTIVE JUNE 1, 2019.**

**WHEREAS**, the Steuben County Legislature and Steuben County Attorney Alan P. Reed have mutually agreed to a separation of employment prior to the end of the County Attorney’s appointed term through December 31, 2020; and

**WHEREAS**, both parties have agreed to a one-time payment of $183,680, said amount being inclusive of leave time accruals, as well as health insurance coverage through December 31, 2019, as consideration for the balance of his term.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby directed to issue payment in the amount of $183,680 to Raymond M. Schlather, Attorney for Mr. Reed, by June 15, 2019; and be it further
RESOLVED, said amount shall be paid from Account No. 193000-5410500; and be it further

RESOLVED, the Chairman of the Legislature is hereby authorized to sign the separation of employment agreement on behalf of the County of Steuben; and be it further

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

**Vote:** Roll Call – Adopted. Yes – 8134; No – 601; Absent – 1137
(No – Legislator Hanna; Absent – Legislators Maio and Nichols)

*Motion to Adjourn made by Mr. Roush, seconded by Mrs. Lando and duly carried.*
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chamber in Bath, NY on the 24th day of June, 2019 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Haurski.

Roll Call and all members present except Legislator Ryan.

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

Chairman Haurski introduced the new Deputy County Manager, Christopher Brewer.

Chairman Haurski asked Kelly Rose to come forward. Ms. Rose is an employee in the Finance Office. He presented her with a Certificate of Appreciation and a keychain in recognition of her retirement following 3 years of service to Steuben County.

Chairman Haurski asked David Ahrens to come forward. Mr. Ahrens is an employee in the Department of Public Works. He presented him with a Certificate of Appreciation and a pin in recognition of his 20 years of service to Steuben County.

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

Wayne Wells, Cameron, spoke about President Trump’s policies in relation to the 14th designated annual Flag Day. Flag Day represents pride in our nation. How can we feel pride with today's current issues including climate change, impending war and immigration? When the flag is appropriately used, it will be a symbol of our superior morale character, we will be an inspiration to the rest of the world and then we will remain on the path to a more perfect union. Mr. Wells stated he has undertaken a revision of the Pledge of Allegiance, which in short states that we pledge our allegiance to the symbolism of the flag and that we remain a nation indivisible in our pursuit of equal justice for all.

There being no further comments, Chairman Haurski 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 on the implementation and effectiveness of the Steuben County Septic & Water Well Program, NYS Community Block Grant Project #1115WS339-16, funded by a Community Development Block Grant through New York State Homes and Community Renewal. Chairman Haurski opened the floor to comments by members of the public. There being none, 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 on the implementation and effectiveness of the Steuben County Septic & Water Well Program, NYS Community Block Grant Project #1115WS324-17, funded by a Community Development Block Grant through New York State Homes and Community Renewal. Chairman Haurski opened the floor to comments by members of the public. There being none, he declared the public hearing closed.

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

Mrs. Hunter stated as most of you know, on June 17, 2019, the New York State Legislature passed what is known as the “Green Light NY” bill which will provide the opportunity for driving privileges to persons in New York State, regardless of their legal status. When this was originally proposed by
Governor Spitzer in 2007, she went before the Assembly Committee and stated her objections. Driving is a privilege, not a right. Individuals who break DWI laws are denied that privilege. Individuals who break child support laws are denied this privilege. Unfortunately, NYS has a different view regarding individuals without legal status. Mrs. Hunter stated when she took office as County Clerk, she swore an oath to uphold the Constitution of the United States and the Constitution of the State of New York and in her mind, this legislation may bring those two oaths into conflict. It is her understanding that when there is a conflict between State and Federal law, Federal law supersedes, however, she is not a judge and cannot make that determination. Over the weekend, she wrote a letter as County Clerk, to President Trump asking and urging him to have the Federal Justice Department review this law to determine if there is a conflict with Federal law regarding those individuals who are residing in the United States illegally.

Mr. Mullen informed the Legislature that he has been reviewing the rules of the Chief Judge and we have been referring to those rules in reference to the building project. He does not believe that the State requires us to do this expansion and it seems more permissive. He referred to Part 34 of the Rules of the Chief Judge.

RESOLUTION NO. 103-19

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

RESOLVED, it being hereby determined that there is no practical method to enforce the collection of delinquent tax liens against the parcel contained in Schedule “B”, and it being further determined that there is no practical method to enforce the collection of tax liens arising hereafter against said parcel; the Steuben County Commissioner of Finance is authorized and directed to cancel the unpaid taxes against the property set forth in Schedule “B” pursuant to Real Property Tax Law §558; and the Commissioner of Finance is further authorized to issue forthwith a Certificate of Prospective Cancellation as approved by the Finance Committee on May 14, 2019. The Commissioner of Finance shall file a copy of the recited certificate with the assessor of the respective assessing unit in which said parcel is located and with the Director of Real Property Tax Services; and upon the filing as directed such parcel shall become and be exempt from further taxation, 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, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District; 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>Janet S. Dann</td>
<td>372.00-01-015.100</td>
<td>Town of Caton</td>
<td>2016-2017 Refund/Error in Essential Fact</td>
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<td>A-2</td>
<td>Janet S. Dann</td>
<td>372.00-01-015.100</td>
<td>Town of Caton</td>
<td>2017-2018 Refund/Error in Essential Fact</td>
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<td>A-3</td>
<td>Janet S. Dann</td>
<td>372.00-01-015.100</td>
<td>Town of Caton</td>
<td>2018-2019 Refund/Error in Essential Fact</td>
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<td>A-4</td>
<td>Jiva Hospitality, LLC</td>
<td>316.08-01-032.000</td>
<td>Town of Erwin</td>
<td>2015 Court-Ordered Refund</td>
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<tr>
<td>A-5</td>
<td>Jiva Hospitality, LLC</td>
<td>316.08-01-032.000</td>
<td>Town of Erwin</td>
<td>2016 Court-Ordered Refund</td>
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<td>A-6</td>
<td>Jiva Hospitality, LLC</td>
<td>316.08-01-032.000</td>
<td>Town of Erwin</td>
<td>2019 Court-Ordered Correction of Assessment</td>
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<td>A-7</td>
<td>Betty A. Orcutt Irrev. Fam. Wealth Trust</td>
<td>203.00-02-002.000</td>
<td>Town of Bath</td>
<td>2018-2019 Refund, Clerical Error</td>
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### SCHEDULE "B"

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<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-3</td>
<td>Leon R. Babcock Sr.</td>
<td>151.80-01-041.000</td>
<td>City of Hornell</td>
<td>Cancellation of Void Taxes: 2019 Town and County Taxes. Certificate of Prospective Cancellation issued.</td>
</tr>
</tbody>
</table>

**Vote:** Roll Call – Adopted.
RESOLUTION NO. 104-19

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

RECEIVING AND ACCEPTING THE JUNE 24, 2019 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 10, 2019
NYS Assemblyman Joseph Giglio – Re: Aid Distribution for the Consolidated Highway Improvement Program (CHIPS) and PAVE-NY. Referred to: Public Safety & Corrections Committee; Vince Spagnoletti, Commissioner of Public Works; and Patrick Donnelly, Commissioner of Finance.

May 13, 2019
NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the first quarter SFY 2018-2019 Statewide Mass Transportation Operating Assistance (STOA) payments. Referred to: Amy Dlugos, Planning Director.

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Empire Telephone Corporation (payment in lieu of tax) agreement and RP-412-a form for property located at 26 Main Street and 34 Main Street, Prattsburgh, N.Y. (047.08-01-071.000 and 047.08-01-050.000). Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, Deputy County Attorney.

NYS Board on Electric Generation Siting and the Environment – Re: Ruling denying motions to strike for the Baron Winds LLC Project (Case# 15-F-0122) issued May 10, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Board on Electric Generation Siting and the Environment – Re: Ruling granting party status for the Baron Winds LLC Project (Case# 15-F-0122) issued May 10, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

May 15, 2019
New York State Association of Counties – Re: Pending Litigation on 911 Surcharges. Referred to: Steuben County Legislature; Patrick Donnelly, Commissioner of Finance; and Jennifer Prossick, Deputy County Attorney.

May 22, 2019
NYS Public Service Commission – Re: Notification of not being in compliance with the Public Service Law (PSL) on the application for a certificate of Environmental Compatibility and Public Need for the Canisteo Wind Energy LLC Project (Case# 19-T-0041). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Riedman Purcell CH II LLC revised tax agreement for property located at 176 East Denison Parkway, Corning, NY (318.09.01-059.000). Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, Deputy County Attorney.

May 28, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Notice of schedule for filing exceptions on the Eight Point Wind LLC Project (Case# 16-F-0062) issued May 23, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.
NYS Board on Electric Generation Siting and the Environment – Re: Notice of schedule for filing exceptions on the Baron Winds LLC Project (Case# 15-F-0122) issued May 24, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

**June 3, 2019**
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,325, which represents the April 2019 surcharge payment for Steuben County. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

NYS Public Service Commission – Re: Notice of evidentiary hearing being held on June 13, 2019 for the Eight Point Wind LLC Project (Case# 18-T-0202). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

**June 6, 2019**
Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Baron Winds LLC is scheduled for Wednesday, June 19, 2019 at 2:00pm and 6:00pm at the Fremont Town Hall, located at 8217 Cream Hill Rd, Arkport, New York. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Board on Electric Generation Siting and the Environment – Re: Notice seeking comment on recommended decision on the Eight Point Wind LLC Project (Case# 16-F-0062) issued June 3, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Board on Electric Generation Siting and the Environment – Re: Notice seeking comment on recommended decision on the Baron Winds LLC Project (Case# 15-F-0122) issued June 3, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Board on Electric Generation Siting and the Environment – Re: Ruling regarding non-compliance with filing of application amendments on the Canisteo Wind Energy LLC Project (Case# 16-F-0205) issued June 3, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

**June 10, 2019**
New York State Department of Environmental Conservation – Re: Notification of plans for investigation of the Steuben County (Wayland) Landfill Inactive Solid Waste Site located at 2078 Dieter Road in Wayland NY (tax map #014.00-02-007.000). Referred to: Public Works Committee; Steve Orcutt; Assistant Commissioner of Landfill, and Jennifer Prossick, Deputy County Attorney.

Invenergy – Re: Update to Article 10 Application for the Canisteo Wind Farm (Case# 16-F-0205). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

**Vote:** Acclamation – Adopted.

RESOLUTION NO. 105-19

Introduced by B. Schu and S. Van Etten. Seconded by F. Potter.

AUTHORIZING CONTINGENT FUND TRANSFERS.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the Judgement and Claims budget contains insufficient funds to cover a settlement; and

WHEREAS, the Judgements and Claims budget also contains insufficient funds to cover estimated expenditures through the end of 2019; and
WHEREAS, budgeted funds from the County Attorney salary line were transferred to the judgements and claims budget to effectuate the settlement of a claim; and

WHEREAS, the aforementioned transfer from the County Attorney salary line leaves insufficient funds in the budget for the remainder of 2019 salaries.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to adjust the following accounts:

EXPENSE ACCOUNTS:

Account 199000 5-499-000 Contingent - ($183,680.00)
Account 199000 5-499-000 Contingent – ($100,000.00)
142000 5-1100-000 County Attorney Salaries - $183,680.00
Account 193000 5-410-500 Judgements & Claims - $100,000.00

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, County Attorney and Risk Manager.

Vote: Roll Call – Adopted.

RESOLUTION NO. 106-19


RENAMEING THE DEPARTMENTAL RADIO CAPITAL PROJECT.

WHEREAS, Steuben County has identified the need for funding to provide additional radio communications within the Village and Town of Cohocton; and

WHEREAS, Steuben County has entered into an Intermunicipal Agreement with the Village of Cohocton for the use of property on the site of the Village Water Tower for building additional communications capabilities; and

WHEREAS, the Director of Emergency Management has identified unused Capital Funds of $16,202 in account 3641H0 “Departmental Radios” within his budget to assist in the building of this additional capability.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to change the name of account 3641H0 “Departmental Radios” to “Cohocton Water Tower Site”; and be it further

RESOLVED, the Director of Emergency Services is hereby authorized to use the $16,202 for the building of the Cohocton Water Tower Radio Project; and be it further

RESOLVED, certified copies of this Resolution shall be forwarded to the Director of Emergency Services and the Commissioner of Finance.

Vote: Roll Call – Adopted.
RESOLUTION NO. 107-19

Introduced by R. Lattimer and S. Van Etten. Seconded by C. Ferratella.

RENAMEING THE COB PARKING PAVE & DRAINAGE CAPITAL PROJECT.

WHEREAS, there currently exists a capital project entitled “COB Parking Pave & Drainage” to cover expenditures related to paving and drainage at the County Office Building; and

WHEREAS, there are County Offices located in areas separate from the County Office Building campus; and

WHEREAS, it is sometimes necessary to cover expenditures related to paving at these outlying locations, yet there is no existing capital project from which to pay for these expenses; and

WHEREAS, the Agriculture, Industry and Planning Committee and the Finance Committee have approved the recommendation of the County Manager and the Superintendent of Buildings and Grounds to change the name of the COB Parking Pave & Drainage Capital Project (HB0117) to Paving, Sealing & Striping – All County Office Buildings Capital Project (HB0117); and

WHEREAS, this account name more appropriately fits the projects for which these funds are to be utilized.

NOW THEREFORE, BE IT

RESOLVED, the Finance Commissioner be and the same hereby is authorized and directed to change the name of the COB Parking Pave & Drainage Capital Project (HB0117) to Paving, Sealing & Striping – All County Office Buildings Capital Project (HB0117); and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Finance Commissioner and the Superintendent of Buildings and Grounds.

Vote: Roll Call – Adopted.

RESOLUTION NO. 108-19

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

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 a recent review, the County Manager and Personnel Officer have made recommendations to account for changes to the management evaluation process; and

WHEREAS, the recommended changes include an updated Management Evaluation Form for supervisor and non-supervisor management employees, as well as additions and deletions of language to reflect the updated form and process; 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 attached Management Salary Plan is hereby amended as presented by the County Manager and Personnel Officer; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Personnel Officer and the County Manager, and updated copies of the plan shall be forwarded to all department heads.

Mr. Mullen stated he thinks it is a good idea to add a couple of extra layers between the levels of performance. However, now there are two lower categories; “Needs Improvement” and “Unsatisfactory”. He does not think that people in those two categories should be given raises and that should be at the discretion of the committee.

Motion amending the Management Salary Plan to include that individuals receiving a rating of either “Needs Improvement” or “Unsatisfactory” shall not receive a raise and shall be re-evaluated after three months made by Mr. Mullen and seconded by Mr. Weaver for discussion.

Mr. Van Etten commented if they fall into the “Needs Improvement” category, it does not mean they were a total failure. They just have things that need to be improved upon. They may do their job well, but just have things that they need to work on.

Ms. Lattimer stated she would like to defer to the County Manager and asked for his reasons why he opted for the extra categories? Mr. Wheeler explained he was looking at what other counties and the private sector were doing. For an individual receiving an "Unsatisfactory" rating, he would hope that the individual would be receiving either coaching or discipline. With the "Needs Improvement" category that is more along the lines of what Mr. Van Etten was saying; that the individual is doing a good job, but there are some areas that need work. The Administration Committee is setting the raises and could choose to do whatever they want. You have control of the raises.

Mr. Mullen stated he considers the “Meets Expectations” category to be the medium category. The categories below that are “Needs Improvement” and “Unsatisfactory”. The top three categories; “Outstanding Performance”, “Exceeds Expectations” and “Meets Expectations” should be eligible to receive raises.

Mr. Van Etten commented this does not set the raise, it just creates the point system. The Administration Committee will review the raise percentages. Mr. Schu commented it is helpful to have these categories for the benefit of the employee. This doesn’t mandate they get a raise.

Ms. Fitzpatrick stated under the Salary Adjustment portion of the plan, it states that employees receiving an overall rating of “Unsatisfactory” will receive no annual increase until their performance is improved and a “Meets Expectations” evaluation is approved. She asked Mr. Mullen if he is proposing the same for the "Needs Improvement" category? Mr. Mullen replied yes, with a review being done after three months.

Mr. Nichols stated this does not guarantee that if they improve they will get a raise. That will be up to the Administration Committee. Mr. Wheeler stated yes, raises will be based on the category. When the Administration Committee reviews raises, they will see the employee name with their category rating. Mr. Schu asked is it the same system we are currently using? Mr. Wheeler replied yes, this just expands on it. We are separating those people that have outstanding performance from those that exceed expectations.

Mrs. Ferratella commented she views this as a tool of communication with the employees.
RESOLUTION NO. 109-19

Introduced by B. Schu. Seconded by R. Lattimer.

AUTHORIZING A MEMORANDUM OF AGREEMENT MODIFYING THE CSEA MAIN UNIT BARGAINING AGREEMENT.

Pursuant to Section 207 of the County Law of the State of New York.

WHEREAS, the paid leave accrual rate of accumulation needs to be amended within the Steuben County CSEA Local 1000 Main Unit Collective Bargaining agreement to bi-weekly accruals to accommodate distribution in bi-weekly payroll; and

WHEREAS, the Personnel Officer, County Manager and Administration Committee have approved the adjustment in the rate of accumulation of paid leaves; and

WHEREAS, the approved amendment is contingent upon signing a Memorandum of Agreement (hereinafter MOA) between the CSEA Local Unit 1000 of the County of Steuben and the County of Steuben.

NOW THEREFORE, BE IT

RESOLVED, that with the adoption of this resolution and pending approval of CSEA, the proposed amended language as set forth in the Memorandum of Agreement is hereby amended as set forth in the attached MOA; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, County Attorney, Personnel Officer, Clerk of the Legislature, Commissioner of Finance and to the President of the CSEA Local Unit 1000 of the County of Steuben.

MEMORANDUM OF AGREEMENT
TO COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE COUNTY OF STEUBEN AND
CSEA, LOCAL 1000 AFSCME, AFL-CIO

THIS AMENDMENT to the Collective Bargaining Agreement (hereinafter referred to as “CBA”), by and between:

THE COUNTY OF STEUBEN
3 E. PULTENY SQUARE
BATH, NEW YORK 14810

And

CSEA, LOCAL 1000,
AFSCME, AFL-CIO

WHEREAS, both the County of Steuben and CSEA, LOCAL 1000, AFSCME, AFL-CIO desire to memorialize and implement a change to the CBA; and
**WHEREAS**, both the County of Steuben and CSEA, LOCAL 1000, AFSCME, AFL-CIO believe it is in the best interests to ratify this Memorandum of Agreement; and

**WHEREAS**, the County of Steuben adopted the changes set forth herein by Resolution ________ dated ______________, 2019; and

**WHEREAS**, the CBA effective January 1, 2018 to December 31, 2020 allows, per Article XXXV, Amendments to the CBA in writing.

**NOW, THEREFORE**, the parties agree to this Memorandum of Agreement for the purpose of modifying the CBA as follows:

**Section 1.** The above recitals are true and correct and are incorporated herein.

**Section 2.** Article XV Section 1 of the CBA shall be amended as follows:

A. All employees continuously employed by the County on a full-time annual salary basis, with a regularly scheduled work week of 75 or 80 hours bi-weekly (37.5 or 40 hours per week), shall earn twelve (12) days of vacation per year accumulated on a bi-weekly basis; after ten years’ service, fifteen (15) days of vacation per year accumulated on a bi-weekly basis; and after 15 years’ service, twenty (20) days of vacation per year accumulated on a bi-weekly basis with pay exclusive of Sundays and Holidays. In the case of employees working 4 hours per day, 5 days per week (20 hours per week or 40 hours bi-weekly); employees shall earn six (6) days of vacation per year accumulated on a bi-weekly basis; after ten years of service, seven and one-half (7 1/2) days’ vacation per year accumulated on a bi-weekly basis; and after 15 years’ service ten (10) days’ vacation per year accumulated on a bi-weekly basis. At no time may the total amount accumulated vacation with pay exceed 337.5/360.0 hours, exclusive of Sundays and Holidays. The time at which the employee may choose to take his or her vacation with pay must be subject to the approval of the department head or the employing officer. (See attached chart for clarification.)
ARTICLE XV   PAID LEAVES

Section 1.   Vacations   Part A, B, C

The following chart applies:

<table>
<thead>
<tr>
<th>Hrs/week Worked*</th>
<th>0&lt;6 mo</th>
<th>=6 mo</th>
<th>=1yr</th>
<th>=10 yrs</th>
<th>=15 yrs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full time</td>
<td>40.0</td>
<td>0</td>
<td>3.0</td>
<td>12 d</td>
<td>15.0 d</td>
</tr>
<tr>
<td>Full time</td>
<td>37.5</td>
<td>0</td>
<td>3.0</td>
<td>12 d</td>
<td>15.0 d</td>
</tr>
<tr>
<td>Part-time</td>
<td>20.0</td>
<td>0</td>
<td>1.5</td>
<td>6 d</td>
<td>7.5 d</td>
</tr>
<tr>
<td>Part-time</td>
<td>18.75</td>
<td>0</td>
<td>1.5</td>
<td>6 d</td>
<td>7.5 d</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Leave (days/year)</th>
<th>Rate of accumulation (hrs/year accumulated in bi-weekly accruals)</th>
<th>Maximum hours accumulated</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>=0&lt;10 yrs service =10 yrs service =15 yrs service</td>
<td></td>
</tr>
<tr>
<td></td>
<td>96 h   120 h 160 h</td>
<td>360.0</td>
</tr>
<tr>
<td>Full time</td>
<td>90 h   112.5 h 150 h</td>
<td>337.5</td>
</tr>
<tr>
<td>Part-time</td>
<td>48 h   60 h 80 h</td>
<td>360.0</td>
</tr>
<tr>
<td>Part-time</td>
<td>45 h   56.25 h 75 h</td>
<td>337.5</td>
</tr>
</tbody>
</table>

* Exclusive of Sundays and Holidays

After six (6) months of satisfactory service, three (3) vacation days (1.5 days if PT) may be taken. After one (1) year of satisfactory service, up to twelve (12) vacation days (6 days if PT) may be taken. However, any vacation days taken after 6 months will be subtracted from the number of days available at one year.
Section 3. Article XV Section 2 of the CBA shall be amended as follows:

B. Each employee who has been continuously employed by the County on a full-time annual salary basis, with a regularly scheduled work week of 75 or 80 hours bi-weekly (37.5 or 40 hours per week), shall earn twelve (12) days of sick leave per year accumulated on a bi-weekly basis with pay exclusive of Sundays and Holidays. In the case of employees working 4 hours per day, 5 days per week (20 hours per week or 40 hours bi-weekly); employees shall earn six (6) days of sick leave per year accumulated on a bi-weekly basis; At no time may the total amount accumulated sick leave with pay exceed one hundred eighty (180) days (1350/1440 hours). (See attached chart for clarification.)

<table>
<thead>
<tr>
<th>hrs/week worked*</th>
<th>Sick leave earned/year</th>
<th>hours available after 6 mths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full time</td>
<td>40</td>
<td>96</td>
</tr>
<tr>
<td>37.5</td>
<td>37.5</td>
<td>90</td>
</tr>
<tr>
<td>Part-time</td>
<td>20.0</td>
<td>48</td>
</tr>
<tr>
<td>Part-time</td>
<td>18.75</td>
<td>45</td>
</tr>
</tbody>
</table>

The right to accumulate such sick leave with pay shall continue as follows:

<table>
<thead>
<tr>
<th>hrs/week worked*</th>
<th>Sick leave earned/year</th>
<th>maximum accumulated days OR maximum accumulated hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full time</td>
<td>40</td>
<td>96</td>
</tr>
<tr>
<td>37.5</td>
<td>37.5</td>
<td>90</td>
</tr>
<tr>
<td>Part-time</td>
<td>20.0</td>
<td>48</td>
</tr>
<tr>
<td>Part-time</td>
<td>18.75</td>
<td>45</td>
</tr>
</tbody>
</table>

*Note: Hours worked is exclusive of Sunday and Holidays. Sick leave accumulated in bi-weekly accruals.

IN WITNESS WHEREOF, the parties have caused this agreement to be signed by their duly authorized representatives on this ___ day of _____________, 2019.

Attest:

COUNTY OF STEUBEN

______________________________  ________________________________
Joseph J. Hauryski  Brenda K. Mori
Chairman, Legislature  Witness: Clerk of the Legislature

Attest:

UNION

______________________________  ________________________________
Chris A. Myers  Brent C. Underwood
Unit President  Labor Relations Specialist
Mr. Weaver asked when does the contract expire? Mr. Wheeler replied at the end of 2020.

Vote: Roll Call – Adopted.

RESOLUTION NO. 110-19

Introduced by: B. Schu. · Seconded by R. Lattimer.

AUTHORIZING A MEMORANDUM OF AGREEMENT MODIFYING THE CORRECTION OFFICER, DISPATCHERS AND COURT SECURITY OFFICERS UNIT BARGAINING AGREEMENT.

Pursuant to Section 207 of the County Law of the State of New York.

WHEREAS, the paid leave accrual rate of accumulation needs to be amended within the Steuben County Correction Officer, Dispatchers and Court Security Officers Unit Steuben County CSEA Local 851 Collective Bargaining agreement to bi-weekly accruals to accommodate distribution in bi-weekly payroll; and

WHEREAS, the Personnel Officer, County Manager and Administration Committee have approved the adjustment in the rate of accumulation of paid leaves; and

WHEREAS, the approved amendment is contingent upon signing a Memorandum of Agreement (hereinafter MOA) between the CSEA Local Unit 851 of the County of Steuben and the County of Steuben.

NOW THEREFORE, BE IT

RESOLVED, that with the adoption of this resolution and pending approval of CSEA, the proposed amended language as set forth in the Memorandum of Agreement is hereby amended as set forth in the attached MOA; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, County Attorney, Personnel Officer, Clerk of the Legislature, Commissioner of Finance and to the President of the Steuben County Correction Officer, Dispatchers and Court Security Officers Unit CSEA Local 851 of the County of Steuben.

MEMORANDUM OF AGREEMENT
TO COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE COUNTY OF STEUBEN AND
CSEA, LOCAL 1000 AFSCME, AFL-CIO

THIS AMENDMENT to the Collective Bargaining Agreement (hereinafter referred to as “CBA”), by and between:

THE COUNTY OF STEUBEN
3 E. PULTENEY SQUARE
BATH, NEW YORK 14810

And

The Steuben County
Correction Officers, Dispatchers and Court Security Officers Unit
Steuben County CSEA Local 851

WHEREAS, both the County of Steuben and CSEA Local 851 desire to memorialize and implement a change to the CBA; and
WHEREAS, both the County of Steuben and CSEA Local 851 believe it is in the best interests to ratify this Memorandum of Agreement; and

WHEREAS, the County of Steuben adopted the changes set forth herein by Resolution ________ dated ______________, 2019; and

WHEREAS, the CBA effective January 1, 2017 to December 31, 2019 allows, per Article XXXII, Amendments to the CBA in writing.

NOW, THEREFORE, the parties agree to this Memorandum of Agreement for the purpose of modifying the CBA as follows:

Section 1. The above recitals are true and correct and are incorporated herein.

Section 2. Article XII Section 1 of the CBA shall be amended as follows:
ARTICLE XII       PAID LEAVES CHART

Section 1.  Vacations  Part A, B, C

If you were hired **ON or after January 1, 1970**, the following chart applies to you. (Effective January 1, 1972.)

<table>
<thead>
<tr>
<th>Hrs/week</th>
<th>Leave (days/year)</th>
<th>Rate of accumulation (hrs/year accumulated in bi-weekly accruals)</th>
<th>Maximum hours</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0&lt;6 mo</td>
<td>=6 mo</td>
</tr>
<tr>
<td>Full time</td>
<td>40.0</td>
<td>0</td>
<td>3.0 d</td>
</tr>
<tr>
<td>Full time</td>
<td>37.5</td>
<td>0</td>
<td>3.0 d</td>
</tr>
<tr>
<td>Part-time</td>
<td>20.0</td>
<td>0</td>
<td>1.5 d</td>
</tr>
<tr>
<td>Part-time</td>
<td>18.75</td>
<td>0</td>
<td>1.5 d</td>
</tr>
</tbody>
</table>

* Exclusive of Sundays and Holidays

After six (6) months of satisfactory service, three (3) vacation days (1.5 days if PT) may be taken. After one (1) year of satisfactory service, up to twelve (12) vacation days (6 days if PT) may be taken. However, any vacation days taken after 6 months will be subtracted from the number of days available at one year.
Section 3. Article X11 Section 2 of the CBA shall be amended as follows:

A. Each employee who has been continuously employed by the County on a full-time annual salary basis, with a regularly scheduled work week of 75 or 80 hours bi-weekly (37.5 or 40 hours per week), shall earn twelve (12) days of sick leave per year accumulated on a bi-weekly basis with pay exclusive of Sundays and Holidays. In the case of employees working 4 hours per day, 5 days per week (20 hours per week or 40 hours bi-weekly); employees shall earn six (6) days of sick leave per year accumulated on a bi-weekly basis; At no time may the total amount accumulated sick leave with pay exceed one hundred eighty (190) days (1425.0/1520.0 hours). (See attached chart for clarification.)

<table>
<thead>
<tr>
<th>hrs/week worked*</th>
<th>Sick leave earned/year</th>
<th>hours available after 6 mths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full time</td>
<td>40</td>
<td>96</td>
</tr>
<tr>
<td>Full time</td>
<td>37.5</td>
<td>90</td>
</tr>
<tr>
<td>Part-time</td>
<td>20.0</td>
<td>48</td>
</tr>
<tr>
<td>Part-time</td>
<td>18.75</td>
<td>45</td>
</tr>
</tbody>
</table>

The right to accumulate such sick leave with pay shall continue as follows:

<table>
<thead>
<tr>
<th>hrs/week worked*</th>
<th>Sick leave earned/year</th>
<th>maximum accumulated days OR maximum accumulated hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full time</td>
<td>40</td>
<td>190 OR 1520</td>
</tr>
<tr>
<td>Full time</td>
<td>37.5</td>
<td>190 OR 1425</td>
</tr>
<tr>
<td>Part-time</td>
<td>20.0</td>
<td>190 OR 1520</td>
</tr>
<tr>
<td>Part-time</td>
<td>18.75</td>
<td>190 OR 1425</td>
</tr>
</tbody>
</table>

*Note: Hours worked is exclusive of Sunday and Holidays. Sick leave accumulated in bi-weekly accruals.

IN WITNESS WHEREOF, the parties have caused this agreement to be signed by their duly authorized representatives on this ____ day of ______________, 2019.

Attest:

COUNTY OF STEUBEN

Joseph J. Haursky  
Chairman, Legislature

Brenda K. Mori  
Witness: Clerk of the Legislature

Attest:

UNION

James Towner  
Unit President

Brent C. Underwood  
Labor Relations Specialist
RESOLUTION NO. 111-19

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</th>
<th>ROA Not Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appointed Officials</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistant Public Defender, PT</td>
<td>6.0</td>
<td>Drinald V. Bilcari</td>
<td>01/07/19-12/31/19</td>
<td>9.23</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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 following 30 days of public posting.

Mr. Mullen stated the current workday is set at 6 hours, which inflates the number that is reported to the retirement system; he believes it would be more accurate to set it at 8 hours.

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

RESOLUTION NO. 112-19

Introduced by R. Lattimer. Seconded by H. Lando.

AUTHORIZING A LOCAL GOVERNMENT EFFICIENCY GRANT APPLICATION WITH THE CITY OF CORNING.

WHEREAS, Steuben County and the City of Corning both operate public transportation programs; and

WHEREAS, both public transportation programs are funded through the same sources and must follow the same regulations and procedures; and
WHEREAS, it is advantageous for the County and the City to explore what cost savings or efficiencies, or service improvements, may be gained by consolidating public transportation programs or sharing services for said programs; and

WHEREAS, it is in the County's and City’s interests to also look at long-term and regional approaches to managing public transportation; and

WHEREAS, each entity participating in a Local Government Efficiency project may receive up to $12,500 that must be equally matched with local funds, with an estimated $5,000 match required by Steuben County should the application be awarded.

NOW THEREFORE, BE IT

RESOLVED, that the Planning Department shall assist the City of Corning with the submission of a Local Government Efficiency grant application as part of the Consolidated Funding Application process to study cost savings, efficiencies, or service improvements, for public transportation programs; and be it further

RESOLVED, that certified copies of this resolution shall be sent to the Steuben County Planning Director, and Mr. Mark Ryckman, Corning City Manager, 500 Nasser Civic Center Plaza, Corning NY 14830.

Vote: Roll Call – Adopted.

RESOLUTION NO. 113-19

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

APPOINTING THE COUNTY ATTORNEY OF THE COUNTY OF STEUBEN.

Pursuant to §5.00 of the Steuben County Charter.

WHEREAS, the Administration Committee has recommended JENNIFER K. PROSSICK for appointment as the Steuben County Attorney.

NOW THEREFORE, BE IT

RESOLVED, JENNIFER K. PROSSICK of Bath, New York, be and the same hereby is appointed County Attorney for the County of Steuben filling the unexpired term through December 31, 2020, at the salary of $130,731.00 per annum prorated commencing June 24, 2019; and be it further

RESOLVED, her Oath of Office shall be filed in the Steuben County Clerk's Office within thirty days; and be it further

RESOLVED, the Clerk of this Legislature is directed to file certified copies of this resolution with the above-named appointee, the Steuben County Clerk, the Finance Commissioner, the Personnel Officer, and the County Manager.

Vote: Roll Call – Adopted.

Motion combining Resolutions #12 – 16 and dispensing with the reading made by Mr. Potter, seconded by Ms. Lattimer and duly carried.
RESOLUTION NO. 114-19

Introduced by J. Hauryski. Seconded by Mr. Malter.

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 reappointed; and has qualified to wit:

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

January 1, 2018 through December 31, 2021
Ken Ward, MJ Ward & Sons, PO Box 747, Bath, NY 14810
Matthew Doyle, Doyle Vineyards Management, PO Box 476, Hammondsport, NY 14840

January 1, 2019 through December 31, 2022
Shawn Gilson, 3699 State Route 21, Wayland, NY 14572
Eric Machuga, 9845 Walton Road, Bradford, NY 14815

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. 115-19

Introduced by J. Hauryski. Seconded by J. Malter.

APPOINTING A FAIR HOUSING OFFICER.

WHEREAS, Steuben County is a recipient of grants from the Community Development Block Grant Small Cities Program funded by the U.S. Department of Housing and Urban Development, and implemented in New York State by the Governor’s Office for Small Cities; and

WHEREAS, the Small Cities grant regulations require that recipients affirmatively further fair housing in their communities; and

WHEREAS, the furtherance of fair housing is implemented by a Fair Housing Officer, whose duties are specified in the Steuben County Fair Housing Plan; and

WHEREAS, the Steuben County Planning Department is the lead agency for the Steuben County Small Cities Community Development Block Grant program; and

WHEREAS, said department has the technical expertise necessary to affirmatively further fair housing in the County through the publication of materials, placement of legal advertisements and other actions deemed necessary to affirmatively further fair housing in Steuben County.

NOW THEREFORE, BE IT

RESOLVED, that the Planning Director, or her designee, is hereby appointed to the position of Fair Housing Officer; and be it further

RESOLVED, that a certified copy of this resolution shall be provided to the Planning Director.

Vote:  Acclamation – Adopted.

RESOLUTION NO. 116-19

Introduced by J. Hauryski. Seconded by J. Malter.

APPOINTING A LABOR STANDARDS COMPLIANCE OFFICER.

WHEREAS, certain activities undertaken with New York State Community Development Block Grant (NYS CDBG) funding may require that the County comply with New York State Labor Law and/or Federal Labor Standards as required by the Davis-Bacon Act; and

WHEREAS, Steuben County was recently awarded NYS CDBG funding; and

WHEREAS, the award of such funds requires Steuben County to appoint a Labor Standards Compliance Officer.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Deputy County Manager is hereby appointed the Labor Standards Compliance Officer for Steuben County; and be it further

RESOLVED, that a certified copy of this resolution shall be provided to the Planning Director.
RESOLUTION NO. 117-19

Introduced by J. Hauryski.

APPOINTING MEMBERS TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.


WHEREAS, the by-laws of the Steuben County Industrial Development Agency authorizes 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, a vacancy has occurred.

NOW THEREFORE, BE IT

RESOLVED, the following person, as recommended by the Chairman of the Legislature, is hereby appointed as a member of the Steuben County Industrial Development Agency filling the unexpired term as indicated and shall hold office until reappointed or a successor is appointed, and has qualified to wit:

January 1, 2019 – December 31, 2021
Dean Strobel, General Manager Upstate Niagara Coop, 8600 Main Street, Campbell, NY 14821
(filling unexpired term of James R. Frame)

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 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 County Planning Director; James C. Johnson, Executive Director, Steuben County Industrial Development Agency, 7234 Route 54 N, PO Box 393, Bath, NY 14810; Chelsea Robertson, Executive Director, Southern Tier Central Regional Planning & Development Board, 8 Denison Parkway East, Suite 301, Corning, NY 14830; counsel to the agency and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 118-19

Introduced by J. Hauryski.

APPOINTING A SECTION 3 COORDINATOR.

WHEREAS, certain projects undertaken with Federal funds are subject to Section 3 of the Housing and Urban Development Act of 1968 (12 USC 1701U); and
WHEREAS, Steuben County was recently awarded Community Development Block Grants (CDBG) which are subject to Section 3; and

WHEREAS, Section 3 requires that the County ensures that employment and other economic opportunities generated with CDBG funds, shall, to the greatest extent feasible be directed to low- and very low-income persons, particularly those who are recipients of governmental assistance for housing, and to business concerns that provide economic opportunities to low- and very low-income persons; and

WHEREAS, the award of CDBG funds requires Steuben County to appoint a Section 3 Coordinator.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Deputy County Manager is hereby appointed the Section 3 Coordinator for Steuben County; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 119-19

Introduced by J. Malter. Seconded by K. Fitzpatrick.

OPPOSING THE PLANNED CLOSURE OF THE LIVINGSTON CORRECTIONAL FACILITY AND CALLING UPON LEADERSHIP IN ALBANY TO RECONSIDER THE PLANNED CLOSURE.

WHEREAS, during the 2019-2020 New York State Budget negotiation process, the Governor requested and subsequently received expanded authority to have discretion to arbitrarily close prisons with merely a 90 day notice; and

WHEREAS, the New York State Department of Corrections and Community Supervision (DOCCS) announced the closure of two state prisons via press release on May 18, 2019; and

WHEREAS, neither DOCCS nor the Executive Branch nor any other New York State Agency had a single public hearing or public comment period on the announced closure of the Livingston Correctional Facility; and

WHEREAS, 327 people work in some capacity at the Livingston Correctional Facility and these jobs are middle-class, public sector positions that are needed in this region; and

WHEREAS, these 327 workers reside not only in Livingston County, but in the surrounding counties, including Steuben County; and

WHEREAS, the public deserves a more informed, transparent process with more opportunity for comment than a 90 day, definitive closing announcement; and

WHEREAS, the Livingston Correctional Facility is well-occupied at 92 percent and was recently upgraded with millions of dollars in taxpayer-funded capital upgrades; and

WHEREAS, the DOCCS has not indicated if there are any plans to redevelop or re-use this soon to be closed facility; and

WHEREAS, the Steuben County Legislature feels this action by New York State will have too many negative consequences for residents of Livingston and surrounding counties, as well as New York State.
NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature strongly opposes the planned closure of the Livingston Correctional Facility and the complete lack of fair process in reaching this decision; and be it further

RESOLVED, the Steuben County Legislature calls upon the leadership in Albany to reconsider this decision; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Thomas M. O’Mara, New York State Senator, 406 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 320 Legislative Office Building, Albany, NY 12248; Honorable Marjorie Byrnes, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 700 W. State Street, Olean, NY 14760; Honorable Andrea Stewart-Cousins, NYS Senate Majority Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable Carl Heastie, Assembly Speaker, 932 Legislative Office Building, Albany, NY 12248; Rochelle Stein, President, Inter-County Association of Western New York, c/o Genesee County Legislature, 7 Main Street, Batavia, NY 14020; and New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207.

Vote: Acclamation – Adopted.

RESOLUTION NO. 120-19

OPPOSING THE STATE LEGISLATIVE PROPOSALS TO AMEND THE STATE LAW RELATED TO THE TAX FORECLOSURE PROCESS IN NEW YORK STATE.

WHEREAS, the current real property tax law addressing the tax compliance and tax foreclosure has been the law of New York State for decades; and

WHEREAS, the current Real Property Tax Foreclosure process is designed to strike a balance between enforcement and providing real property owners alternative and additional time to avoid foreclosure; and

WHEREAS, legislative proposals in S.4676 and A.4863 would eliminate certain tax enforcement fees and penalties, allow for lower interest rates in tax delinquencies, and eliminates the current “reverse chronological order” law of satisfying tax liens; and

WHEREAS, reducing the fee and eliminating penalty and interest in tax enforcement measures, will likely reduce the effectiveness and balance of the current system; and

WHEREAS, eliminating the “reverse chronological order” may cause abuse of process and allow perpetual arrears of real property taxes; and

WHEREAS, all proposed changes may reduce tax compliance and subsequently jeopardize historical funding of state/local services to residents; and

WHEREAS, under NYS Law, County government plays a major role in Real Property Tax Compliance and enforcement.

NOW THEREFORE, BE IT

RESOLVED, that Steuben County opposes state legislation proposals S.4676/A.4863 currently being considered by the New York State Legislature; and be it further
RESOLVED, that Steuben County is especially concerned of the unintended consequences the proposed legislation may cause by eliminating the current law “reverse chronological order” for paying tax liens and loosening penalties and interest, that could reduce taxpayer compliance, and will unfairly shift the burden of unpaid property taxes to other property owners in the community; and be it further

RESOLVED, certified copies of this resolution shall be sent to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Thomas M. O’Mara, New York State Senator, 307 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 320 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 700 W. State Street, Olean, NY 14760; Honorable Joseph A. Errigo, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Honorable John Flanagan, NYS Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Carl Heastie, Assembly Speaker, 932 Legislative Office Building, Albany NY 12248; Honorable Andrea Stewart-Cousins, Senate Democratic Conference Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey D. Klein, Senate Independent Democratic Conference Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Joseph D. Morelle, Assembly Majority Leader, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Assembly Minority Leader, 933 Legislative Office Building, Albany, NY 12248; Rochelle Stein, President, Inter-County Association of Western New York, c/o Genesee County Legislature, 7 Main Street, Batavia, NY 14020; and New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207.

Vote: Acclamation – Adopted.

RESOLUTION NO. 121-19

Introduced by R. Lattimer. Seconded by A. Mullen.

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 comprised of seven (7) 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

RESOLVED, that this Steuben County Legislature does hereby receive, approve, ratify, and confirm the selection and recommendation of the Steuben County Hall of Fame Committee for honoring and inducting into the Steuben County Hall of Fame the following named persons:

1. **Carroll and Patricia Haines** – Carroll Haines was born on February 12, 1932 in Presque Isle, Maine. He moved to Avoca, New York at the age of 14 to help run the Avoca branch of Haines Manufacturing, which was
purchased in 1944. After moving to Avoca, Carroll finished his high school education and while there met his future wife, Patricia Ann Sagor, whom he married in 1952. While Mr. Haines served his country in Korea from 1952 to 1954, Patricia finished her nursing degree at Arnot Ogden in Elmira and became a volunteer emergency medical coordinator and set up clinics and taught medical classes alongside of Dr. Jackson for the Avoca Area. She also volunteered with the Red Cross for over 40 years. Upon Carroll’s return from his service in the Army, he focused on developing and expanding the family business. He and Patricia purchased the business from his father. During the early 1970’s the U.S. Army came to Mr. Haines to design equipment for the retrieval of land mines. Today, Haines Equipment employs the third generation of workers in the Avoca plant. Carroll and Patricia worked as a team and modeled the ideal characteristics that founded the Steuben County Area.

2. Richard Snavely – Richard was the founder of Family Life Ministries, Inc. Richard and his wife, Jackie, moved from Lancaster County Pennsylvania in 1957 to begin a youth ministry, called Area Youth for Christ. The organization grew and began its first radio station in 1983. Over the next thirty years the radio outreach grew to nearly seventy outlets throughout NY and PA. In 1986, the organization changed its name to Family Life Ministries (Family Life). To commemorate the ministry’s fiftieth anniversary in 2007, Richard wrote an autobiography called “An Ordinary Guy…With the Extraordinary God”, detailing the history of Family Life. Richard was also the driving force behind the creation of New Life Homes – Snell Farms in the early 1970’s; a home that provides home and direction to delinquent youth.

3. Richard Call – Richard H. Call was born February 28, 1922 to migrants following World War I. In 1938, at the age of 16, he bought the old Hartsville Schoolhouse, District Number 7. A member of Future Farmers of American (FFA), in 1940, he earned the Empire Farmers’ Degree and the following year he went on to earn the American Farmer Degree; the highest honor at the National Convention of FFA. He graduated from Canistee Central School in 1941 and received an F.A. Degree with high honors from Cornell University. In 1944 Richard entered the Army and became Sergeant Major of the Seventh Infantry Division. He served his country in both World War II and Korea, receiving five battle stars. Following his military service, he worked twenty years at the Veterans Administration in Bath and Canandaigua, where he oversaw the Prosthetics & Sensor Aids Services (PSAS). Richard was also a past President of the New York State Historical Society. At the time of his retirement in 1976, he was the historian for the Town of Hartsville. At this time a group of local people organized the Hartsville Historical Society and Richard was elected president. Along with Richard’s lifelong collection as well as household antiques from a cousin, that formed the foundation of “The Call Homestead Museum”. The Museum property had been in the Call family since 1822. In 1982 Richard formally transferred “The Call Homestead Museum” to the Hartsville Historical Society, Inc. to become the Hartsville Museum. In 2016, the Steuben County Historical Society received the assets of the Hartsville Museum. With this acquisition, the local history that Richard Call loved, and devoted much of his life to preserving lives on; it lives on in the artifacts that were distributed to Historical Society’s in the region and the financial stability it provides for the Steuben County Historical Society, most notably with the sale of artifacts and the 106-acre Call Family Homestead.

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.

Chairman Hauryski announced following the meeting, a reception for the Hall of Fame will be held in the 3rd floor lobby.

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 Mrs. Lando and duly carried.
Motion to adjourn Executive Session and reconvene in Regular Session made by Mrs. Ferratella, seconded by Mr. Roush and duly carried.

Motion to adjourn made by Mr. Swackhamer, seconded by Mr. Potter and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 22nd day of July, 2019 at 10:00 a.m. and was called to order by the Vice Chairwoman of the Legislature, Carol A. Ferratella.

Roll Call and all members present except Legislators Hauryski and Schu.

Mrs. Lando provided the Invocation and the Pledge of Allegiance was led by Ms. Lattimer.

The Clerk of the Legislature read the following Memoriam:

IN MEMORIAM

NEENA K. NAGELL
1925 – 2019

The death of our former colleague, Neena K. Nagell, who passed away on June 26, 2019, is acknowledged by this Legislature with deep sadness.

Neena was born in Ellery, NY, to George and Karin Sturup. She grew up in and around Bemus Point and was a graduate of Dundee High School. She married Herbert Nagell in 1946 and together they owned and operated the Crystal Inn in Arcade, NY, for several years prior to his passing in 1977. Neena resided in several different areas of Western New York and the Finger Lakes over the years but finally settled into the town of Cohocton where she had lived for the past 30 years.

Neena took great pride in her family and home, but also had a strong sense of civic duty. She served as Cohocton Town Supervisor and then was elected as Steuben County Legislator representing the residents of Cohocton and Wayland in District 4 from 1994 through 1995.

During Neena’s tenure on the Legislature, she served as a member of the Health and Education Committee and a member of the Human Services Committee. She lent her expertise and leadership to a variety of county advisory boards and represented Steuben County with honor and distinction as a member of the InterCounty Association of Western New York.

One of Neena’s most notable achievements was tenaciously pursuing the creation and implementation of Steuben County’s Mobile Work Program. Twenty-five years later, this program is still in existence and has provided a countless number of social services recipients with on-the-job training to assist them with obtaining gainful employment.

Neena will always be remembered for her spunky demeanor and quick wit. She was dedicated to her community and her county, and she will be greatly missed by all who were blessed enough to know her.

The members of the 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 Neena’s family as an expression of the sympathy felt by this Legislature on the passing of their loved on.

Adopted by rising silent affirmation.
Vice Chairwoman Ferratella asked Eileen Wood to come forward. Ms. Wood is an employee in the County Clerk’s Office. She presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

Vice Chairwoman Ferratella asked Scott Kirk to come forward. Mr. Kirk is an employee in the Public Works Department. She presented him with a Certificate of Appreciation and a pin in recognition of his 15 years of service to Steuben County.

Vice Chairwoman Ferratella asked Kim Tears to come forward. Ms. Tears is an employee in the Department of Social Services. She presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Vice Chairwoman Ferratella asked Marcia Drake to come forward. Ms. Drake is an employee in the Department of Social Services. She presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Vice Chairwoman Ferratella asked Roger Leach to come forward. Mr. Leach is an employee in the Public Works Department. She presented him with a Certificate of Appreciation and a pin in recognition of his 25 years of service to Steuben County.

Vice Chairwoman Ferratella asked Joe Gerych to come forward. Mr. Gerych is an employee in the Emergency Management Office. She presented him with a Certificate of Appreciation, a pin and a keychain in recognition of his retirement following 11 years of service to Steuben County.

Vice Chairwoman Ferratella asked Cindy Smith to come forward. Ms. Smith is an employee in the Finance Office. She presented her with a Certificate of Appreciation and a clock in recognition of her retirement following 30 years of service to Steuben County.

Vice Chairwoman Ferratella opened the floor for comments by members of the public.

Wayne Wells, Cameron, spoke about President Trump, societal institutions and political misuse of power.

There being no further comments, Vice Chairwoman Ferratella declared the opportunity for public comment closed.

Mr. Mullen commented that on page 2 of last month’s minutes, he was referring to the rules of the Chief Judge, not the role.

Motion adopting the minutes of the previous meeting(s), as amended, made by Mr. Potter, seconded by Mr. Roush and duly carried.

Mr. Donnelly informed the Legislature that the 35th annual tax sale was held on July 12th. In 1985 there were 35 parcels that sold for $90,000. In 2019, we had 94 parcels that sold for $1.1 million. He stated that he would like to acknowledge and thank the Sheriff for the security they provided, as well as School Superintendent Hagenbuch and the grounds staff at Campbell-Savona School. Additionally, he would like to thank the Law Department and the staff in the Finance Office, in particular, Cindy Smith. Mr. Donnelly noted they did have one land-locked parcel that failed to sell. We had 52 buyers that paid in full on the date of the sale. He stated they also sold the four DEC parcels, so those parcels will be returned to the tax roll and are paid for in full.

Mr. Van Etten asked everyone in the Chambers to keep former Legislator, Dan Farrand, in their thoughts and prayers as he will be undergoing a kidney transplant on August 13th at Duke Hospital in Rawleigh, North Carolina.
RESOLUTION NO. 122-19

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

RESOLVED, as the Steuben County Land Bank Corporation desires to purchase certain foreclosed properties from the County of Steuben for the purposes of strengthening and revitalizing the economy of the County and to foster the development of such property and promote economic growth, pursuant to Not-For-Profit Corporation Law §1608(c); and the Steuben County Commissioner of Finance having confirmed that the consideration offered is sufficient to make the County whole; and due to the foregoing it is determined to be in the best interest of the County to convey the property(ies) listed on Schedule “B” to the Steuben County Land Bank Corporation for the consideration offered and as approved by the Steuben County Finance Committee on June 11, 2019, pursuant to Not-For-Profit Corporation Law §1608(c). The said grantee(s) must accept the parcel(s) contained in Schedule “B” "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, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "C" 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, with parcel “C-1” being approved by the Steuben County Finance Committee on June 11, 2019 and parcel “C-2” being approved by the Steuben County Finance Committee on June 24, 2019. 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 2019" as applicable; 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 12, 2019, contained in Schedule "D", 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), recited in Schedule “D” 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 2019" 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, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District; 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 Clerk of the Board of Education of the appropriate School District, 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, the Clerk of the Board of Education of the appropriate School District, and the grantee(s); and certified copies of this resolution contained in Schedule "D" 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"**

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<td>Name</td>
<td>Joyce E. Venter et al</td>
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<td>Joyce E. Venter et al</td>
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<td>Disposition</td>
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<td>2019-20 Correction of Assessment</td>
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<td>Name</td>
<td>Ronie VanHorn</td>
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<td>Kevin J. Mahoney</td>
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<td>Lampheah Court Housing Corp.</td>
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**SCHEDULE “B”**

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<th>Hofsess Ronald E.</th>
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<td>Parcel No.</td>
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<td>Municipality</td>
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<tr>
<td>Grantee(s)</td>
<td>Steuben County Land Bank Corporation</td>
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<td>Grantee(s) Address</td>
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<td>Grantee(s)</td>
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<tr>
<td>Former Owner</td>
<td>Garber John</td>
<td></td>
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<tr>
<td>Grantee(s)</td>
<td>City of Hornell</td>
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<td>Municipality</td>
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<td>Highest Bidder</td>
<td>Scott Alan Fay</td>
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<td>Highest Bidder’s Address</td>
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<td>Consideration</td>
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<td>Second Highest Bidder</td>
<td>Theresa Mattison</td>
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<td>Second Highest Bidder’s Address</td>
<td>3765 S Goodhue Lake Rd, Addison, NY 14801</td>
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<tr>
<th>Resolution No.</th>
<th>D-2</th>
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<tr>
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<td>Walker William, Walker Annette</td>
</tr>
<tr>
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<td>2015-1291CV, Judgment filed 05/01/2019</td>
</tr>
<tr>
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<tr>
<td>Parcel No.</td>
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</tr>
<tr>
<td>Municipality</td>
<td>Addison Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Dustin L Cox</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>3006 College Ave B, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$635.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
<tr>
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<td>NA</td>
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<td>Second Highest Bidder’s Address</td>
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<tr>
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<td>Bilby Lane, Bilby Twila L</td>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>July 12, 2019 (Sale No. 3)</td>
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<td>Highest Bidder</td>
<td>Ralph A Swan</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>3813 County Route 2, Addison, NY 14801</td>
</tr>
<tr>
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<td>$28,785.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Glenn Stanford</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>3275 County Route 21, Jasper, NY 14855</td>
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<td>Resolution No.</td>
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<td>D-4</td>
<td>Watkins Merlin, Watkins Sharon M</td>
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<td>D-5</td>
<td>Burdin Dale A, Burdin Marianne</td>
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<td>D-6</td>
<td>Fox Katherine</td>
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<td>D-7</td>
<td>Fox Denelle K</td>
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<td>Resolution No.</td>
<td>D-8</td>
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<td>Highest Bidder</td>
<td>Josh Zimmerman, Melissa Zimmerman</td>
</tr>
<tr>
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<td>423 Malden Street, Rochester, NY 14615</td>
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<td>$11,030.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Steven D Nichols</td>
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<td>Avoca Village</td>
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<td>Highest Bidder</td>
<td>Mary Ann Morris</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>576 N. Birdneck Rd # 135, Virginia Beach, VA 23451</td>
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<td>Consideration</td>
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<td>Anthony Clark</td>
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<td>Second Highest Bidder’s Address</td>
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<td>Highest Bidder</td>
<td>Dewaine H Aldrich, Christine A Aldrich</td>
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<td>Highest Bidder’s Address</td>
<td>7655 State Route 415, Bath, NY 14810</td>
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<td>$4,155.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Second Highest Bidder</td>
<td>Steven Pilgrim</td>
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<td>Helm Dean J, Havens Cheryl A</td>
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<td>Bath Town</td>
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<tr>
<td>Highest Bidder</td>
<td>Andrew Rowley</td>
</tr>
<tr>
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<td>43 Geneva St, Bath, NY 14810</td>
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<td>Consideration</td>
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<td>Richard Flanagan</td>
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<tr>
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<td>5553 Nipher Rd, Bath, NY 14810</td>
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<tr>
<td>D-12</td>
<td>Ahmed Qudrat</td>
</tr>
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<td>D-13</td>
<td>Maio Christine</td>
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<td>D-14</td>
<td>Houle Glenn R</td>
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<td>D-15</td>
<td>Hoad Charles A Jr</td>
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<td>D-16</td>
<td>Davidson Mary H</td>
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<td>D-17</td>
<td>Schutt Estate Betty</td>
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<td>D-18</td>
<td>Rickard Jerry Jr, Rickard Valerie</td>
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<td>D-19</td>
<td>Wilson Miles, Wilson Gary S</td>
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<td>Wilson Gary S</td>
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<td>Muller Steven F</td>
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<td>Resolution No.</td>
<td>Allen Alvin</td>
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<td>Resolution No.</td>
<td>Zakrzeski Jeffrey, Buczak Francis</td>
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Legislative Meeting  
Monday, July 22, 2019
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<th>D-24</th>
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<td>2015-1291CV, Judgment filed 05/01/2019</td>
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<td>Cameron</td>
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<tr>
<td>Highest Bidder</td>
<td>Josh Zimmerman, Melissa Zimmerman</td>
</tr>
<tr>
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<td>423 Malden Street, Rochester, NY 14615</td>
</tr>
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<td>Consideration</td>
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<td>Ernest Pischel</td>
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<td>Shepard Douglas E</td>
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<td>Campbell</td>
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<td>Highest Bidder</td>
<td>Casey M Cleary</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>269 Walnut St, Corning, NY 14830</td>
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<td>Gary Brown</td>
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<td>Babcock Leon Jr, Attn: Babcock Leon Sr</td>
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<td>2015-1291CV, Judgment filed 05/01/2019</td>
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<td>Canisteo Town</td>
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<td>Steven D Nichols</td>
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<td>PO Box 1977, North Myrtle Beach, SC 29598</td>
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<td>Erickalynn Johnson</td>
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<td>Tyler Joseph Speciale</td>
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<td>11217 Tannery Creek Rd, Corning, NY 14830</td>
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<td>Second Highest Bidder’s Address</td>
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<td>Highest Bidder</td>
<td>Kimberly K Lattimer, Frank W Hoffman Jr.</td>
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<tr>
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<td>2173 Michigan Rd, Wayland, NY 14572</td>
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<td>Larry J Dunton</td>
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<td>Cohocton Town</td>
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<td>Highest Bidder</td>
<td>Maria A Ammarell</td>
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<td>3 Edgewood Dr, Cohocton, NY 14826</td>
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<td>Ty Key Homes</td>
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<td>5276 Route 64, Canandaigua, NY 14424</td>
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<td>Thomas Thompson</td>
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<td>470 English Rd, Rochester, NY 14616</td>
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<td>Highest Bidder</td>
<td>Reginald Tostanoski Sr</td>
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<tr>
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<td>4289 Meads Creek Rd, Painted Post, NY 14870</td>
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<td>68 Ontario St, Corning, NY 14830</td>
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<tr>
<td>D-32</td>
<td>Wray Bryan D, Wray Noelle F</td>
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<td>D-33</td>
<td>Saunders Robert B Sr, Taylor Deborah L</td>
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<tr>
<td>D-34</td>
<td>Conner Charles</td>
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<tr>
<td>D-35</td>
<td>Gerow Christopher A</td>
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<td>Resolution No.</td>
<td>D-36</td>
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<td>Highest Bidder</td>
<td>Micah S Hofland</td>
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<td>Highest Bidder’s Address</td>
<td>111 East Second St, Corning, NY 14830</td>
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<td>Consideration</td>
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<td>2016-1201CV, Judgment filed 05/01/2019</td>
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<td>July 12, 2019 (Sale No. 54)</td>
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<tr>
<td>Parcel No.</td>
<td>317.43-01-016.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Cristena Louise Donahue, Shane K Donahue</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>272 E First Street, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$18,885.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Anthony Tallarida</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>68 Ontario St, Corning, NY 14830</td>
</tr>
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<thead>
<tr>
<th>Resolution No.</th>
<th>D-38</th>
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<tbody>
<tr>
<td>Former Owner</td>
<td>JMK 235 Inc, Attn: Briggs</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>104021, Judgment filed 05/01/2019</td>
</tr>
<tr>
<td>Date of Tax Sale:</td>
<td>July 12, 2019 (Sale No. 56)</td>
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<tr>
<td>Parcel No.</td>
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<tr>
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<td>Corning Riverside</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Michael Kenyon</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>8394 County Route 4, Campbell, NY 14821</td>
</tr>
<tr>
<td>Consideration</td>
<td>$17,355.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Benjamin Lewis</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>224 Sunset Dr, Corning, NY 14830</td>
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<tr>
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<tbody>
<tr>
<td>Former Owner</td>
<td>Race Paul J, Race Mollie</td>
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<tr>
<td>In Rem Index No.</td>
<td>2016-1201CV, Judgment filed 05/01/2019</td>
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<td>Date of Tax Sale:</td>
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<tr>
<td>Highest Bidder</td>
<td>Luke O Ferenczy</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>111 East Second St, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$14,485.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Daron Driscoll</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>223 Mount Zoar St, Elmira, NY 14904</td>
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<td>Resolution No.</td>
<td>D-40</td>
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<tr>
<td>Former Owner</td>
<td>Garber John</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Date of Tax Sale:</td>
<td>July 12, 2019 (Sale No. 58)</td>
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<td>Corning Town</td>
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<td>Highest Bidder</td>
<td>Christopher M Merola</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>267 Sunset Drive, Corning, NY 14830</td>
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<tr>
<td>Consideration</td>
<td>$1,460.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Sandra King</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>3387 Lamoka, Bradford, NY 14815</td>
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<td>Date of Tax Sale:</td>
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<td>Christina F Jenkins</td>
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<tr>
<td>Highest Bidder’s Address</td>
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<td>$1,405.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Sandra King</td>
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<tr>
<td>Former Owner</td>
<td>Fuller Gregory M Jr, Edmister Frederick W</td>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Corning Town</td>
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<td>Highest Bidder</td>
<td>Luke O Ferenczy</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>111 East Second St, Corning, NY 14830</td>
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<td>Consideration</td>
<td>$15,035.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Second Highest Bidder</td>
<td>Daron Driscoll</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>223 Mount Zoar St, Elmira, NY 14904</td>
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<tr>
<td>Former Owner</td>
<td>Peck Brian J</td>
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<tr>
<td>In Rem Index No.</td>
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<td>Date of Tax Sale:</td>
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<td>Corning Town</td>
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<td>Highest Bidder</td>
<td>Kent Austen McConnell, Emily R McConnell</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>343 Steege Hill Rd, Corning, NY 14830</td>
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<tr>
<td>Consideration</td>
<td>$635.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Donald Stuckey</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>365 E Third St, Corning, NY 14830</td>
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<td>Resolution No.</td>
<td>D-44</td>
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<tr>
<td>Former Owner</td>
<td>Boor Jonathan</td>
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<tr>
<td>In Rem Index No.</td>
<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Date of Tax Sale:</td>
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<td>Parcel No.</td>
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<td>Dansville</td>
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<td>Highest Bidder</td>
<td>Matthew T Giardina</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>8827 County Route 87, Hammondsport, NY 14840</td>
</tr>
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<td>Consideration</td>
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<td>Former Owner</td>
<td>Seiger James F Jr</td>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<tr>
<td>Parcel No.</td>
<td>297.00-01-038.000</td>
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<td>Municipality</td>
<td>Erwin</td>
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<tr>
<td>Highest Bidder</td>
<td>Jeffrey M Lechner</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>2991 Beeman Hollow, Addison, NY 14801</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,285.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Paul Jones</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>7011 County Route 119, Cameron Mills, NY 14820</td>
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<tr>
<th>Resolution No.</th>
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<tr>
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<td>Evans Robert M</td>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Date of Tax Sale:</td>
<td>July 12, 2019 (Sale No. 67 &amp; 68)</td>
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<tr>
<td>Parcel No.</td>
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<td>Fremont</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Kevin L Tagnosky, Christina A Tagnosky</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>3081 County Route 6, Cohocton, NY 14826</td>
</tr>
<tr>
<td>Consideration</td>
<td>$10,205.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Randy Schultz</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>2575 County Route 1, Addison, NY 14801</td>
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<thead>
<tr>
<th>Resolution No.</th>
<th>D-47</th>
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<tbody>
<tr>
<td>Former Owner</td>
<td>Witt Jefferey</td>
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<tr>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Date of Tax Sale:</td>
<td>July 12, 2019 (Sale No. 69)</td>
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<tr>
<td>Municipality</td>
<td>Greenwood</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Daron E Driscoll Jr</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1016 Oak Street, Elmira, NY 14901</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,835.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Maria Ammarell</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>3 Edgewood Dr, Cohocton, NY 14826</td>
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<tr>
<td>Resolution No.</td>
<td>D-48</td>
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<tr>
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<tr>
<td>Former Owner</td>
<td>Smith Elizabeth A</td>
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<tr>
<td>In Rem Index No.</td>
<td>2016-1201CV, Judgment filed 05/03/2018</td>
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<tr>
<td>Date of Tax Sale:</td>
<td>July 12, 2019 (Sale No. 70)</td>
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<tr>
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<tr>
<td>Municipality</td>
<td>Greenwood</td>
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<tr>
<td>Highest Bidder</td>
<td>Benjamin E Smith Jr</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>PO Box 834, Greenwood, NY 14839</td>
</tr>
<tr>
<td>Consideration</td>
<td>$16,685.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Dawn Dubois</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>80 Maple St, Canisteo, NY 14823</td>
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<tr>
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<tr>
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<td>Cram John, Cram Bruce</td>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<tr>
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<tr>
<td>Municipality</td>
<td>Hornby</td>
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<tr>
<td>Highest Bidder</td>
<td>Benjamin Franklin Lewis III, Shelly Jean McCullough</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>224 Sunset Dr, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$16,685.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Erickalynn Johnson</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>21 River St, Avoca, NY 14809</td>
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<td>2015-1291CV, Judgment filed 05/01/2019</td>
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<td>Date of Tax Sale:</td>
<td>July 12, 2019 (Sale No. 76)</td>
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<td>Municipality</td>
<td>Hornell City</td>
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<tr>
<td>Highest Bidder</td>
<td>Fresh Start Housing &amp; Repair LLC</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1910 West Shore Rd, Bath, NY 14810</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,955.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Second Highest Bidder</td>
<td>Josh Zimmerman</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>423 Malden St, Greece, NY 14615</td>
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<tr>
<th>Resolution No.</th>
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<tr>
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<tr>
<td>In Rem Index No.</td>
<td>2016-1201CV, Judgment filed 05/01/2019</td>
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<td>Date of Tax Sale:</td>
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<td>Parcel No.</td>
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<td>Hornell City</td>
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<tr>
<td>Highest Bidder</td>
<td>Charles Johnson, ErickaLynn Johnson</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>4010 County Route 6, Avoca, NY 14809</td>
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<td>Edward Oyer Jr</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>12 Armory Place, Hornell, NY 14843</td>
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<td>D-52</td>
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<tr>
<td>Former Owner</td>
<td>Donnelly Patrick J</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Date of Tax Sale:</td>
<td>July 12, 2019 (Sale No. 79)</td>
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<td>Hornell City</td>
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<tr>
<td>Highest Bidder</td>
<td>Dawn Marie Dubois</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>80 Maple Street, Canisteo, NY 14823</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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<td>Second Highest Bidder</td>
<td>Anthony Clark</td>
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<td>Second Highest Bidder’s Address</td>
<td>1910 W Shore Rd, Bath, NY 14810</td>
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<td>Lynch Patrick J</td>
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<td>2012-1440CV, Judgment filed 04/29/2014</td>
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<td>July 12, 2019 (Sale No. 81)</td>
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<td>Municipality</td>
<td>Hornell City</td>
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<tr>
<td>Highest Bidder</td>
<td>Richard Wilson, Christina Wilson</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>81 Hartshorn Street, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
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<td>In Rem Index No.</td>
<td>2016-1201CV, Judgment filed 05/01/2019</td>
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<td>Hornell City</td>
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<tr>
<td>Highest Bidder</td>
<td>Sandra Lynn King</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>3387 Lamoka Lake, Bradford, NY 14815</td>
</tr>
<tr>
<td>Consideration</td>
<td>$3,275.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Angela Slayton</td>
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<tr>
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<td>10095 Stones Falls Rd, Dansville, NY 14437</td>
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<td>Former Owner</td>
<td>Argentieri James M</td>
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<td>In Rem Index No.</td>
<td>2015-1291CV, Judgment filed 05/04/2017</td>
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<tr>
<td>Parcel No.</td>
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<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Richard Wilson, Christina Wilson</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>81 Hartshorn Street, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$332.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>NA</td>
</tr>
<tr>
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<td>Resolution No.</td>
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<tr>
<td>Former Owner</td>
<td>Guild Robert H, Hults M</td>
</tr>
<tr>
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<td>2016-1201CV, Judgment filed 05/01/2019</td>
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<td>Hornell City</td>
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<tr>
<td>Highest Bidder</td>
<td>Ryan T Burr</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>4859 Stoner Hill Rd, Dansville, NY 14437</td>
</tr>
<tr>
<td>Consideration</td>
<td>$23,285.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>William Harding</td>
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<td>Second Highest Bidder’s Address</td>
<td>115 Hill St, Hornell, NY 14843</td>
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<th>Resolution No.</th>
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<tbody>
<tr>
<td>Former Owner</td>
<td>Shutes Edward F, Shutes Ella M</td>
</tr>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<tr>
<td>Highest Bidder</td>
<td>Edward J Oyer Jr</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>12 Armory Place, Hornell, NY 14843</td>
</tr>
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<td>Consideration</td>
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<tr>
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<td>NA</td>
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<tr>
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<td>Shinebarger Jeremy</td>
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<tr>
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<td>107.19-01-048.200</td>
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<tr>
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<td>Arkport</td>
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<tr>
<td>Highest Bidder</td>
<td>VCAFE Arkport Inc.</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>7937 State Route 36, Arkport, NY 14807</td>
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<tr>
<td>Consideration</td>
<td>$16,805.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Steven Pilgrim</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>PO Box 393, Savona, NY 14879</td>
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<tr>
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<tr>
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<td>Snyder Michael W Etal</td>
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<td>In Rem Index No.</td>
<td>2014-1414CV, Judgment filed 05/01/2019</td>
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<td>136.05-01-027.100</td>
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<td>Hornellsville</td>
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<tr>
<td>Highest Bidder</td>
<td>LEDD Properties LLC</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>205 Hornell Street, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$6,355.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Charles R Wochele</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>3582 County Rd 16, Canandaigua, NY 14424</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>Former Owner</td>
</tr>
<tr>
<td>---------------</td>
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</tr>
<tr>
<td>D-60</td>
<td>Lawence Fink</td>
</tr>
<tr>
<td></td>
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</tr>
<tr>
<td></td>
<td>Coumbe Stanley, Hmiel Marsha</td>
</tr>
<tr>
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</tr>
<tr>
<td></td>
<td>Donnelly William J</td>
</tr>
<tr>
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<td>Resolution No.</td>
<td>D-64</td>
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<tr>
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<tr>
<td>Former Owner</td>
<td>Krueger Cheryl</td>
</tr>
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<td>In Rem Index No.</td>
<td>2016-1201CV, Judgment filed 05/01/2019</td>
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<td>Prattsburgh</td>
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<tr>
<td>Highest Bidder</td>
<td>Ernest T Pischel Jr, Amber R Pischel</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>PO Box 142, Spencer, NY 14883</td>
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<tr>
<td>Consideration</td>
<td>$4,365.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Mark Mogavero</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>202 W Washington, Bath, NY 14810</td>
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<tr>
<th>Resolution No.</th>
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<tr>
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<td>Savage Thomas T</td>
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<td>2016-1201CV, Judgment filed 05/01/2019</td>
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<td>Prattsburgh</td>
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<tr>
<td>Highest Bidder</td>
<td>Lent Hill Dary Farm LLC</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>10799 Edmond Rd, Cohocton, NY 14826</td>
</tr>
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<td>Consideration</td>
<td>$16,255.00, inclusive of buyer’s premium &amp; recording fees</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Daniel D Schultz</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>1301 Summerland Square Lot 603, Ft Meyers, FL 33931</td>
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<tr>
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<tbody>
<tr>
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<td>Taft Ronald L</td>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Prattsburgh</td>
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<td>Highest Bidder</td>
<td>Calvin A Barnum, Theresa L Barnum</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>7581 Tuttle Rd, Prattsburgh, NY 14873</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,935.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Second Highest Bidder</td>
<td>Susan Betzjtomir</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>370 Victory Hwy, Painted Post, NY 14870</td>
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<tr>
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<tbody>
<tr>
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<tr>
<td>In Rem Index No.</td>
<td>2016-1201CV, Judgment filed 05/01/2019</td>
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<td>Prattsburgh</td>
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<td>Highest Bidder</td>
<td>Sean W Allison</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>7 Liberty Street, Bath, NY 14810</td>
</tr>
<tr>
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<td>Caleb Carlton</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>10 Howe St, Prattsburgh, NY 14873</td>
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<td>Resolution No.</td>
<td>D-68</td>
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<tr>
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<td>Coville Brandi</td>
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<tr>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Highest Bidder</td>
<td>Larry L Dunton Jr</td>
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<td>Highest Bidder’s Address</td>
<td>935 Mertz Rd, Middlesex, NY 14507</td>
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<td>Consideration</td>
<td>$4,585.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Robert Pritting Jr</td>
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<td>Second Highest Bidder’s Address</td>
<td>8761 Clark Rd, Avoca, NY 14809</td>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<tr>
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<td>Prattsburgh</td>
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<td>Highest Bidder</td>
<td>Nelson C Wadsworth Jr</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>55 University Ave, Atlanta, NY 14808</td>
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<td>Consideration</td>
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<td>Caleb Carlton</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>10 Howe St, Prattsburgh, NY 14873</td>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Date of Tax Sale:</td>
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<td>Pulteney</td>
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<tr>
<td>Highest Bidder</td>
<td>William A White, Elizabeth B White</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>10475 Cross Street, Hammondsport, NY 14840</td>
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<td>Consideration</td>
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<td>Second Highest Bidder</td>
<td>Dean Thelen</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>6845 Hardscrabble Rd, Addison, NY 14801</td>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Joseph H Patoine</td>
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<td>Highest Bidder’s Address</td>
<td>7064 State Route 53, Prattsburgh, NY 14873</td>
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<td>Sandra King</td>
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<td>Second Highest Bidder’s Address</td>
<td>3387 Lamoka, Bradford, NY 14815</td>
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<tr>
<td>Resolution No.</td>
<td>Former Owner</td>
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<tr>
<td>D-72</td>
<td>Wawrzyk Chester Jr, Michael Wawrzyk</td>
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<tr>
<td>D-73</td>
<td>Andalis Robert</td>
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<tr>
<td>D-74</td>
<td>Watson Dale R, Watson Sheena L</td>
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<tr>
<td>D-75</td>
<td>Pierce Latashia L</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>D-76</td>
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<tr>
<td>Former Owner</td>
<td>Dey Dennis A, Dey Yoshiko</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Troupsburg</td>
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<td>Highest Bidder</td>
<td>Robert Bradley, Jodi Bradley</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>4295 Cook Rd, Woodhull, NY 14898</td>
</tr>
<tr>
<td>Consideration</td>
<td>$4,705.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>David Thompson</td>
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<td>Second Highest Bidder’s Address</td>
<td>6122 State Route 415, Savona, NY 14879</td>
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<td>Hertzler John F</td>
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<td>Tuscarora</td>
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<td>Highest Bidder</td>
<td>George H Beckmann</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1095 Thurber Rd, Corning, NY 14830</td>
</tr>
<tr>
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<tr>
<td>Second Highest Bidder</td>
<td>Josh Zimmerman</td>
</tr>
<tr>
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<td>423 Malden St, Greece, NY 14615</td>
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<tr>
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<td>Ahmed Mukhtar</td>
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<td>Wayland Town</td>
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<td>Highest Bidder</td>
<td>Hober Enterprises</td>
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<tr>
<td>Highest Bidder’s Address</td>
<td>PO Box 577, Wayland, NY 14572</td>
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<td>Consideration</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Jason Ryan</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>3058 Sawdust Rd, Wayland, NY 14572</td>
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<td>Northern Steuben Housing Development Corp</td>
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<td>2017-1281CV, Judgment filed 05/01/2019</td>
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<td>Wayland Village</td>
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<td>Highest Bidder</td>
<td>Raners Rentals LLC</td>
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<td>Highest Bidder’s Address</td>
<td>3803 State Route 414, Corning, NY 14830</td>
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<td>Consideration</td>
<td>$49,685.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
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<td>Second Highest Bidder</td>
<td>Lisa Bortle</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>2130 Dieter Rd, Wayland, NY 14572</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>D-80</td>
</tr>
<tr>
<td>----------------</td>
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</tr>
<tr>
<td>Former Owner</td>
<td>Northern Steuben Housing Development Corp</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>2017-1281CV, Judgment filed 05/01/2019</td>
</tr>
<tr>
<td>Date of Tax Sale:</td>
<td>July 12, 2019 (Sale No. 113)</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>003.13-02-004.320</td>
</tr>
<tr>
<td>Municipality</td>
<td>Wayland Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Raners Rentals LLC</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>3803 State Route 414, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$44,185.00, inclusive of buyer’s premium &amp; recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Christopher Thomas</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>10605 Skyline Dr, Corning, NY 14830</td>
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</table>

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Former Owner</td>
<td>Northern Steuben Housing Development Corp</td>
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<td>$44,185.00, inclusive of buyer’s premium &amp; recording fees</td>
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<td>Second Highest Bidder</td>
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</tr>
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<td>Ryan Lillian A, Ryan Edward T</td>
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<td>Highest Bidder</td>
<td>Lisa R Bortle</td>
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<td>2130 Dieter Rd, Wayland, NY 14572</td>
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<td>Second Highest Bidder</td>
<td>Jason Ryan</td>
</tr>
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<td>Highest Bidder</td>
<td>Gregory James Flaitz, Edward L Flaitz, Steven J Flaitz</td>
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<td>Highest Bidder’s Address</td>
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<td>Consideration</td>
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<td>Dean Thelen</td>
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<td>Second Highest Bidder’s Address</td>
<td>6845 Hardscrabble Rd, Addison, NY 14801</td>
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| Resolution No. | D-84  
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<td>Highest Bidder</td>
<td>Wendy Allard</td>
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<td>Consideration:</td>
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<td>Chris Myers</td>
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<td>6583 Holden Rd, Addison, NY 14801</td>
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| Resolution No. | D-85  
<table>
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<tr>
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<td>Wheeler</td>
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<td>Ronda M Nicholson</td>
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<td>Consideration:</td>
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<td>Second Highest Bidder</td>
<td>Tracy Saltsman</td>
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<td>5773 Michigan Hollow Rd, Avoca, NY 14809</td>
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| Resolution No. | D-86  
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<td>Highest Bidder</td>
<td>Robert J Pritting Jr</td>
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<tr>
<td>Highest Bidder’s Address</td>
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<tr>
<td>Second Highest Bidder</td>
<td>Ruth Chaffee</td>
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<tr>
<td>Second Highest Bidder’s Address</td>
<td>1790 Fairgrounds Rd, Prattsburgh, NY 14873</td>
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</table>

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<tr>
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<td>Jack J Plewa, Tatiana Delsante</td>
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<td>9170 County Route 7, Avoca, NY 14809</td>
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<tr>
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<td>Second Highest Bidder</td>
<td>John Roe</td>
</tr>
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<td>Second Highest Bidder’s Address</td>
<td>6559 County Route 10, Bath, NY 14810</td>
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Resolution No. D-88
Former Owner Abbey Peggy, Abbey Curtis & Joan
In Rem Index No. 2016-1201CV, Judgment filed 05/01/2019
Date of Tax Sale: July 12, 2019 (Sale No. 124)
Parcel No. 363.08-01-003.000
Municipality Woodhull
Highest Bidder Gideon Yoder
Highest Bidder’s Address 6338 Derby Hill Rd, Addison, NY 14801
Consideration $8,985.00, inclusive of buyer’s premium & recording fees
Second Highest Bidder Susan Betzjitomir
Second Highest Bidder’s Address 370 Victory Hwy, Painted Post, NY 14870

Resolution No. D-89
Former Owner Chamberlain Nanette
In Rem Index No. 2017-1281CV, Judgment filed 05/01/2019
Date of Tax Sale: July 12, 2019 (Sale No. 125)
Parcel No. 399.00-01-010.113
Municipality Woodhull
Highest Bidder Carol M Weaver, Guy R Weaver
Highest Bidder’s Address 601 Carlson Rd, Hummelstown, PA 17036
Consideration $14,485.00, inclusive of buyer’s premium & recording fees
Second Highest Bidder Benjamin Lewis
Second Highest Bidder’s Address 224 Sunset Dr, Corning, NY 14830

**Vote:** Roll Call – Adopted. Yes – 7452; No – 0; Abstained – 1198; Absent – 1222
(​Abstained: Legislators Hanna and Mullen due to client relationships; Absent – Legislators Haursky and Schu)

**RESOLUTION NO. 123-19**

Introduced by C. Ferratella. Seconded by G. Roush.

**RECEIVING AND ACCEPTING THE JULY 22, 2019 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 25, 2019**
Retired Public Employees Association – Re: Request for a proclamation to celebrate 50 years of representing the interests of public sector retirees. Referred to: Steuben County Legislature.

NYS Division of the Budget – Re: Approval of the Raise the Age county plan. Referred to: Public Safety & Corrections Committee; Human Services/Health & Education Committee; Sheriff Allard; Kathryn Muller, Commissioner of Social Services; Shawn Sauro, Public Defender; Jennifer Prossick, County Attorney; and Jack Wheeler, County Manager.

June 26, 2019
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and T.M.S. Properties L.L.C.’s termination of the (payment in lieu of tax) agreement dated November 1, 2000 for property located at Lynn Morse Drive, Town of Erwin (S/B/L 298.00-1-3.11). Referred to: Finance Committee; Administration Committee; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.

NYS Board on Electric Generation Siting and the Environment – Re: Ruling admitting exhibits for the Baron Winds LLC Project (Case# 15-F-0122) issued June 24, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

July 3, 2019
NYS Assemblyman Joseph Giglio – Re: Updated 2019 aid distributions for the Consolidated Highway Improvement Program (CHIPS), PAVE-NY and the Extreme Winter Recovery Program. Referred to: Public Works Committee; Vince Spagnoletti, Commissioner of Public Works; and Patrick Donnelly, Commissioner of Finance.

July 5, 2019
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $3,707, which represents the May 2019 surcharge payment for Steuben County. Referred to: Finance Committee; Administration Committee; and Patrick Donnelly, Commissioner of Finance.

NYS Department of Transportation – Re: Notification of being awarded $21,526 for the 2019 Accelerated Transit Capital Program. Referred to: Amy Dlugos, Planning Director and filed with Brenda Mori, Clerk of the Legislature.

July 11, 2019
NYS Homes and Community Renewal – Re: Notification of Steuben County being awarded the 2019 New York State Community Development Block Grant (NYS CDBG Project #1115WS301-19) in the amount of $198,000 for the Wells & Septic Replacement Program. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director and Patrick Donnelly, Commissioner of Finance.

Vote: Acclamation – Adopted.

RESOLUTION NO. 124-19

Introduced by J. Malter. Seconded by K. Fitzpatrick.


WHEREAS, Local Law No. Two of 2015 established County Administration of the Steuben County Driver Diversion Program; and

WHEREAS, Steuben County has, subsequent to the passage of Local Law No. Two of 2015, discontinued said Driver Diversion Program; and

WHEREAS, the County of Steuben now desires to re-evaluate a Steuben County Driver Diversion Program and repeal the existing Program.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Two of 2019, repealing Local Law No. Two of 2015.
COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2019

A Local Law repealing Local Law No. Two of 2015 Establishing County Administration of the Steuben County District Attorney’s Driver Diversion Program.

BE IT ENACTED by the Steuben County Legislature, as follows:

SECTION 1. INTENT. Local Law No. Two of 2015 Establishing County Administration of the Steuben County Driver Diversion Program is hereby repealed.

SECTION 2. EFFECTIVE DATE. This Local Law shall become effective immediately.

AND BE IT FURTHER RESOLVED, before said Local Law is adopted by the Steuben County Legislature, a Public Hearing shall be held on Monday, August 26, 2019 at 10:00 a.m. at the Legislative Chambers, 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 DMV Office in 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 the proof of posting and publication 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 District Attorney, Commissioner of Finance, County Manager, County Attorney, and the Clerk of the Legislature.

Mr. Mullen asked are we just repealing this? Mr. Wheeler replied yes. In the coming months, there will be discussion about a replacement program. In effect, we have not had the program for the past one and a half years. Ms. Prossick and Mr. Baker are working together on a new local law.

Vote: Acclamation – Adopted.

RESOLUTION NO. 125-19


AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT EXTREME WINTER RECOVERY FUNDING.

WHEREAS, New York State’s 2019 CHIPS FUNDING and Pave NY funding for counties was budgeted at $5,440,968.18; and

WHEREAS, $642,568.88 in “Extreme Winter Recovery” funding for counties was recently added to the 2019-2020 State budget; and

WHEREAS, this additional funding will be used to upgrade a portion of CR 31 in Jasper, pave 3 miles of CR14 in Howard and pave/widen 2.8 miles on CR97 in Wayne.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized and directed to execute all necessary documents or agreements relative to the additional “Extreme Weather Recovery” funding; and be it further
RESOLVED, the Commissioner of Finance is hereby authorized to accept and appropriate the additional “Extreme Winter Recovery” funding of $642,568.88 to revenue account for CHIPS D 999901 4350100 and the expense account for Permanent Improvements (D 511200, 5 251 079, R031-19), and (D 511200, 5 251 069, 014-19) and (D 511200, 5 521 074, 097-19); 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. 126-19**


**AUTHORIZING AN ALLOCATION FROM THE ECONOMIC DEVELOPMENT FUND TO THE KEUKA LAKE ASSOCIATION FOR THE 2019 STREAM SAMPLING PROGRAM.**

WHEREAS, the Keuka Lake Association is committed to preserving the water quality of Keuka Lake; and

WHEREAS, the Keuka Lake Association has been working on the nine (9) element plan aimed at preventing harmful algae blooms in Keuka Lake; and

WHEREAS, the first element of the plan involves identifying the pollutants going into the lake; and

WHEREAS, the only way to identify pollutants is by sampling the key streams around the lake during the summer and rain events; and

WHEREAS, having an up-to-date nine (9) element plan is required to be eligible for funding from the Environmental Protection Agency (EPA) to further address harmful algae blooms; and

WHEREAS, the Keuka Lake Association is seeking funding from Steuben and Yates Counties to split the $5,200 total cost of the stream sampling program; and

WHEREAS, Steuben County’s portion of the cost of the 2019 Stream Sampling Program would be $2,600; and

WHEREAS, Yates County’s authorization to fund half the cost of the sampling program is contingent upon Steuben County’s authorization to fund the other half of the cost of the sampling.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Manager is authorized to allocate $2,600 from the Economic Development Fund to the Keuka Lake Association; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Mark Morris, President of the Keuka Lake Association, the Steuben County Manager, the Yates County Administrator, and the Steuben County Commissioner of Finance.

**Vote:** Roll Call – Adopted.
RESOLUTION NO. 127-19

Introduced by S. Van Etten. Seconded by G. Swackhamer.

APPROVING THE 2020 WORKERS’ COMPENSATION BUDGET.

Pursuant to Article 5 of the Workers' Compensation Law of the State of New York.

WHEREAS, an estimate of the cost is to be filed with this County Legislature on or before August 15, 2019 for the Budget Year 2020.

NOW THEREFORE, BE IT

RESOLVED, that the estimated cost (Budget for 2020), 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 2020 Steuben County Budget; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the 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, 2020

Your Administrator of the Steuben County Self-Insurance Workers’ Comp plan respectfully submits the annual estimate of expenses for the Steuben County Self-Insurance Plan for the fiscal year beginning January 1, 2020 and ending December 31, 2020, pursuant to Section 67, Paragraph 1 of the Workers’ Compensation Law.

APPROPRIATED BUDGET FOR 2020

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<td>MACH &amp; EQUIP - MISC</td>
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<td>PROFESSIONAL WITNESS</td>
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</table>
Mr. Van Etten stated he would like to thank Mr. Sprague and Mr. Wheeler for the good job they are doing. We are seeing continuous reductions in the budget and an increase in the reserve. We need to determine what a reasonable level for the reserve is. This was very concerning when he first came on the Legislature, and we need to recognize the work they have done.

**Vote: Roll Call – Adopted.**

RESOLUTION NO. 128-19

Introduced by S. Van Etten. Seconded by F. Potter.

APPROVING THE 2020 WORKERS' COMPENSATION TABLE OF APPORTIONMENT.

Pursuant to Article 5 of the Workers' Compensation Law of the State of New York.

**WHEREAS,** on July 9, 2019 the Administration Committee of this Steuben County Legislature had filed and approved the estimated cost for Fiscal Year 2020 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 2020, 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 2020 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 2020; 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

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<th>Description</th>
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Estimated Revenue

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<td><strong>TOTAL</strong></td>
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RESOLVED, that any participating member shall pay its share directly to the Steuben County Finance Department not later than June 1, 2020; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Finance, Director of the Real Property Tax Service Agency, and 33 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.

2020
TABLE OF APPORTIONMENT

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RESOLUTION NO. 129-19

Introduced by R. Lattimer. Seconded by T. Ryan.

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, 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 to remain habitable; and

WHEREAS, The Woodlands Community, Inc. has successfully upgraded their sewer and water infrastructure using Community Block Grant (CDBG) funds previously awarded to the County; and

WHEREAS, additional CDBG funds are now available to complete infrastructure upgrades in the community, including electrical services, water and sewer lateral hookups, and streets; and

WHEREAS, the New York State Office of Community Renewal supports the County as the applicant.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Planning Department shall manage the preparation of and submit a grant application for approximately $1.5 million to complete infrastructure improvements at The Woodlands Community, Inc. in the Town of Hornellsville; and be it further

RESOLVED, that the Planning Director of Steuben County, New York, is hereby authorized as the official representative of Steuben County to execute and submit a CDBG application 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, a certified copy of this resolution shall be forwarded to the Planning Director.

Vote: Roll Call – Adopted. Yes – 8199; No – 0; Abstained – 451; Absent – 1222
(Abstained: Legislator Swackhamer as he owns some property at this location; Absent – Legislators Haursky and Schu)
RESOLUTION NO. 130-19

Introduced by C. Ferratella and S. Van Etten. Secended by R. Weaver.

RECLASSIFYING ONE (1) COMPUTER SYSTEMS ANALYST POSITION, GRADE XV TO NETWORK ADMINISTRATOR, GRADE XVI, WITHIN THE DEPARTMENT OF SOCIAL SERVICES.

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

WHEREAS, there is currently one (1) Computer Systems Analyst in the Department of Social Services; and

WHEREAS, a Network Administrator position is more appropriate for the needs of the Department of Social Services; and

WHEREAS, the County Manager, Personnel Officer, the Human Services, Health & Education Committee and Administration Committee have reviewed said position within the Department of Social Services that requires the above referenced 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 Department of Social Services is hereby reclassified as follows:

One (1) Computer Systems Analyst position, Grade XV ($41,005 - $57,888) to One (1) Network Administrator, Grade XVI ($43,566 - $61,503).

AND BE IT FURTHER RESOLVED, that the 2019 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 the Department of Social Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 131-19

Introduced by G. Swackhamer. Secended by J. Malter.

AUTHORIZATION TO ENTER INTO AGREEMENT WITH NYSDEC FOR ACCESS AND PRELIMINARY INVESTIGATION OF THE CLOSED LANDFILL AT THE WAYLAND TRANSFER STATION.

WHEREAS, the County of Steuben owns the Wayland Landfill consisting of (+/-) 22.5 acres located at 2078 Dieter Road in the Town of Wayland, Steuben County also known as tax parcel No.: 014.00-02-007.000 (called the “Site” or the “real property” for purposes of the agreement); and

WHEREAS, the County has been responsible for post-closure activities for the site since 1982; and

WHEREAS, the New York State Legislature enacted Title 12 of Article 27 of the Environmental Conservation Law (“ECL”) which relates to the mitigation and remediation of certain solid waste sites and drinking water contamination and gives the Department of Environmental Conservation (DEC) jurisdiction to conduct preliminary investigations in accordance therewith; and
WHEREAS, the County and the DEC agreed to terms and candidates in an access agreement and the parties now desire to enter into said agreement so the DEC may undertake a preliminary investigation.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized and directed to execute the “Agreement for Access and Preliminary Investigation Activities (Including Drilling Ground Water Wells, Sampling Ground Water and Other Environmental Media)” with the DEC; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works, the New York State Department of Environmental Conservation, 625 Broadway, Albany, NY 12233-1500 and New York State Department of Environmental Conservation, Division of Materials Management, Region 8, 6274 East Avon-Lima Road, Avon, NY 14414-9516.

Vote: Roll Call – Adopted.

RESOLUTION NO. 132-19

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

AUTHORIZING THE STEUBEN COUNTY LAW DEPARTMENT TO JOIN THE GENERIC DRUG LITIGATION ON BEHALF OF STEUBEN COUNTY.

WHEREAS, the states attorneys’ general of 48 states brought a civil action alleging price fixing, market division, and other antitrust violations by twenty (20) defendant pharmaceutical companies related to fifteen (15) generic prescription drugs; and

WHEREAS, many, if not the majority, of counties in New York like the County of Steuben “self insure,” meaning that they themselves pay the costs of workers’ compensation, health insurance and pharmaceuticals for their employees, dependents and retirees; and

WHEREAS, since the County of Steuben directly purchases, indirectly reimburses for, or otherwise pays for the generic drugs at issue, the County of Steuben should join the legal action that the counties are contemplating now; and

WHEREAS, the County Attorney has received a proposal for retaining counsel regarding the aforementioned legal action and after review has recommended to this body a retainer proposal providing reasonable compensation for counsel from any proceeds of an award out of this action.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben be, and hereby is authorized to join the other counties of New York State in civil litigation alleging price fixing, market division, and other antitrust violations and any other related causes of action; and be it further

RESOLVED, that the County of Steuben accepts the proposed Special Counsel Agreement from the law firm of Napoli Shkolnik PLLC, and the County Attorney is authorized to execute the Special Counsel Agreement on behalf of the County of Steuben; and be it further

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

Vote: Roll Call – Adopted.
RESOLUTION NO. 133-19

FILLING A VACANCY ON THE STEUBEN COUNTY HALL OF FAME COMMITTEE

WHEREAS, a vacancy exists on the Steuben County Hall of Fame Committee; and

WHEREAS, appointments to this committee are made pursuant to Section 12.20 of the Steuben County Charter; and

WHEREAS, the County Manager has recommended the following appointment:

EDUCATION REPRESENTATIVE
Sheri Golder, 58 River Road, Corning, NY  14830
TERM
07/22/2019– 12/31/2019
(filling unexpired term of Dr. Katherine Douglas)

NOW THEREFORE, BE IT

RESOLVED, the above-named appointee 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 appointee, the County Historian and the County Auditor.

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 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. Malter, seconded by Mr. Potter and duly carried.

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

RESOLUTION NO. 134-19

AUTHORIZED THE PURCHASE OF THREE (3) COMMUNITY SERVICES OFFICE LOCATIONS.

WHEREAS, for many years, Steuben County has leased three buildings, one each in Bath, Corning, and Hornell, as offices for the Department of Community Services; and

WHEREAS, County staff was recently approached by Yunis Realty, Inc., the owner of the three buildings, with a proposal to convert the current lease and rates to a purchase, paid over ten (10) years; and

WHEREAS, based upon current regulations and operational factors, it is anticipated that the Department of Community Services will require offices in Bath, Corning, and Hornell for the foreseeable future; and

WHEREAS, funding for this purchase is currently built into the Community Services annual budget; and

WHEREAS, this purchase was approved by the Ad Hoc Office Space Committee.

Legislative Meeting
Monday, July 22, 2019
NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to execute a purchase agreement and all other required documents with Yunis Realty, Inc. for the three Community Services office locations - 115 Liberty St., Bath, NY 14810, 7454 Seneca Road North, Hornell, NY 14843, and 114 Chestnut St. Corning, NY 14830; and be it further

RESOLVED, the total authorized purchase price over ten years shall not exceed $3,500,000 plus the associated closing costs; and be it further

RESOLVED, certified copies of this resolution shall be sent to the County Manager, Commissioner of Finance, Director of Community Services, and Yunis Realty, Inc. 100 N. Main St., Suite 420, Elmira, NY 14901.

Motion to Table made by Mr. Roush. Seconded by Mr. Hanna. Motion Fails. Yes – 1929, No – 6721, Absent – 1222
(Yes – Legislators Fitzpatrick, Hanna and Roush; Absent – Legislators Haursky and Schu)

Motion to Postpone Until the August 26, 2019, meeting made by Mr. Weaver. Seconded by Mr. Mullen.

Mr. Malter asked what is the purpose for postponing? Mr. Weaver replied he would like more information and he would like to discuss this with constituents in Hornell and Bath.

Vote on Motion to Postpone Fails. Yes – 4144; No – 4506; Absent – 1222
(Yes – Legislators Fitzpatrick, Hanna, Lando, Mullen, Potter and Roush; Absent – Legislators Haursky and Schu)

Mr. Mullen commented he will vote in favor with the understanding that there will be no large capital projects planned over the next decade.

Vote: Roll Call – Adopted. Yes – 6721; No – 1929; Absent – 1222
(No – Legislators Fitzpatrick, Hanna and Roush; Absent – Legislators Haursky and Schu)

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 in Bath, NY on the 26th day of August, 2019 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Haurski.

Roll Call and all members present except Legislators Potter and Van Etten.

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

Chairman Haurski asked Jamie Card to come forward. Ms. Card is an employee in the 911 Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Haurski asked David Hopkins to come forward. Mr. Hopkins is the Director of 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 Haurski asked Elaine Brown to come forward. Ms. Brown 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 Haurski asked Peggy Rundell to come forward. Ms. Rundell 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 Haurski asked Jim Kennedy to come forward. Mr. Kennedy is an employee in the County Clerk’s Office. He presented him with a Certificate of Appreciation and a pin in recognition of his 20 years of service to Steuben County.

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

Wayne Wells, Cameron, spoke about climate change and how it relates to the rainforest wildfires in Brazil and the ice melt in Greenland. He also spoke about the inhumane incarceration of migrant children.

James Koegel, Hornell, thanked the Legislature for the opportunity to follow up on some materials that he had presented to the AIP Committee regarding wind projects. There are three projects in the county with several more being proposed which stretch from Cohocton to the Pennsylvania State line totaling several hundred wind turbines. The largest will be the Canisteo Wind Energy (CWE) project. There is a demand for wind energy, however, they are not reliable, they are not economically friendly and they need State and Federal subsidies. The only reason to build a wind farm is for the tax credit. With regard to the economic impact, for all of the money that the wind developers promise, they will receive more in subsidies than they will disburse. In terms of job creation, for CWE they will bring in 300 temporary jobs that will be held by out-of-area workers. There will only end up being 7 permanent positions. After 20 years, the wind turbines will be dismantled and the developers will offer $10,000 per unit for dismantling, but they will not fund that until the windmills are fully dismantled. Mr. Koegel stated property values will decline as much as 40 percent depending on the proximity of the windmills. As property value, resale value and assessed value decrease, what will happen to the tax base and who will make up the loss?
He implored the Legislature to research the growing body of information on these projects. Is this what we really want for the County?

There being no further comments, Chairman Haurycki 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 upon County of Steuben Local Law Tentatively No. Two for the Year 2019, Repealing Local Law No. Two of 2015 Establishing County Administration of the Steuben County Driver Diversion Program. Chairman Haurycki opened the floor to comments by members of the public. There being none, 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.

Ms. Mori reminded the Legislature that the September meetings of the Public Safety & Corrections and Public Works Committees will be held on Monday, September 9th due to the Labor Day holiday.

RESOLUTION NO. 135-19

Introduced by G. Swackhamer. 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

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized and directed to cancel the sale of the parcel contained in Schedule “B” sold at the Delinquent Tax Sale on July 12, 2019 as Sale No. 89 and previously approved on Resolution 122-19, Schedule D-60, due to errors contained in the description of the parcel identified as Tax Map No. 151.05-01-029.000; and the Commissioner of Finance is further directed to refund all monies paid for the purchase of the parcel by the successful bidder; and

RESOLVED, that pursuant to Real Property Tax Law §1166, the Steuben County Commissioner of Finance is further authorized and directed to convey and deliver a County Quitclaim Deed with respect to the parcel contained in Schedule "C" to the grantee listed, upon receipt of the consideration indicated, with the parcel being the same premises acquired by Steuben County through two Judgments of Foreclosure, the first being executed by Hon. Marianne Furfure on May 6, 2016 under Index No. 2014-1414CV for Tax Map No. 129.13-01-028.000, and the second being executed by Hon. Peter C. Bradstreet on May 3, 2018 under Index No. 2016-1201CV for Tax Map No. 129.13-01-029.000; and the two recited parcels thereafter being consolidated into a single parcel by the County of Steuben in 2019; and be it further

RESOLVED, the said grantee(s) must accept the parcel(s) contained in Schedule “C” "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, it being hereby determined that there is no practical method to enforce the collection of delinquent tax liens against the parcel(s) contained in Schedule “D”, the Commissioner of Finance is authorized to cancel the unpaid taxes
against the property(ies) set forth in Schedule “D”, pursuant to Real Property Tax Law §558, as approved by the Steuben County Finance Committee on August 13, 2019; and be it further

RESOLVED, it being hereby determined that there is no practical method to enforce the collection of delinquent tax liens against the parcel(s) contained in Schedule “E”, and it being further determined that there is no practical method to enforce the collection of tax liens arising hereafter against said parcel(s); the Steuben County Commissioner of Finance is authorized and directed to cancel the unpaid taxes against the property(ies) set forth in Schedule “E” pursuant to Real Property Tax Law §558; and the Commissioner of Finance is further authorized to issue forthwith a Certificate of Prospective Cancellation for the recited parcel(s) contained in Schedule “E”, as approved by the Finance Committee on August 13, 2019. The Commissioner of Finance shall file a copy of the recited certificate(s) with the assessor(s) of the respective assessing unit(s) in which the recited parcel(s) are located and with the Director of Real Property Tax Services; and upon the filing as directed such parcel(s) shall become and be exempt from further taxation, and be it further

RESOLVED, that upon the execution of PILOT Agreements between the City of Hornell Industrial Development Agency and the entities recited on Schedule “F”, the Steuben County Commissioner of Finance is authorized and directed to cancel the interest and penalties imposed on the 2019 Town and County Taxes, and only the interest and penalties, without modification of the original tax amount due for each of the recited parcels located in the City of Hornell and contained in Schedule “F”, as approved by the Steuben County Finance Committee on August 13, 2019; and it is 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, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District; 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 Clerk of the Board of Education of the appropriate School District, 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, the Clerk of the Board of Education of the appropriate School District, and the grantee(s); and certified copies of this resolution contained in Schedule “D” 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; and certified copies of this resolution contained in Schedule “E” shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the City of Hornell Industrial Development Agency.

SCHEDULE “A”

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<td>A-3</td>
<td>Chemung Canal Trust Co.</td>
<td>299.13-02-035.000</td>
<td>Town of Erwin</td>
<td>Tax Cert Stipulation - Refund 2017-18 Revised Assessment</td>
</tr>
<tr>
<td>A-4</td>
<td>Chemung Canal Trust Co.</td>
<td>299.13-02-035.000</td>
<td>Town of Erwin</td>
<td>Tax Cert Stipulation - Refund 2018-19 Revised Assessment</td>
</tr>
<tr>
<td>A-5</td>
<td>Feinberg-Maciak Properties LLC</td>
<td>299.13-02-004.000</td>
<td>Town of Erwin</td>
<td>Tax Cert Stipulation - Refund 2019 Revised Assessment</td>
</tr>
<tr>
<td>A-6</td>
<td>James H. Burns</td>
<td>189.00-01-004.000</td>
<td>Town of Bath</td>
<td>Tax Cert Stipulation - Refund 2019 Revised Assessment</td>
</tr>
<tr>
<td>A-7</td>
<td>James H. Burns</td>
<td>189.00-01-007.000</td>
<td>Town of Bath</td>
<td>Tax Cert Stipulation - Refund 2019 Revised Assessment</td>
</tr>
<tr>
<td>A-8</td>
<td>James H. Burns</td>
<td>189.00-01-010.000</td>
<td>Town of Bath</td>
<td>Tax Cert Stipulation - Refund 2019 Revised Assessment</td>
</tr>
<tr>
<td>A-9</td>
<td>James H. Burns</td>
<td>189.00-01-037.100</td>
<td>Town of Bath</td>
<td>Tax Cert Stipulation - Refund 2019 Revised Assessment</td>
</tr>
<tr>
<td>A-10</td>
<td>James H. Burns</td>
<td>189.00-01-036.000</td>
<td>Town of Bath</td>
<td>Tax Cert Stipulation - Refund 2019 Revised Assessment</td>
</tr>
<tr>
<td>A-11</td>
<td>James H. Burns</td>
<td>189.00-01-043.000</td>
<td>Town of Bath</td>
<td>Tax Cert Stipulation - Refund 2019 Revised Assessment</td>
</tr>
<tr>
<td>A-12</td>
<td>Brenda L. Ross</td>
<td>124.00-03-005.100</td>
<td>Town of Howard</td>
<td>2020 Parcel Split</td>
</tr>
<tr>
<td>A-13</td>
<td>Phillip &amp; Juanita Bennett</td>
<td>127.00-01-002.211</td>
<td>Town of Avoca</td>
<td>2020 Parcel Split</td>
</tr>
<tr>
<td>A-14</td>
<td>Allan &amp; Patricia Gassett</td>
<td>198.00-01-021.110</td>
<td>Town of Canisteo</td>
<td>2020 Parcel Split</td>
</tr>
</tbody>
</table>
### SCHEDULE “B”

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Former Owner</th>
<th>In Rem Index No.</th>
<th>Date of Tax Sale:</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Highest Bidder</th>
<th>Consideration</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-1</td>
<td>Lawence Fink</td>
<td>2015-1291CV, Judgment filed 05/01/2019</td>
<td>July 12, 2019 (Sale No. 89)</td>
<td>151.05-01-029.000</td>
<td>Hornellsville</td>
<td>Edward J Over Jr., 12 Armory Place, Hornell, NY 14843</td>
<td>$8,985.00, inclusive of buyer’s premium &amp; recording fees</td>
<td>Cancel Sale, Issue Refund of all Money Paid by Bidder</td>
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</tbody>
</table>

### SCHEDULE “C”

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Former Owner(s)</th>
<th>Foreclosed Parcels</th>
<th>Current Parcel No.</th>
<th>Municipality</th>
<th>Grantee(s)</th>
<th>Grantee(s) Address</th>
<th>Consideration</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>C-1</td>
<td>Julia Noyes</td>
<td>129.13-01-028.000</td>
<td>129.13-01-028.000 (Julia Noyes, 2014-1414CV)</td>
<td>Town of Bath</td>
<td>David R. Englert</td>
<td>c/o Jeffrey E. Squires, Esq., 14 E. Pulteney Square, Bath, NY 14810</td>
<td>$14,242.42</td>
<td>$1166 Sale, Quitclaim Deed</td>
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### SCHEDULE “D”

<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>D-1</td>
<td>Esther Ingersoll</td>
<td>280.00-01-050.000/204</td>
<td>Town of Erwin</td>
<td>Cancellation of Void Taxes: 2018 Corning-Painted Post School Taxes</td>
</tr>
<tr>
<td>D-2</td>
<td>Leon Babcock Sr.</td>
<td>151.80-01-041.000</td>
<td>City of Hornell</td>
<td>Cancellation of Void 2013-2018 Town and County Taxes.</td>
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### SCHEDULE “E”

<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>E-2</td>
<td>Karen B. Dolliver</td>
<td>014.00-02-003.000</td>
<td>Town of Wayland</td>
<td>Cancellation of Void 2019 Town and County Taxes. Issue Certificate of Prospective Cancellation.</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 136-19

RECEIVING AND ACCEPTING THE AUGUST 26, 2019 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, 2019**
NYS Board on Electric Generation Siting and the Environment – Re: Ruling awarding additional application-stage intervenor funding for the Canisteo Wind Energy LLC Project (Case# 16-F-0205) issued July 12, 2019. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Homes and Community Renewal – Re: Award contract for the 2019 New York State Community Development Block Grant (NYS CDBG Project #1115WS301-19) in the amount of $198,000 for the Well & Septic Replacement Program. All items need to be returned by Thursday, August 22, 2019. Referred to: A.I.P. Committee; Amy Dlugos, Planning Director and Patrick Donnelly, Commissioner of Finance.

**July 24, 2019**
Finger Lakes Tourism Alliance – Re: 2020 Budget request in the amount of $19,500. Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.

Cornell Cooperative Extension – Re: 2020 Budget Request in the amount of $409,000. Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.

**July 27, 2019**
Steuben County Soil and Water Conservation District – Re: 2020 Budget request in the amount of $239,676 ($164,676 County Appropriation/$75,000 District Streambank Program). Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.

**July 30, 2019**
Southern Tier Library System – Re: 2020 Budget request in the amount of $123,829. Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.

Finger Lakes Wine Country – Re: 2020 Budget request in the amount of $105,000. Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.
July 31, 2019
NYS Department of Transportation – Re: Notification of the adoption of a new usage formula for the Statewide Mass Transportation Operating Assistance (STOA) program to be made retroactive to April 1, 2019. Referred to: Amy Dlugos, Planning Director and Brenda Mori, Clerk of the Legislature.

The ARTS Council of the Southern Finger Lakes – Re: 2020 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.

August 1, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Notice of meeting scheduled for August 20, 2019 on the Eight Point Wind LLC Project (Case# 16-F-0062). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Department of Public Service – Re: Notice of informational forums and public hearings on the New York State Electric & Gas/Rochester Gas and Electric proposed rate request. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

August 2, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Notice of evidentiary hearing for the Canisteo Wind Energy LLC Project (Case#16-F-0205). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

August 5, 2019
Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and the Corning Property Management Corporation for Monday, August 19, 2019 at 10:00am at the Erwin Town Hall, located at 310 Town Center Road, Painted Post, New York. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and FHFCU HQ LLC and FHFCU Lot LLC (payment in lieu of tax) agreement and RP-412-a form for property located at 210 East Denison Avenue and 201 East First Street (which shall be assigned 202 East Denison Parkway, City of Corning, NY. Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.

August 7, 2019
NYS Department of Transportation – Re: Request for updated records related to transit assets purchased using federal funds are needed by August 23, 2019. Referred to: Amy Dlugos, Planning Director.

Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Manufacturing Automation Systems LLC is scheduled for Wednesday, August 21, 2019 at 10:00am at the Lindley Town Hall, located at 637 County Route 115, Lindley, New York. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

August 8, 2019
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $66,553, which represents the net revenue payable for the second quarter of 2019 combined with the surcharge payment for the month of June 2019. Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

NYS Division of the Budget – Re: State reimbursement for Raise the Age costs. Referred to: Patrick Donnelly, Commissioner of Finance and Jack Wheeler, County Manager.
August 12, 2019
NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the second quarter SFY 2019-2020 Statewide Mass Transportation Operating Assistance (STOA) payments. Referred to: Amy Dlugos, Planning Director and Brenda Mori, Clerk of the Legislature.

Invenergy – Re: Canisteo Wind Energy LCC, case #19-T-0041 application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

August 14, 2019
NYS Board on Electric Generation Siting and the Environment – Ruling awarding additional-stage intervenor funding for the Canisteo Wind Project (Case# 16-F-0205). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 137-19

Introduced by J. Malter. Seconded by K. Fitzpatrick.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2019 REPEALING LOCAL LAW NO. TWO OF 2015, ESTABLISHING COUNTY ADMINISTRATION OF THE STEUBEN COUNTY DRIVER DIVERSION PROGRAM.

WHEREAS, Local Law No. Two of 2015 established County Administration of the Steuben County Driver Diversion Program; and

WHEREAS, Steuben County has, subsequent to the passage of Local Law No. Two of 2015, discontinued the Driver Diversion Program; and

WHEREAS, the County of Steuben and the Steuben County District Attorney desire to re-evaluate a Steuben County Driver Diversion Program and repeal the existing Program.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Two of 2019, repealing Local Law No. Two of 2015, Establishing County Administration of the Steuben County Driver Diversion Program.

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2019

A Local Law repealing Local Law No. Two of 2015 Establishing County Administration of the Steuben County Driver Diversion Program.

BE IT ENACTED by the Steuben County Legislature, as follows:

SECTION 1. INTENT. Local Law No. Two of 2015 Establishing County Administration of the Steuben County Driver Diversion Program is hereby repealed.

SECTION 2. EFFECTIVE DATE. This Local Law shall become effective immediately.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on Monday, August 26, 2019 at 10:00 a.m. at the Legislative Chambers, Village of Bath, New York; and be it further

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Legislative Meeting
Monday, August 26, 2019
RESOLVED, the Clerk of the Legislature has caused a Notice of said Public Hearing to be posted at the Courthouse in the municipality of Bath, Corning City Hall and the DMV Office in Hornell; said Notice was 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 No. Two for the Year 2019, 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 Sessions 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 District Attorney, Commissioner of Finance, County Manager, Law Department, and the Clerk of the Legislature.

Vote: Roll Call – Adopted.

RESOLUTION NO. 138-19

Introduced by J. Malter and G. Swackhamer. Seconded by H. Lando.

AUTHORIZING AND ACCEPTING THE DONATION OF K-9 KNAPP FROM THE FAMILY OF DEPUTY PETE KNAPP.

WHEREAS, the family of Deputy Pete Knapp has offered to provide all necessary funding for the purchase and training of one (1) K-9; and

WHEREAS, the estimated value of the K-9 and requisite training is $8,500.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Sheriff be, and the same hereby is, authorized to accept the donation of a K-9 valued at $8,500; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Steuben County Sheriff.

Vote: Roll Call – Adopted.

RESOLUTION NO. 139-19


ACCEPTING AND APPROPRIATING THE FEDERAL VICTIMS OF CRIMES ACT (VOCA) VICTIM AND WITNESS ASSISTANCE GRANT PROGRAM FUNDS INTO THE 2019 BUDGET.

WHEREAS, the New York State Office of Victim Services (OVS) has awarded the Victim Assistance Program funding for the period October 1, 2019 through September 30, 2022 under the Victim and Witness Assistance Grant Program to the Steuben County Department of Social Services and the District Attorney’s Office; and
WHEREAS, the full grant award is for $432,138.59 with the amount attributable for the funding year 2019 being $61,454.84; and

WHEREAS, the Department of Social Services and the District Attorney’s Office must accept and appropriate the 2019 funds into the 2019 Budget; and

WHEREAS, the approved work plan from the New York State Office of Victim Services (OVS) includes a District Attorney Advocate and Advocate support positions.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, Steuben County accepts and appropriates these funds in the 2019 Department of Social Services and District Attorney’s budgets as follows:

Expenditures:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>607000 5446500</td>
<td>Preventive Services</td>
<td>$25,608.00</td>
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<tr>
<td>601000 5299000</td>
<td>Major Equipment</td>
<td>$18,000.00</td>
</tr>
<tr>
<td>116500 5110000</td>
<td>Salaries &amp; Wages</td>
<td>$12,846.84</td>
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<tr>
<td>116500 5298000</td>
<td>Minor Equipment</td>
<td>$3,100.00</td>
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<tr>
<td>116500 5407100</td>
<td>Books &amp; subscriptions</td>
<td>$250.00</td>
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<tr>
<td>116500 5406000</td>
<td>Supplies</td>
<td>$150.00</td>
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<tr>
<td>116500 5424210</td>
<td>Advocacy Expense</td>
<td>$1,500.00</td>
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Revenues:

<table>
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<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>601000 4367000</td>
<td>State Revenue</td>
<td>$43,608.00</td>
</tr>
<tr>
<td>116500 4367000</td>
<td>State Revenues</td>
<td>$17,846.84</td>
</tr>
</tbody>
</table>

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 140-19


ACCEPTING AND APPROPRIATING THE NEW YORK STATE EARLY VOTING GRANT.

WHEREAS, New York State set aside $14 million in the 2019-2020 budget for the purpose of Early Voting; and

WHEREAS, Steuben County’s portion of the $14 million set aside for Early Voting is $64,017.01; and

WHEREAS, this grant funding is to be used for the purchase of electronic poll books, ballot on demand printers, and training; and

WHEREAS, expenditures under this grant must be completed by December 31, 2020.

NOW THEREFORE, BE IT

RESOLVED, the Commissioners of Elections and County Manager are authorized and directed to execute the requisite documentation to effectuate this grant; and be it further
RESOLVED, the Commissioner of Finance is hereby authorized and directed to accept $64,017.01 into revenue line item 145000 4 308 9450 Election Other State aid and appropriate the same to expense line item 145000 5 298 000 Machine & Equipment – Major; and be it further

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

Mr. Mullen asked are there any requirements for us to fill prior to accepting the funding? Ms. Penziul replied no, other than purchasing the equipment.

Vote: Roll Call – Adopted.

RESOLUTION NO. 141-19

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

AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO TRANSFER FUNDS FOR THE PRETREATMENT PLANT TREATMENT FEES FOR 2019.

WHEREAS, the Steuben County Department of Public Works (DPW) pretreatment plant discharges treated leachate to Bath Electric Gas & Water System (BEG&WS) for final treatment through a force main; and

WHEREAS, BEG&WS notified the County of the 2019 fee increase on December 31, 2018, after the 2019 budget was finalized; and

WHEREAS, BEG&WS said treatment fee increased from $6,600/month to $22,200/month; and

WHEREAS, on May 20, 2019, the DPW Solid Waste Division entered into an Inter Municipal Agreement with BEG&WS for the continued treatment of pretreated leachate; and

WHEREAS, the DPW Solid Waste Division requires an increase in the treatment fee line item by $130,000 to be fully funded for 2019; and

WHEREAS, the DPW Solid Waste Division transfer of funds will be from the Upgrade Leachate Treatment Plant Force Main and Leachate Tank Repair Capital Projects; and

WHEREAS, the Public Works Committee and the Finance Committee of the Steuben County Legislature have authorized the transfer of funds.

NOW THEREFORE, BE IT

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

- Decrease HL7302.5250000 Upgrade LTP Force Main Capital Project by $50,000
- Decrease HL7303.5250000 Leachate Tank Repair Capital Project by $80,000
- Increase 816073.5430410 Treatment Fees by $130,000; and be it further

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

Vote: Roll Call – Adopted.
RESOLUTION NO. 142-19

Introduced by B. Schu and G. Swackhamer. Seconded by H. Lando.

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 1/1/20 LEVY

<table>
<thead>
<tr>
<th>Swis</th>
<th>Municipality</th>
<th>Parcel Count</th>
<th>ORPS License Fee</th>
<th>County Support Fee</th>
<th>Total Chargeback</th>
<th>ORPS License Fee Schedule</th>
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</thead>
<tbody>
<tr>
<td>4603</td>
<td>Corning City</td>
<td>4,232</td>
<td>$1,500</td>
<td>$200</td>
<td>$1,700</td>
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<tr>
<td>4606</td>
<td>Hornell City</td>
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<td>$1,300</td>
<td>$200</td>
<td>$1,500</td>
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<tr>
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<td>Addison</td>
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<tr>
<td>4622</td>
<td>Avoca</td>
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<td>4624</td>
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<td>4626</td>
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<td>4628</td>
<td>Cameron</td>
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<td>Caton</td>
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<tr>
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<td></td>
<td>Corning Town</td>
<td>3,237</td>
<td>$1,300</td>
<td>$200</td>
<td>$1,500</td>
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<tr>
<td>4638</td>
<td>Dansville</td>
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<td>$1,000</td>
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<tr>
<td>4642</td>
<td>Erwin</td>
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<td>$1,300</td>
<td>$200</td>
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</tr>
</tbody>
</table>

Number of Parcels

0-500 $750
501-1000 $850
1001-2000 $1,000
2001-3000 $1,200
3001-4000 $1,300
4001-6000 $1,500
RESOLUTION NO. 143-19

AUTHORIZING THE WAIVER OF A PORTION OF THE MORTGAGE TAX ON THE PURCHASE OF THE THREE (3) COMMUNITY SERVICES OFFICE LOCATIONS.

WHEREAS, the Steuben County Legislature has recently authorized the purchase of three buildings from Yunis Realty, Inc. with a purchase price not to exceed $3,500,000; and

WHEREAS, the New York State share of mortgage tax for this transaction, is required to be collected, while the local share may be waived; and

WHEREAS, the Administration and Finance Committees of the Steuben County Legislature have approved the waiver of the local share of mortgage tax for this transaction.

NOW THEREFORE, BE IT

RESOLVED, that the County Clerk is hereby authorized to collect only the New York State Tax and Finance Department portion of the mortgage tax with regards to the purchase transaction between Yunis Realty, Inc. and Steuben County for the three Community Service office locations - 115 Liberty St., Bath, NY 14810, 7454 Seneca Road North, Hornell, NY 14843, and 114 Chestnut St., Corning, NY 14830; and be it further

RESOLVED, that the total amount of mortgage tax being collected is 0.50% (0.25% from Steuben County and 0.25% from Yunis Realty, Inc.) of the recorded mortgage value; and be it further

Vote: Roll Call – Adopted.

Introduced by B. Schu and G. Swackhamer. Seconded by R. Nichols.
RESOLVED, certified copies of this resolution shall be forwarded to the County Manager and the Commissioner of Finance.

Ms. Fitzpatrick asked what portion are we waiving? Mr. Wheeler replied we are waiving the local portion; our portion.

Vote: Roll Call – Adopted.

RESOLUTION NO. 144-19

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

AUTHORIZING THE COUNTY MANAGER TO EXECUTE THE REQUISITE DOCUMENTATION FOR IMPLEMENTATION OF THE PILOT AGREEMENT FOR BARON WINDS LLC.

WHEREAS, BARON WINDS LLC, for itself or on behalf of an entity to be formed by it or on its behalf (collectively, the "Company"), has submitted an application (the "Application") to the STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY (the "Agency") requesting the Agency's assistance with a certain project (the "Project"), consisting of: (i) the acquisition by the Agency of leasehold, easement or other interest in multiple parcels (or portions thereof) of land located in the Towns of Cohocton, Dansville, Fremont, Avoca and Wayland, Steuben County, New York (the "Land"), (ii) the construction, installation and operation on the Land of between 63 to 67 wind turbines – with a generating capacity of between 219 MW and 235 MW – together with the associated collection lines (below grade and overhead), access roads, meteorological towers, substation and an operation and maintenance (O&M) building (the "Improvements"), and (iii) the acquisition and installation by the Company in and around the Improvements of certain items of equipment and other tangible personal property to undertake the Project (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, in connection with the Application, and in furtherance of the Project's positive financial impact within the County of Steuben (the "County"), the Company has requested the Agency's consideration for a payment-in-lieu-of-tax agreement ("PILOT Agreement") that would provide twenty (20) years of real property tax exemption relating to the Improvements and a PILOT payment structure as follows: (i) initial fixed annual PILOT payment of $5,300.00 per Megawatt ("MW") of production capacity for the Project (the "Base PILOT Payment"), which would escalate two percent (2%) per year, compounded; and (ii) requirement to pay all taxes associated with the value of the Land upon which the Project is situated, as assessed prior to the acquisition of the Land and construction and installation of the Project (the "Land PILOT Payments", such Land PILOT Payments to be distributed by the Agency to the Affected Tax Jurisdictions (as defined hereafter) pro-rata based upon each respective annual tax rate); and

WHEREAS, the Agency and the Company have further requested the County's consent to a PILOT distribution structure (the "PILOT Distribution") whereby the Agency would distribute the Base PILOT Payments received from the Company in connection with the Project among the County, the Town of Cohocton, the Town of Fremont, the Town of Dansville, the Town of Wayland, the Hornell City School District, Arkport Central School District, Wayland-Cohocton Central School District and Avoca Central School District (collectively, the "Affected Tax Jurisdictions"), based upon a negotiated formula; and

WHEREAS, the Agency and the Company have requested the consent of the County to the PILOT Distribution pursuant to and in accordance with General Municipal Law Section 858(15), and in reliance upon the same, anticipate entering into certain project development agreements and memorializing the terms of the PILOT Agreement.

NOW, THEREFORE, BE IT

RESOLVED, the County hereby consents to and approves the PILOT Distribution and PILOT Agreement, and authorizes and directs the Agency to undertake the PILOT Distribution pursuant to the terms of the PILOT Agreement; and be it further
RESOLVED, the County Manager is hereby authorized to execute and deliver a consent certificate (the "Certificate"), such Certificate to be delivered to the Agency as evidence of the County's consent to undertake the PILOT Distribution; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, the Commissioner of Finance, Steuben County IDA, Town of Cohocton, Town of Fremont, Town of Dansville, Town of Wayland, Hornell City School District, Arkport Central School District, Wayland-Cohocton School District and Avoca Central School District.

Vote: Roll Call – Adopted.

RESOLUTION NO. 145-19

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

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH ARLINGTON STORAGE COMPANY IN CONNECTION WITH THE CR 119 BRIDGE PROJECT.

WHEREAS, a Project for the Bridge Replacement CR 119 over the Canisteo River is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, Steuben County has entered into an agreement with the New York State Department of Transportation to cover the non-Federal and non-State Marchiselli share costs of the design of the Project; and

WHEREAS, Steuben County has determined that the Project will require the relocation of Arlington Storage Company utility facilities ("the Facilities") located on privately owned property adjacent to the Project; and

WHEREAS, pursuant to Section 10, Subdivision 24-b of the Highway Law, the cost of the Facilities relocation shall be reimbursable to Arlington Storage Company.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby approve of the Commissioner of Public Works entering into an agreement with Arlington Storage Company for the relocation of their Facilities in connection with the Project; and be it further

RESOLVED, the compensation of Arlington Storage Company for this relocation is hereby authorized pursuant to Section 10, Subdivision 24-b of the Highway Law; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works and Arlington Storage Company, 4979 Downs Rd Canisteo NY 14823.

Vote: Roll Call – Adopted.

RESOLUTION NO. 146-19
AUTHORIZING AND DIRECTING THE COUNTY MANAGER TO EXECUTE A LEASE AGREEMENT AND SUBSCRIBER AGREEMENT FOR A SOLAR DEVELOPMENT PROJECT.

Pursuant to Article 9 of the Energy Law.

WHEREAS, the County Manager’s Office and the Department of Public Works Solid Waste Division received proposals for a solar development lease project on various vacant County properties; and

WHEREAS, the award was made to Abundant Solar Power Inc.; and

WHEREAS, Abundant Solar Power Inc., desires to lease the vacant properties for the solar project; and

WHEREAS, in addition, the County desires to purchase power from the developed projects at a reduced rate through a subscriber agreement; and

WHEREAS, in accordance with New York State Energy Law §9-103, Energy Performance Contracts, both parties desire to enter into a twenty-five (25) year lease and subscriber agreement.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to execute a twenty-five (25) year lease and subscriber agreement with Abundant Solar Power Inc. on various vacant County properties; and be it further

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

Mr. Mullen asked is the discount rate below market for energy generally or renewable energy? Mr. Wheeler replied for energy generally. We would only be looking at the facilities located in NYSEG territory.

Mr. Ryan commented he is disappointed that we could not find a domestic provider. Have any properties other than the Landfill been identified? Mr. Wheeler replied we mostly targeted the landfill. We have identified one or two highway shops. They will look at any place that has five or more acres. The Landfill looks to be the most economically viable. The provider will do a feasibility study and come back to us.

Mr. Nichols commented he does not see them taking much of our property for this, with the connection fees and the distance to transmission lines.

Mr. Mullen asked will we have to agree before they go to any site other than the Landfill? Mr. Wheeler replied formally, no; however, in good practice we would bring this back to you. You will be involved in the process. Mr. Mullen stated he would like it if the committee had additional oversight. Mr. Wheeler stated we can bring it back through committee.

Vote: Roll Call – Adopted.
DESIGNATING THE STEUBEN COUNTY LEGISLATURE AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE PROPOSED BATH LANDFILL EASTERN EXPANSION.

WHEREAS, the Steuben County Department of Public Works proposes an expansion of the currently permitted Steuben County Bath Landfill in the Town of Bath, New York; and

WHEREAS, the Bath Landfill Eastern Expansion ("proposed action") looks to expand the existing facility by 168 acres, 73 acres of which are proposed for waste disposal, which will extend the estimated life of the current facility by an additional 40 years; and

WHEREAS, this proposed action is subject to the requirements of the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, based on a review of the applicable SEQRA regulations in 6 NYCRR Part 617, the proposed action has been classified as a “Type 1” action, as defined by the SEQRA in 6 NYCRR Part 617.4; and

WHEREAS, the County has sent a letter and copy of Part I of the Full Environmental Assessment Form (FEAF) for this proposed action to the other “involved agency”, the New York State Department of Environmental Conservation ("NYSDEC"), and “interested agencies” (as these terms are defined in the SEQRA Regulations found at 6 NYCRR Part 617.2), indicating the County’s desire to serve as the “lead agency” and to complete a coordinated review of the proposed action (in accordance with 6 NYCRR Part 617.6);

WHEREAS, the NYSDEC has consented to the County serving as lead agency for the proposed landfill expansion.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby designates itself as the SEQRA lead agency for the proposed Bath Landfill Eastern Expansion; and be it further

RESOLVED, that the Steuben County Commissioner of Public Works, staff and consultants are authorized to undertake such activities as may be necessary, including the preparation and filing of documents, analyses, and public notices, to assist the County Legislature in fulfilling its obligations under the SEQRA and applicable environmental requirements; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works and the Regional Permit Administrator, NYSDEC, 6274 East Avon-Lima Road, Avon, NY 14414.

Vote: Roll Call – Adopted.

RESOLUTION NO. 148-19

Introduced by R. Lattimer. Seconded by H. Lando.

APPOINTING A CERTIFYING OFFICER FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT AND DECLARING THE PROJECT A TYPE II ACTION FOR THE PURPOSES OF NYS ENVIRONMENTAL QUALITY REVIEW ACT.
WHEREAS, Steuben County has received a Community Development Block Grant (CDBG) to repair or replace failing septic systems or drinking water wells, or install water/sewer laterals, for low- and moderate-income homeowners throughout the County, CDBG Project #1115WS301-19; and

WHEREAS, an environmental review of said project must be completed;

and WHEREAS, a Certifying Officer must be appointed for the

environmental review. NOW THEREFORE, BE IT

RESOLVED, that in accordance with the National Environmental Policy Act of 1069 (NEPA) and the related authorities listed at 24 CFR Part 58, the County Legislature of the County of Steuben announces its intent to conduct an environmental review of said project; and be it further

RESOLVED, that the County Legislature designates Amy Dlugos, Steuben County Planning Director as the Certifying Officer, responsible for all activities associated with the environmental review process to be completed in conjunction with NYS Project #1115WS301-19; and be it further

RESOLVED, that for the purposes of the NYS Environmental Quality Review Act (SEQRA), CDBG Project #1115WS301-19 is a Type II action, with no further review required under NYS regulations; and be it further

RESOLVED, a certified copy of this resolution shall be sent to the Steuben County Planning Director. Vote: Roll Call – Adopted.

RESOLUTION NO. 149-19

Introduced by R. Lattimer. Seconded by T. Ryan.

COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 6.

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

WHEREAS, Agricultural District No. 6, is located in the Towns of Addison, Bath, Cameron, Campbell, Caton, Corning, Erwin, Hornby, Lindley, Rathbone, Thurston, Tuscarora, Woodhull; and

WHEREAS, the next review date for said district is June 24, 2020 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. 6 is required to commence.

NOW THEREFORE, BE IT

RESOLVED, that the Review period of the said Agricultural District located in the Towns of Addison, Bath, Cameron, Campbell, Caton, Corning, Erwin, Hornby, Lindley, Rathbone, Thurston, Tuscarora, Woodhull, 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,** 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. 150-19**

Introduced by J. Haurycki. Seconded by J. Malter.

**APPOINTING 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,** John Clifford of Cohocton, New York, has resigned as a member of the aforesaid Board, effective May 30, 2019.

**NOW THEREFORE BE IT**

**RESOLVED,** that Norman (Ed) Schneider of 4488 Lent Hill Road, Cohocton, New York be, and the same hereby is, appointed as Steuben County’s representative to the Western Regional Off-Track Betting Corporation Board of Directors for a term commencing June 1, 2019 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 Henry F. Wojtaszek, President and CEO, Western Regional Off-Tracking Betting Corporation, 700 Ellicott Street, Batavia, NY 14020.
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 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 Mrs. Lando, seconded by Mr. Roush and duly carried.

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

RESOLUTION NO. 151-19

Introduced by J. Hauryksi.  
Seconded by J. Malter.

MATTER(S) PERTAINING TO THE SETTLEMENT OF CLAIM(S) BY OR AGAINST THE COUNTY.

WHEREAS, the County of Steuben maintains a County Self-Insurance Plan as authorized under Article 5 of the Workers’ Compensation Law and as established under Local Law No. 2 of 1956; and

WHEREAS, certain claims made under the recited Plan remain open; and

WHEREAS, the Third Party Administrator of the Steuben County Self Insurance Plan has requested authorization to settle a claim with respect to a claimant, Kimberly Jackson; and

WHEREAS, it is in the best interest of the County to settle the claim.

NOW THEREFORE, BE IT

RESOLVED, the County does hereby ratify the settlement of the above-entitled claim in the amount of Ninety Thousand Nine Hundred One Dollars ($90,901); and be it further

RESOLVED, the within resolution shall be reported out within five (5) days following the execution of the settlement documents; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, County Attorney, Risk Manager and PERMA/NEAMI, 9 Cornell Road, Latham, New York 12110.

Vote: Roll Call – Adopted.

Motion to Adjourn made by Mr. Mullen, seconded by Mrs. Lando and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 23\textsuperscript{rd} day of September, 2019 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislator Schu.

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

Chairman Hauryski asked Dana Stratton to come forward. Ms. Stratton is an employee in the Department of Personnel and Civil Service. He presented her with a Certificate of Appreciation in recognition of her 15 years of service to Steuben County.

Chairman Hauryski asked Kim Gotshall to come forward. Ms. Gotshall is an employee in the Finance Office. He presented her with a Certificate of Appreciation in recognition of her 25 years of service to Steuben County.

Chairman Hauryski asked Penny Markell to come forward. Ms. Markell is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation in recognition of her 25 years of service to Steuben County.

Chairman Hauryski asked Kim Tears to come forward. Ms. Tears is an employee in Public Health. He presented her with a Certificate of Appreciation in recognition of her 20 years of service to Steuben County.

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

Wayne Wells, Cameron, spoke about his concerns regarding President Trump.

James Koegel, Canisteo, thanked the Legislature for the opportunity to speak relative to the health impacts of wind turbines. \textit{A complete copy of his comments are on file with the official minutes.}

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

\textit{Motion adopting the minutes of the previous meeting(s) made by Mr. Van Etten, seconded by Mr. Malter and duly carried.}

Ms. Mori announced that next month, immediately following the Legislative Meeting, the mandated sexual harassment training will be provided for Legislators only. Please allow two hours for this training.

Mr. Nichols announced that his 18\textsuperscript{th} grandchild was born on September 9\textsuperscript{th}.

Mr. Van Etten announced the Finance Budget Workshop has been scheduled for Tuesday, October 8\textsuperscript{th} at 10:00 a.m. or immediately following Finance. If needed, we will also meet on Wednesday, October 9\textsuperscript{th} at 9:00 a.m.
INTRODUCED BY S. VAN ETTEN.

SECONDED BY C. FERRATELLA.

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

Pursuant to Section 2.07 of the Steuben County Charter.

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

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

RESOLVED, that pursuant to a Stipulation of Settlement and Consent Order in the matter of the foreclosure of tax liens by proceeding In Rem, and pursuant to Real Property Tax Law §1166, the Steuben County Commissioner of Finance is authorized and directed to execute the necessary documentation to convey the recited parcel contained in Schedule “B” to the grantee(s) upon receipt of the consideration indicated, and as approved by the Steuben County Finance Committee on September 10, 2019; and be it further

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

RESOLVED, it being hereby determined that there is no practical method to enforce the collection of delinquent tax liens against the parcel(s) contained in Schedule “C”, the Commissioner of Finance is authorized to cancel the unpaid taxes against the property(ies) set forth in Schedule “C”, pursuant to Real Property Tax Law §558, as approved by the Steuben County Finance Committee on September 10, 2019; 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, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District; 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 Clerk of the Board of Education of the appropriate School District, 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>
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<th>Name</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
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<td>A-1</td>
<td>Doverspike Real Estate Partners</td>
<td>415.00-01-020.200</td>
<td>Town of Troupsburg</td>
<td>2019 Parcel Split</td>
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<td>A-2</td>
<td>Jeffery Kanaval</td>
<td>056.00-01-024.220</td>
<td>Town of Cohocton</td>
<td>2017 Correction of Error - Acreage</td>
</tr>
</tbody>
</table>

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Legislative Meeting
Monday, September 23, 2019
Resolution No. A-3
Name                Jeffery Kanaval
Parcel No.         056.00-01-024.220
Municipality       Town of Cohocton
Disposition        2018 Correction of Error - Acreage

Resolution No. A-4
Name                Jeffery Kanaval
Parcel No.         056.00-01-024.210
Municipality       Town of Cohocton
Disposition        2019 Correction of Error - Acreage

Resolution No. A-5
Name                Family Life Ministries
Parcel No.         099.20-01-056.000
Municipality       Village of Avoca
Disposition        2019-20 Correction – Tax Exempt

Resolution No. A-6
Name                Marcia K. Jacobs
Parcel No.         005.00-01-064.110
Municipality       Town of Cohocton
Disposition        2020 Parcel Split

Resolution No. A-7
Name                Jeffrey and Jeanne Black
Parcel No.         009.00-01-006.221
Municipality       Town of Prattsburgh
Disposition        2020 Correction – Vacant land

SCHEDULE “B”

Resolution No. B-1
Former Owner        Isabelle Risley, Attn: Robert J. DeLude
Foreclosed Parcel   311.04-01-006.100, Index No. 2016-1201CV
Municipality        Town of Rathbone
Grantee(s)          Robert J. DeLude
Grantee(s) Address  c/o, Joseph G. Pelych Esq., 211 Main Street, Hornell, NY 14843
Consideration       $9,444.25
Disposition         §1166 Sale, Quitclaim Deed

SCHEDULE “C”

Resolution No. C-1
Name                Gerald Didas and Leslee Perry
Parcel No.         136.05-01-023.220/27
Municipality       Town of Hornellsville
Disposition        Cancellation of Void Taxes: 2019 Town and County

Resolution No. C-2
Name                Justin Bauter and Edward Wall
Parcel No.         136.05-01-023.220/48A
Municipality       Town of Hornellsville
Disposition        Cancellation of Void Taxes: 2019 Town and County Taxes

Vote: Roll Call – Adopted. Yes – 8615, No – 0, Abstained – 597, Absent – 660
(Abstained – Legislator Mullen due to a client being listed; Absent – Legislator Schu)

RESOLUTION NO. 153-19

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

RECEIVING AND ACCEPTING THE SEPTEMBER 23, 2019 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 20, 2019
NYS Division of the Budget – Re: Receipt of the 2019 tax cap compliance certification which qualifies for state reimbursements on Raise the Age (RTA) eligible expenses incurred in 2019. Referral to: Finance Committee; Kathy Muller, Commissioner of Social Services; Jennifer Prossick, County Attorney; and Patrick Donnelly, Commissioner of Finance.

August 22, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Order granting certificate of Environmental Compatibility and Public Need, with conditions on the Eight Point Wind LLC Project (Case# 16-F-0062). Referral to: A.I.P. Committee; and Amy Dlugos, Planning Director.

August 23, 2019
NYS Division of the Budget – Re: Receipt of the REVISED 2019 tax cap compliance certification which qualifies for state reimbursements on Raise the Age (RTA) eligible expenses incurred in 2019. Referral to: Finance Committee; Kathy Muller, Commissioner of Social Services; Jennifer Prossick, County Attorney; and Patrick Donnelly, Commissioner of Finance.

August 26, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Notice of meeting scheduled for Thursday, September 12, 2019 @ 10:30am in the 19th Floor Board Room of the Department of Public Service’s Albany office located at Three Empire State Plaza, Albany N.Y. on the Baron Winds, LLC Project (Case# 15-F-0122). Referral to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Homeland Security and Emergency Services – Re: Notification of being awarded $129,963 under the FY2019 State Homeland Security Program (SHSP). Referral to: Public Safety & Corrections Committee; Tim Marshall, EMO Director; and Sheriff Allard.

September 3, 2019
NYS Homeland Security and Emergency Services – Re: Notification of being awarded $41,148 under the FY2019 Emergency Management Performance Grant (EMPG). Referral to: Public Safety & Corrections Committee; Tim Marshall, EMO Director; and Sheriff Allard.

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,159, which represents the July 2019 surcharge revenues for Steuben County. Referral to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.

Corning Community College – Re: Notification of the change in the county chargeback rate ($3,102 per FTE) and an estimate of the total chargeback’s (Jan-Dec 2020: Operating $2,760,780/Capital $267,000). Referral to: Human Services/Health & Education Committee; Finance Committee; and Patrick Donnelly, Commissioner of Finance.

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and FHFCU HQ LLC and FHFCU Lot LLC (payment in lieu of tax) (REVISED TAX MAP#) agreement and RP-412-a form for property located at 210 East Denison Avenue and 201 East First Street (which shall be assigned 202 East Denison Parkway) City of Corning, NY. Referral to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.

September 9, 2019
NYS Department of Taxation & Finance, Office of Real Property Tax Services – Re: Certificate of the 2019 Steuben County Equalization Rates. Referral to: Administration Committee; Wendy Jordan, Real Property Director; and Brenda Mori, Clerk of the Legislature.
NYS Board on Electric Generation Siting and the Environment – Re: Ruling directing disclosure of confidential information on the Canisteo Wind Energy LLC Project (Case# 16-F-0205). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Board on Electric Generation Siting and the Environment – Re: Ruling granting in part and denying in part Sharkey motion for official notice on the Canisteo Wind Energy LLC Project (Case# 16-F-0205). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

The Dax Law Firm, P.C. – Re: Supplement to the application for a certificate of environmental compatibility and public need filed on behalf of the Canisteo Wind Energy LLC (Case# 19-T-0041). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 154-19

Introduced by J. Malter. Seconded by K. Fitzpatrick.

PRESENTING LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2019 AUTHORIZING A STEUBEN COUNTY TRAFFIC DIVERSION PROGRAM.

WHEREAS, in the public interest the Traffic Diversion Program has been established through the Steuben County District Attorney and requires uniform protocols for the provision of the Traffic Diversion Program; and

WHEREAS, the District Attorney has the capacity to manage the processes of the Traffic Diversion Program once referral is made thereto; and

WHEREAS, the Commissioner of Finance is charged with the function of making lawful disbursement of funds received by Steuben County; and

WHEREAS, it is in the best interest of Steuben County to establish rules and procedures in managing the Traffic Diversion Program and delivery of such services together with the receipt and lawful distribution of funds so received.

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 2019, Authorizing a Steuben County Traffic Diversion Program.

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2019

A Local Law Authorizing a Steuben County Traffic Diversion Program.

BE IT ENACTED by the Steuben County Legislature, as follows:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this Local Law to authorize the establishment of a traffic diversion instructional program for persons referred by the District Attorney pursuant to this local law and guidelines hereby authorized to be instituted by the District Attorney to provide for an educational program under State authority authorizing local government to provide for the safety and well-being of persons within the County of Steuben. The Traffic Diversion Program will be a voluntary educational program with the goal to increase the safety of the roads in Steuben County by teaching drivers how to be better drivers.
SECTION 2. DEFINITIONS

1) “Traffic Diversion Services” shall mean instructive materials and educational classes generally recognized by the New York State Department of Motor Vehicles which provide knowledge and techniques for safe and lawful driving.

2) “District Attorney” shall mean the District Attorney in and for the County of Steuben as defined in the Charter of Steuben County, New York.

3) “Commissioner of Finance” shall mean the Commissioner of Finance in and for the County of Steuben as defined in the Charter of Steuben County, New York.

SECTION 3. ESTABLISHMENT OF PROGRAM

In order to effectuate “the government, protection, order, conduct, safety, health and well-being of persons and property” [New York Home Rule Section 10] within Steuben County, the County establishes a Traffic Diversion Program for any and all such persons referred to the Traffic Diversion Program, (hereinafter “Program”), by the District Attorney, as set forth herein:

a) The District Attorney is hereby authorized, per New York Home Rule Section 10 and New York County Law Section 700(1), to establish written guidelines addressing: 1) Eligibility for participation in the Program and 2) Means of written application for eligible persons to participate in local, live driver safety classes and/or providing eligible persons with qualifying alternative means of satisfying the required local, live safety instruction.

b) The District Attorney’s Office is authorized to administer all non-financial aspects of the Program in order to effectuate the intent of this local law.

c) The District Attorney shall maintain its’ Traffic Diversion records in accordance with New York County Law Section 700(7).

d) The Commissioner of Finance is authorized to accept all financial payments, as set forth herein (Section 4, below), for individuals deemed eligible by the District Attorney to participate in the Traffic Diversion Program.

e) All disbursements of the service charges, as set forth in Section 4, below, collected by the Commissioner of Finance from the Traffic Diversion Program shall be made pursuant to agreements authorized per New York General Municipal Law Section 119-o or Memorandums of Understanding and by separate resolution(s) of the Steuben County Legislature, when required by law.

SECTION 4. SERVICE CHARGE

a) Based on the Legislative Intent, Section 1, the Commissioner of Finance is authorized to collect a service charge of $275 for alleged traffic violations and/or $350 for alleged traffic related misdemeanors for an individual’s voluntary participation in the Traffic Diversion Program.

b) All payments for voluntary participation in the Traffic Safety Program shall be submitted to the Commissioner of Finance and all checks for the same shall be payable to “Steuben County” and shall be deposited into the General Fund of Steuben County.

c) The Commissioner of Finance shall periodically review the comprehensive costs of the Program to ensure the service charge imposed under this Section reasonably reflects the costs associated with conducting the Program.

d) Pursuant to this Local Law, the Steuben County Public Safety Committee shall have authority upon recommendation by the District Attorney and the Commissioner of Finance, to modify, change or otherwise adjust the service charge(s) set forth herein.
SECTION 5. SEVERABILITY

In the event any portion hereof shall be declared unenforceable, the balance of the local law remaining shall be in full force and effect.

SECTION 6. EFFECTIVE DATE

This local law shall become effective upon final adoption.

AND BE IT FURTHER RESOLVED, before said Local Law is adopted by the Steuben County Legislature, a Public Hearing shall be held on Monday, October 28, 2019 at 10:00 a.m. at the Legislative Chambers, 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 Courthouse in the municipality of Bath, Corning City Hall, and the DMV Office in 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 the proof of posting and publication 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 District Attorney, the Commissioner of Finance, the County Manager, the County Attorney, and the Clerk of the Legislature.

Mrs. Lando stated the resolution states that the funds will go to the General Fund; she thought the funds were going into a separate account. Mr. Wheeler replied the funds will go into the General Fund and then will be budgeted into a cost center. Any money coming into the county is considered General Funds.

Mr. Van Etten stated the key is that with the new program, all finances will be managed by the Commissioner of Finance and that takes the District Attorney out of it, which is what he had wanted as well.

Vote: Acclamation – Adopted.

RESOLUTION NO. 155-19


ACCEPTING THE FY 2019 STATE HOMELAND SECURITY PROGRAM GRANT.

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 Department of Homeland Security and Emergency Services is responsible for the assignment of administration of grant allocations provided by the Federal Government; and

WHEREAS, the New York State Department of Homeland Security and Emergency Services has awarded Steuben County with Federal Fiscal Year 2019 grant funds in the amount of $129,963 under the State Homeland Security Program (SHSP); and
WHEREAS, seventy-five percent of the funding ($97,472) will go to the Emergency Services Office to support response, education, prevention and planning for terrorist incidents and twenty-five percent of the total funding ($32,491) must be directed to the Sheriff’s Office for law enforcement terrorism prevention activities.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is authorized to execute the requisit documentation with the New York State Department of Homeland Security and Emergency Services to accept funding in the amount of $129,963 for implementation of the State Homeland Security Program (SHSP) to support response, education, prevention and planning for terrorist incidents; and be it further

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

RESOLVED, the Commissioner of Finance is hereby authorized to appropriate such revenue to the appropriate accounts within the budget of the Emergency Services Office and the Sheriff’s Office for the purpose of fulfilling the aforementioned grant; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 156-19


AUTHORIZING THE DISTRICT ATTORNEY TO PURCHASE COMPUTER AND TECHNOLOGY-RELATED EQUIPMENT FROM TWO EXISTING CAPITAL PROJECTS.

WHEREAS, the District Attorney has existing capital projects for a highway based plate-reader program and a Child Advocacy Center; and

WHEREAS, the District Attorney has no budgeted funds currently available to comply with costs associated with new State-mandated Discovery requirements; and

WHEREAS, the New York State Legislature has failed to provide funds to enable the District Attorney to comply with this new statutory mandate; and

WHEREAS, the District Attorney’s Office is in need of additional computer and technology-related equipment to comply with changes to Discovery mandated by State Legislation enacted with passage of the New York State Budget in April of 2019.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be, and the same hereby is, authorized to allow the District Attorney’s Office to expend up to $39,900.00 in funds from the Plate Readers Capital Project and the Child Advocacy Center Capital Project combined to purchase computer and technology-related equipment necessary for compliance with New State’s Discovery mandate; and be it further
RESOLVED, the Steuben County District Attorney is hereby authorized to purchase new computer equipment and technology-related materials necessary for compliance with the new State Discovery mandate at a cost of $39,900.00; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 157-19

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

AUTHORIZING A TRANSFER OF $30,000 FROM THE CONTINGENT FUND TO THE DEPARTMENT OF PERSONNEL & CIVIL SERVICE BUDGET.

WHEREAS, the Department of Personnel & Civil Service has had unexpected personnel expenses in the current year, in addition to increased costs for the 2019 Mandatory Annual Fall Training; and

WHEREAS, the contingent fund has a sufficient balance to cover the unexpected expense.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to transfer the sum of $30,000 from the Contingent Fund to the Department of Personnel & Civil Service budget 143000-5407390 Employee Training; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 158-19

Introduced by S. Van Etten. Seconded by F. Potter.

AUTHORIZING AN ALLOCATION FROM THE ECONOMIC DEVELOPMENT FUND TO CSS WORKFORCE NEW YORK.

WHEREAS, Chemung-Schuyler-Steuben Workforce New York (CSS WFNY) is a local workforce development board established by the three counties to assist individuals with greater employment opportunities and provide businesses with an adequate labor pool; and

WHEREAS, CSS WFNY receives Federal funding through the Workforce Investment Opportunity Act (WIOA) which is overseen by the NYS Department of Labor (NYS DOL); and

WHEREAS, certain criteria must be met in order to expend WIOA funds; and

WHEREAS, a 2016 audit by the NYS DOL found reported expenditures totaling $11,336.20 that were not allowable and must be recaptured; and

WHEREAS, Federal regulations stipulate the founding counties of CSS WFNY are responsible for any recaptured funds; and
WHEREAS, Steuben County’s portion of the cost of recaptured funds is $4,534.48.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is authorized to allocate $4,534.48 from the Economic Development Fund to CSS Workforce New York to cover Steuben County’s share of recaptured funds; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance and Dan Porter, Executive Director, CSS Workforce New York, 23 W. Market Street, Suite 201, Corning, NY 14830.

Mrs. Lando asked did we get a list of the expenses that were not allowed? Mr. Wheeler replied yes and as he is the Chair of the CSS Board of Directors, Mr. Brewer presented this to committee. The expenses that were not allowed were renovation costs for a property on Market Street and that lease had not been approved by the Board.

Vote: Roll Call – Adopted. Yes – 8607, No – 605, Absent - 660
(No: Legislator Fitzpatrick, Absent: Legislator Schu)

RESOLUTION NO. 159-19

Introduced by G. Swackhamer. Seconded by K. Fitzpatrick.

WAIVING THE ESTABLISHED TIP FEE FOR PUBLIC SECTOR CONSTRUCTION DEMOLITION DEBRIS AND ASBESTOS WASTE FOR THE VILLAGE OF WAYLAND.

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

WHEREAS, the County operates a mixed municipal solid waste landfill in the Town of Bath which currently accepts construction demolition debris and friable asbestos; and

WHEREAS, the County Legislature, by resolution No. 174-16, set the posted public sector tip fees at $30.00/ton for construction demolition debris and $200.00/ton for friable asbestos delivered to said landfill; and

WHEREAS, the Village of Wayland has requested that the County waive the established discounted public sector tip fees for parcel 003.17-02-034.000; and

WHEREAS, the Public Works Committee has approved waiving the current discounted public sector tip fees for the Village of Wayland in regards to parcel 003.17-02-034.000.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby authorize the Commissioner of Public Works to waive the established, posted discounted public sector tip fees of $30.00/ton for construction demolition debris and $200.00/ton for friable asbestos for the Village of Wayland at said landfill for parcel 003.17-02-034.000; and be it further

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

Mr. Weaver asked how much are we talking? Mr. Spagnoletti replied it will be approximately 300 tons at a fee of $200 per ton for a total cost of $60,000.

Mr. Mullen asked why are we waiving the fee? Mr. Wheeler explained we received a request from the Village of Wayland and the County, in many cases, has waived the tip fee for these types of projects. His
understanding is that Public Works did look at doing this in collaboration with the Village, however, it is a complicated project and our crew will not be involved.

Mr. Nichols asked do we have a reduced municipal rate? Mr. Wheeler replied we do have a municipal rate and you would be waiving that. Mr. Spagnoletti stated the municipal rate for asbestos containing material is $200 per ton. Mr. Nichols asked what is the regular rate? Mr. Spagnoletti replied $250 per ton. Mr. Van Etten asked what is the rate for non-asbestos containing material? Mr. Spagnoletti replied the regular rate for non-asbestos containing material is $44 per ton and the municipal rate is $30 per ton.

Mr. Van Etten asked why do we even have a municipal rate if we are going to waive it? Mr. Wheeler stated that is a good question. In a lot of cases, it is not just housing demolition.

Mr. Van Etten asked with normal garbage that is brought in by the municipalities, do they enjoy that reduced municipal rate? Mr. Spagnoletti replied not very often. Mr. Hauryski commented this would be a good discussion for the Public Works Committee.

Ms. Fitzpatrick asked do the municipalities take advantage of the reduced rate for garbage pickup day? Mr. Spagnoletti replied we have a town clean-up day where the municipalities can bring in roadside garbage at no cost. That is not intended for residents, only the municipalities.

Mr. Mullen asked what is the building that the Village is demolishing? Mr. Wheeler replied it is a property that is located on Main Street that is in the process of being, or has already been condemned. They want to tear the building down in order to improve the neighborhood. Mr. Malter commented the property has been condemned and has been vacant for several years. At this point the roof is falling in and it is a hazard. The Village owns the building and would like to demolish it in order to improve the situation.

Mr. Ryan asked if a property owner asked for the fee to be waived, would we do it? Mr. Wheeler replied no, as a property owner would be in a position of foreclosure.

Mr. Nichols stated he is in favor of helping the community, but if we have a municipal rate, which projects qualify for that rate? Mr. Wheeler stated the waiver is targeted toward the demolition of properties that improve neighborhoods, and whether to waive or not, is the Legislature’s choice. Mr. Nichols stated we need to set some type of parameters for this. Mr. Wheeler stated that is a conversation we can have with the Public Works Committee.

Vote: Roll Call – Adopted. Yes – 7511, No – 1701, Absent - 660 (No: Legislators Nichols, Ryan and Van Etten; Absent: Legislator Schu)

RESOLUTION NO. 160-19

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

AUTHORIZING A ROADSIDE MOWING AGREEMENT WITH THE TOWN OF WAYNE.

Pursuant to New York GML §119-O.

WHEREAS, the Town of Wayne has expressed an interest in mowing County Roads in the Town of Wayne; and

WHEREAS, other towns that have mowed County Roads in the past have done so in a timely manner; and
WHEREAS, the County desires to enter into an agreement for the Town of Wayne to mow approximately 19 miles of County Roads including CR87, 94, 95, 96, 97, 114 at a rate of $78.38 per center line mile of mowing in 2020; and

WHEREAS, the Public Works Committee has approved this agreement.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works is hereby authorized to enter into an inter-municipal agreement for roadside mowing with the Town of Wayne; and be it further

RESOLVED, a certified copy of the resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 161-19

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

AUTHORIZING A CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES.

WHEREAS, the County of Steuben is desirous to secure construction management services for the County Office Space Utilization project; and

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

WHEREAS, the Ad-Hoc Office Space Committee has recommended award to WERTH CONSTRUCTION SERVICES, LLC of BINGHAMTON, NY in the estimated amount of $484,000.00.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby authorizes the County Manager to execute a contract with WERTH CONSTRUCTION SERVICES, LLC for construction management services in the estimated amount of $484,000.00; and be it further

RESOLVED, these services will be paid for from the Office Space Utilization capital project (HB03015250000); and be it further

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

Mr. Hanna asked was this the low bidder? Mr. Wheeler replied yes, they were the low bid.

Vote: Roll Call – Adopted.

RESOLUTION NO. 162-19

Introduced by G. Swackhamer. Seconded by F. Potter.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A LEASE FOR 49.12± ACRES OF LAND IN AVOCA FOR THE PURPOSE OF PURCHASING GRAVEL.

Pursuant to New York County Law §215.
WHEREAS, the Steuben County Department of Public Works has the need at various times for gravel for its operations; and

WHEREAS, Wayne Mitchell has a gravel pit and has agreed to sell the gravel to the Steuben County Department of Public Works for $1.25/cubic yard, bank measure, with a price adjustment every 5 years per the Consumer Price Index; and

WHEREAS, Steuben County Department of Public Works is desirous of leasing from Wayne Mitchell at said price from 2019 to 2023; and

WHEREAS, the Public Works Committee of the Steuben County Legislature has approved this lease/purchase agreement with Wayne Mitchell.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is authorized and directed to enter into the lease/purchase agreement with Wayne Mitchell for $1.25/cubic yard, bank measure; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works; Commissioner of Finance; County Auditor; Real Property Tax Director; Risk Manager; and Mr. Wayne Mitchell, PO Box 319, Avoca, NY 14809.

Vote: Roll Call – Adopted.

RESOLUTION NO. 163-19

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

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A LEASE FOR 25± ACRES OF LAND IN AVOCA FOR THE PURPOSE OF PURCHASING GRAVEL.

Pursuant to New York County Law §215.

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

WHEREAS, John Strait has a gravel pit and has agreed to sell the gravel to the Steuben County Department of Public Works for $1.25/cubic yard, bank measure, with a price adjustment every 5 years per the Consumer Price Index; and

WHEREAS, Steuben County Department of Public Works is desirous of leasing from John Strait at said price from 2017 to 2021; and

WHEREAS, the Public Works Committee of the Steuben County Legislature has approved this lease/purchase agreement with John Strait.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is authorized and directed to enter into the lease/purchase agreement with John Strait for $1.25/cubic yard, bank measure; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works;
Commissioner of Finance; County Auditor; Real Property Tax Director; Risk Manager; and Mr. John R. Strait, 3980 County Rd 6, Avoca, NY 14809.

Vote: Roll Call – Adopted.

RESOLUTION NO. 164-19

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

APPROVING PART TWO AND PART THREE OF THE SEQR DETERMINATION OF SIGNIFICANCE OF THE ENVIRONMENTAL IMPACT RELATIVE TO THE BATH LANDFILL EASTERN EXPANSION.

WHEREAS, the Steuben County Department of Public Works proposes an expansion of the currently permitted Steuben County Bath Landfill in the Town of Bath, New York; and

WHEREAS, the Bath Landfill Eastern Expansion (“Proposed Action”) looks to expand the existing facility by 168 acres, which will extend the life of the current facility by an additional 40 years; and

WHEREAS, this Proposed Action is subject to the requirements of the New York State Environmental Quality Review Act (“SEQRA”) set forth in Article 8 of the New York State Environmental Conservation Law; and

WHEREAS, based on a review of the applicable SEQRA regulations in 6 NYCRR Part 617, this Proposed Action was classified as a “Type I” action under SEQRA, and a coordinated review process was completed with other interested and involved agencies (as these terms are defined in NYCRR Part 617.2), and the Steuben County Legislature declared themselves as the SEQRA Lead Agency for the Proposed Action at a meeting on August 26, 2019; and

WHEREAS, the Public Works Committee, on behalf of the Steuben County Legislature, has reviewed and considered the information included in the Full Environmental Assessment Forms (Part 1 – Project and Setting, Part 2 – Identification of Potential Project Impacts, and Part 3 – Evaluation of the Magnitude and Importance of the Project Impacts) for the Proposed Action; and

WHEREAS, the Public Works Committee has identified one or more potential significant adverse environmental impacts may result from the Proposed Action.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature, acting as Lead Agency, has also reviewed and considered the Full Environmental Assessment Forms (Parts 1, 2, and 3) and the above recommendation from the Public Works Committee regarding their proposed Determination of Significance; and be it further

RESOLVED, that the Steuben County Legislature concurs with the determination that one or more significant adverse environmental impacts has the potential to result, and therefore an Environmental Impact Statement must be prepared to further evaluate and mitigate the potential impacts, as detailed in the accompanying Positive Declaration; and be it further

RESOLVED, that the Steuben County Legislature adopts the attached Positive Declaration, and that the County’s legal counsel and Commissioner of Public Works and/or the Assistant Commissioner – Landfill, in conjunction with project engineering firm Barton & Loguidice, DPC, are authorized and directed to act as Lead Agency representatives to undertake such activities as may be necessary, including the preparation and filing of documents, analyses, and public notices, to assist the County Legislature in fulfilling its obligations under the SEQRA and applicable environmental requirements; and be it further

RESOLVED, that this resolution shall take effect immediately.

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Legislative Meeting
Monday, September 23, 2019
Mr. Mullen stated page 5 of Part 2 indicates there will be no impact on agricultural resources, however, isn’t the field adjoining the landfill still being used? Mr. Wheeler stated the buffer property in between is being used for agriculture. Mr. Spagnoletti stated he does not believe the field adjoining the landfill is being used, but the parcel in between is being used for hay. Mr. Mullen stated he thinks that we should include something about that. Additionally, we should mention that there will be odor and noise impacts. Mr. Wheeler stated at the bottom of page 8, it does indicate that there will be an impact on noise, odor and light; the Yes box is check marked under that section.

Ms. Prossick noted these environmental documents have been reviewed by Barton & Loguidice who are our consultants and the answers were based off their guidance. Mr. Mullen stated he thinks that the consultants were wrong on these issues.

**Motion to amend Part 2 of the SEQR Determination of Significance of Environmental Impact relative to the Bath Landfill Eastern Expansion to indicate that there will be impacts relative to agriculture and noise/odor made by Mr. Mullen and seconded by Mr. Weaver. Motion Fails (Yes: Legislators Fitzpatrick, Hanna, Mullen and Weaver; Absent: Legislator Schu)**

**Secretary’s Note: A copy of the Positive Declaration is on file in the Clerk of the Legislature’s Office.**

**Vote:** Roll Call – Adopted. Yes – 8615, No – 597, Absent – 660

(No: Legislator Mullen; Absent – Legislator Schu)

**RESOLUTION NO. 165-19**

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

**APPROVING THE DRAFT SCOPI NG DOCUMENTS RELATIVE TO THE SEQR FOR THE BATH LANDFILL EASTERN EXPANSION.**

WHEREAS, the Steuben County Department of Public Works proposes an expansion of the currently permitted Steuben County Bath Landfill in the Town of Bath, New York; and

WHEREAS, the Bath Landfill Eastern Expansion (“Proposed Action”) looks to expand the existing facility by 168 acres, which will extend the life of the current facility by an additional 40 years; and

WHEREAS, this Proposed Action is subject to the requirements of the New York State Environmental Quality Review Act (“SEQRA”) set forth in Article 8 of the New York State Environmental Conservation Law; and

WHEREAS, based on a review of the applicable SEQRA regulations in 6 NYCRR Part 617, the Proposed Action was classified as a “Type I” action, a coordinated review process was completed, and the Steuben County Legislature declared themselves as the SEQRA Lead Agency for the Proposed Action; and

WHEREAS, the Steuben County Legislature, acting as Lead Agency, has completed its review of the Full Environmental Assessment Form at its meeting on September 23, 2019, and determined that the Proposed Action may result in one or more significant adverse environmental impacts and has previously issued a resolution declaring a positive declaration and the reasons for this determination at its meeting on September 23, 2019; and

WHEREAS, in accordance with the SEQRA regulations, a Draft Scoping Document has been prepared to provide an overview of issues to be addressed in the Draft Supplemental Environmental Impact Statement (DSEIS).

NOW THEREFORE, BE IT
RESOLVED, that the Steuben County Legislature, acting as Lead Agency, has thoroughly reviewed the Draft Scoping Document for the proposed action and has determined it to be adequate with respect to its scope and content for the purpose of commencing a public review; and be it further

RESOLVED, that the Steuben County Legislature authorizes and directs the Commissioner of Public Works and/or the Assistant Commissioner – Landfill to make available the Draft Scoping Document to involved and interested parties, as well as the public, for review and comment, and further arranging for a copy of the document to be maintained on the County’s website to ensure it is accessible to the public; and be it further

RESOLVED, that written public comments on the Draft Scoping Document will be received until 5:00 pm on November 6, 2019, and that a public scoping meeting will be scheduled, the details of which will be published in a Notice stating the availability of the Draft Scoping Document in the Environmental Notice Bulletin (ENB) and the Steuben Courier Advocate; and be it further

RESOLVED, that the County’s legal counsel and Commissioner of Public Works and/or Assistant Commissioner – Landfill, in conjunction with project engineering firm Barton & Loguidice, DPC, are authorized to file the appropriate SEQRA Notices and take whatever other steps are necessary to carry out this resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 166-19

Introduced by S. Van Etten. 
Seconded by C. Ferratella.

AMENDING THE ADMINISTRATIVE CODE.

WHEREAS, the Administrative Code’s Workplace Drug & Alcohol Policy has been reviewed by the Risk Manager; and

WHEREAS, upon review said Policy requires amending to make the Policy more effective and clear; and

WHEREAS, the State of New York pursuant to Labor Law Section 296-d now expands sexual harassment protections to non-employees; and

WHEREAS, in order to address this change in the law the County Contract Template needs to be amended.

NOW THEREFORE, BE IT

RESOLVED, the Administrative Code Workplace Drug & Alcohol Policy is hereby amended as follows:

Workplace Drug & Alcohol Policy
Part XVI, B), Industrial Post Accident/Incident – Testing of an employee who is directly or indirectly involved in any work related accident/incident on County premises or a worksite, where their actions, judgment, decisions or directive have resulted in circumstances involving:
1. A fatality.
2. A bodily injury to anyone on the scene of the accident requiring medical treatment from a health professional away from the scene.
3. Property damage or loss, to the County or 3rd Party, due to the accident.

; and be it further
RESOLVED, the *Administrative Code* Contract Template is hereby amended by adding the following language by way of an additional paragraph at the end of paragraph 5 “Compliance with Rules, Regulations and Laws:

The Agent offering to provide services pursuant to this contract, as a Consultant, joint venture consultant, subcontractor, attests that its performance of the services outlined in this contract has a written policy addressing sexual harassment prevention in the workplace and provides training, which meets the New York State Department of Labor’s model policy and training standards, to all employees on an annual basis.

Furthermore, by submission of this Expression of Interest procurement document, each agent and each person signing on behalf of any agent certifies, and in the case of a joint submission each party thereto certifies its own organization, under penalty of perjury, that the submitter has and has implemented a written policy addressing sexual harassment prevention training to all of its employees. Such policy shall at minimum meet the requirements of Section Two Hundred One – g of the New York State Labor Law (NYS Labor Law §201-g).

; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 167-19


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

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, Wendy S. Jordan of Arkport, New York, be reappointed as the Steuben County Director of the Real Property Tax Service Agency for a term of six (6) years commencing on October 1, 2019 through September 30, 2025, is hereby confirmed by the Steuben County Legislature; and be it further

RESOLVED, an Oath of Office shall be filed in the Steuben County Clerk's Office, and that the Clerk of this Legislature is directed to file certified copies of this resolution with the above named appointee, the County Clerk, the Personnel Officer, and the NYS Department of Taxation and Finance, W A Harriman Campus, Building 8A, Albany NY 12227.

Vote: Roll Call – Adopted.
RESOLUTION NO. 168-19


WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE ASSISTANT DISTRICT ATTORNEY POSITION AND ONE PARALEGAL ASSISTANT POSITION IN THE DISTRICT ATTORNEY'S OFFICE.

WHEREAS, the Governor and New York State Legislature passed significant criminal justice legislation in April 2019 and established the effective date of compliance as January 1, 2020; and

WHEREAS, this legislation included amendments to NYS CPL §245.20 mandating the expansion of discovery obligations including a 15-day requirement to produce, thereby significantly increasing the workload in the District Attorney’s Office; and

WHEREAS, it is necessary and desirable to create one Management Grade E Assistant District Attorney position and one Grade XI Paralegal Assistant position to implement New York State’s required criminal justice reform programs by the effective date; and

WHEREAS, the funding for said positions is currently available within the 2019 budget; and

WHEREAS, Rule 16B of the Rules of Procedure of the County Legislature requires an extraordinary majority to create the aforesaid positions as a result of said request not having been anticipated for the year 2019.

NOW THEREFORE, BE IT

RESOLVED, Rule 16B of the Rules of Procedure be and the same hereby is waived; and be it further

RESOLVED, the following positions are hereby created and funded for the denoted department:

<table>
<thead>
<tr>
<th>Department/Position</th>
<th>Quantity</th>
<th>Grade</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistant District Attorney</td>
<td>1</td>
<td>E (Mgmt.)</td>
<td>$52,677 - $68,104</td>
</tr>
<tr>
<td>Paralegal Assistant</td>
<td>1</td>
<td>XI</td>
<td>$34,587 annually ($40,691 after 1 year)</td>
</tr>
</tbody>
</table>

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

Mr. Weaver asked if we don’t waive the 16B process, how much time would it take to fill the positions? Mr. Wheeler explained the deadline for putting positions into the budget has already passed, however, within the 16B process there are specific conditions under which a waiver can be undertaken. One of those conditions is when the positions are a result of a State/Federal mandate, and in this case, these positions are necessary due to a change in NYS CPL §245.20 relative to discovery.

Vote: Roll Call – Adopted. Yes – 8022, No – 1190, Absent – 660
(No: Legislators Mullen and Ryan; Absent: Legislator Schu)
RESOLUTION NO. 169-19


AUTHORIZING A CONTRACT FOR IN-FACILITY MEDICAL SERVICES IN THE STEUBEN COUNTY JAIL.

WHEREAS, the Steuben County Jail is required to have a Medical Director and provide medical services to inmates; and

WHEREAS, there is currently a vacancy of Medical Director, Nurse Practitioner and other key medical staff at the facility; and

WHEREAS, recruitment efforts for these key positions have been unsuccessful; and

WHEREAS, the Sheriff solicited requests for proposals for medical services, which includes dental, pharmaceutical and all in facility medical services; and

WHEREAS, PrimeCare submitted the most economical proposal and is highly regarded by other counties; and

WHEREAS, PrimeCare has agreed to begin providing these services effective October 1, 2019, for $106,886.31 per month for a total cost of $320,658.93 through December 31, 2019; and

WHEREAS, the cost of the annual contract with PrimeCare effective January 1, 2020, will be included in the Jail’s 2020 Budget; and

WHEREAS, the Public Safety and Corrections and Finance Committees have recommended approval of the contract with PrimeCare for in-facility medical services at the Steuben County Jail; and

WHEREAS, it is also recommended to fund this contract for the balance of 2019 through a transfer of $140,000 from the Jail’s Salaries and Wages line and $200,000 from the Contingent Fund.

NOW THEREFORE BE IT

RESOLVED, the Steuben County Sheriff is hereby authorized to contract with PrimeCare for in-facility medical services at the Steuben County Jail effective October 1, 2019, and cancel the contract with Omni-Care for Pharmaceutical Services; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to transfer $140,000 from the Jail’s Salaries & Wages line (315000.51100000) and $200,000 from the Contingent Fund to the Jail’s Medical Services line (315000.5420000); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 170-19

Introduced by R. Lattimer. Seconded by R. Weaver.

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 Steuben County Agriculture, Industry & Planning Committee (AIP) in its administrative function for tourism matters is qualified to recommend the appropriate agency for official Tourism Promotion Agency (TPA) designation; and

WHEREAS, the State of New York has made available to its counties “matching funds” for the promotion of tourism; and

WHEREAS, the New York State Tourist Promotion Act requires the legislature of each county to designate a Tourism Promotion Agency as the applicant for and the recipient of such funds; and

WHEREAS, the Steuben County Conference and Visitors’ Bureau is charged with the duty to promote tourism within Steuben County.

NOW, THEREFORE BE IT

RESOLVED, the Steuben County Legislature hereby designates the Steuben County Conference & Visitors’ Bureau as the official Tourism Promotion Agency for the County of Steuben for the period January 1, 2020 through December 31, 2020; and be it further

RESOLVED, the President of the Steuben County Conference and Visitors’ Bureau shall report any changes that may occur in State tourism funding requirements to the Steuben County Manager; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Kevin Costello, President, Steuben County Conference and Visitors’ Bureau, Inc., 1 West Market Street, Suite 201, Corning, NY 14830.

Vote: Roll Call – Adopted.

RESOLUTION NO. 171-19

Introduced by J. Hauryski. Seconded by F. Potter.

SETTING THE DATE AND TIME FOR A SPECIAL LEGISLATIVE MEETING FOR THE PRESENTATION OF THE 2020 BUDGET.

BE IT RESOLVED, a Special Legislative Meeting of the Steuben County Legislature be, and the same hereby is, established for Thursday, November 14, 2019, at 10:00 A.M. in the Legislative Chambers, 3 East Pulteney Square, Bath, New York, for the presentation of the 2020 Budget; 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: Acclamation – Adopted.

RESOLUTION NO. 172-19

Introduced by J. Hauryski. Seconded by K. Fitzpatrick.

SETTING THE DATE AND TIME FOR THE PUBLIC HEARING ON THE 2020 BUDGET.
BE IT RESOLVED, the regular meeting of the Steuben County Legislature be, and the same hereby is, established for November 2019, on Monday, November 25, 2019, 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: Acclamation – Adopted.

RESOLUTION NO. 173-19

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

SETTING THE DATE FOR THE DECEMBER 2019 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 2019, on Monday, December 16, 2019 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 the 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: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7§ 105.1D. Discussions Regarding Proposed, Pending or Current Litigation made by Mr. Potter. Seconded by Mr. Malter and duly carried.

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

RESOLUTION NO. 174-19

Introduced by J. Hauryski. Seconded by R. Weaver.

MATTER(S) PERTAINING TO THE SETTLEMENT OF CLAIM(S) BY OR AGAINST THE COUNTY.

WHEREAS, the County of Steuben maintains a County Self-Insurance Plan as authorized under Article 5 of the Workers’ Compensation Law and as established under Local Law No. 2 of 1956; and

WHEREAS, certain claims made under the recited Plan remain open; and

WHEREAS, the Third Party Administrator of the Steuben County Self Insurance Plan has requested authorization to settle a claim with respect to a claimant, Candy Guiles; and
WHEREAS, it is in the best interest of the County to settle the claim.

NOW THEREFORE, BE IT

RESOLVED, the County does hereby ratify the settlement of the above-entitled claim in the amount of Thirty Five Thousand One Hundred Sixty Three Dollars and Ninety Cents ($35,163.90); and be it further

RESOLVED, the within resolution shall be reported out within five (5) days following the execution of the settlement documents; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, County Attorney, Risk Manager and PERMA/NEAMI, 9 Cornell Road, Latham, New York 12110.

Vote: Roll Call – Adopted.

Motion to Adjourn made by Mr. Mullen, seconded by Mr. Roush and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 28th day of October, 2019 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislator Hanna.

Mrs. Ferratella provided the Invocation and Mr. Potter led the Pledge of Allegiance.

Chairman Hauryski asked Amanda Ford to come forward. Ms. Ford is an employee in the Office for the Aging. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Hauryski asked Jessica Peaslee to come forward. Ms. Peaslee 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 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 upon County of Steuben Local Law Tentatively No. Three for the Year 2019, Authorizing a Steuben County Traffic Diversion Program. Chairman Hauryski opened the floor for comments by members of the public. There being none, he declared the public hearing closed.

Mrs. Baroody stated today the SSF (Senior Services Fund) is presenting a check in the amount of $3,400 to ProAction. This represents the money made at last month’s Mary and Gordon Latour Golf Tournament.

Mr. Ryan stated on behalf of the residents of Steuben County, he would like to recognize the following individuals for their service:

Joshua Woodworth  Hunter Erway  Bryant Canty  Rachel Mullen

RESOLUTION NO. 175-19

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

WHEREAS, on July 22, 2019, the Steuben County Commissioner of Finance was authorized and directed by Resolution 122-19, D-25, to convey the parcel sold at the Delinquent Tax Auction held on July 12, 2019 and contained in Schedule "B", and was 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 the parcel to the second highest bidder upon receipt of full payment from the second highest bidder; and

WHEREAS, both the highest and second highest bidders failed to complete the purchase of the parcel contained in Schedule “B”; and a secured creditor having come forward seeking to redeem the subject parcel in the Town of Campbell and seeking a vacatur of Steuben County’s judgment versus the property; and

WHEREAS, it appears to be in the best interests of the County to accept payment in full of all delinquent taxes, penalties, and fees owed to the County relative to the parcel contained in Schedule “B” and to consent to a vacatur of the Default Judgment granted May 1, 2019 as it relates to the parcel contained in Schedule “B”, and only to the parcel contained in Schedule “B”, as approved by the Finance Committee on October 8, 2019; and it is therefore

RESOLVED, the Resolution ratified on July 22, 2019 as Resolution 122-19, D-25, is hereby revoked; and the secured creditor named in Schedule “B” is permitted to redeem the parcel contained in Schedule “B” through the payment in full of all delinquent taxes, interest, penalties, and fees; and it is further

RESOLVED, that upon payment in full of all delinquent taxes, interest, penalties, and fees, the Steuben County Attorney shall submit a Vacatur Order for execution by the Supreme Court Justice as it relates to the parcel contained in Schedule “B” and only to the parcel contained in Schedule “B”; 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, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District; and certified copies of this resolution contained in Schedule “B” shall be forwarded to the Steuben County Commissioner of Finance, the Steuben County Attorney, 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>William Thall</td>
<td>206.00-05-005.122</td>
<td>Town of Bath</td>
<td>2020 Court-ordered Reduction of Assessment</td>
</tr>
<tr>
<td>A-2</td>
<td>Sandra Silliman</td>
<td>159.10-01-034.000</td>
<td>Village of Bath</td>
<td>2020 Court-ordered Reduction of Assessment</td>
</tr>
<tr>
<td>A-3</td>
<td>Eric and Joelle Dickson</td>
<td>173.00-01-036.120</td>
<td>Town of Bath</td>
<td>2020 Court-ordered Reduction of Assessment</td>
</tr>
<tr>
<td>A-4</td>
<td>Earl and Lorraine Owens</td>
<td>177.00-03-004.110</td>
<td>Town of Bath</td>
<td>2020 Parcel Split</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>Name</td>
<td>Parcel No.</td>
<td>Municipality</td>
<td>Disposition</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------------------------------------</td>
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<td>----------------------------------</td>
</tr>
<tr>
<td>A-5</td>
<td>Hansen Legacy Properties LLC</td>
<td>203.00-03-004.213</td>
<td>Town of Campbell</td>
<td>2020 Correction – Duplicate Entry</td>
</tr>
<tr>
<td>A-6</td>
<td>MH Sweet Enterprises Inc.</td>
<td>144.18-01-001.112</td>
<td>Village of Bath</td>
<td>2020 Correction of Exemption</td>
</tr>
<tr>
<td>A-7</td>
<td>John M. and Rosalie Jamison</td>
<td>107.15-01-041.000</td>
<td>Village of Arkport</td>
<td>2020 Parcel Split</td>
</tr>
<tr>
<td>A-8</td>
<td>Frederick G. and Deborah L. Potter</td>
<td>415.00-01-015.100</td>
<td>Town of Trumpsburg</td>
<td>2020 Parcel Split</td>
</tr>
<tr>
<td>A-9</td>
<td>Mark and Margie Taft</td>
<td>223.00-01-024.100</td>
<td>Town of Thurston</td>
<td>2019-2020 Addison School (add)</td>
</tr>
<tr>
<td>A-10</td>
<td>Alan and Catherine L. Gleason</td>
<td>277.00-01-016.210</td>
<td>Town of Thurston</td>
<td>2020 Parcel Split</td>
</tr>
<tr>
<td>A-11</td>
<td>Alan and Catherine L. Gleason</td>
<td>277.00-01-016.210</td>
<td>Town of Thurston</td>
<td>2019-2020 Campbell School (delete)</td>
</tr>
<tr>
<td>A-12</td>
<td>Lanny R. Newell &amp; Roxanne Brown</td>
<td>310.00-03-010.112</td>
<td>Town of Rathbone</td>
<td>2020 Correction of Assessment Error</td>
</tr>
<tr>
<td>A-13</td>
<td>Ronald C. Becker</td>
<td>027.00-01-039.510</td>
<td>Town of Wayland</td>
<td>2020 Parcel Split and Combined</td>
</tr>
<tr>
<td>A-14</td>
<td>Dean L. Groff</td>
<td>269.00-01-002.000</td>
<td>Town of Greenwood</td>
<td>2020 Parcel Split</td>
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<td>A-15</td>
<td>Waneta Henninger</td>
<td>415.00-01-011.100</td>
<td>Town of Trumpsburg</td>
<td>2020 Parcel Split</td>
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<tr>
<td>A-16</td>
<td>Aldi Inc. NY</td>
<td>298.00-01-034.211</td>
<td>Town of Erwin</td>
<td>2020 Correction of Exemption</td>
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<tr>
<td>A-17</td>
<td>Anthony and Roxanne Tomak</td>
<td>243.00-01-019.000</td>
<td>Town of Campbell</td>
<td>2020 Parcel Split</td>
</tr>
<tr>
<td>A-18</td>
<td>Richard W Copp &amp; Roxanne L. Edwards</td>
<td>336.10-03-010.100</td>
<td>Town of Corning</td>
<td>2020 Parcel Split</td>
</tr>
<tr>
<td>A-19</td>
<td>Tara M. Smith</td>
<td>158.08-01-061.000</td>
<td>Town of Bath</td>
<td>2020 Court-ordered Reduction of Assessment</td>
</tr>
<tr>
<td>A-20</td>
<td>Ducon Leasing Co. Inc.</td>
<td>174.00-01-033.000</td>
<td>Town of Bath</td>
<td>2019 Tax Certiorari – Consent Order and Judgment, Index 2018-0931CV</td>
</tr>
</tbody>
</table>
Resolution No. A-21
Name Estate of Earl J. Conklin Jr.
Parcel No. 191.00-01-006.111
Municipality Town of Bath
Disposition 2019 Tax Certiorari – Consent Order and Judgment, Index 2018-0931CV

Resolution No. A-22
Name Estate of Earl J. Conklin Jr.
Parcel No. 158.12-02-048.000
Municipality Village of Bath
Disposition 2019 Tax Certiorari – Consent Order and Judgment, Index 2018-0931CV

Resolution No. A-23
Name Anna Gerych Est., Norman J. Gerych, et al, c/o Pilot Travelers Center LLC
Parcel No. 129.00-01-005.001
Municipality Town of Bath
Disposition 2017 Tax Certiorari – Consent Order and Judgment, Index 2016-0707CV

Resolution No. A-24
Name Anna Gerych Est., Norman J. Gerych, et al, c/o Pilot Travelers Center LLC
Parcel No. 129.00-01-005.001
Municipality Town of Bath
Disposition 2018 Tax Certiorari – Consent Order and Judgment, Index 2017-0789CV

SCHEDULE “B”

Resolution No. B-1
Former Owner Shepard, Douglas E.
In Rem Index No. Index 2017-1281CV, Judgment filed 05/01/2019
Date of Public Tax Sale: July 12, 2019 (Sale No. 37)
Parcel No. 244.17-01-007.000
Municipality Campbell
Mortgage Company PHH Mortgage Services, c/o Jonathan Maldonado
Mortgage Company’s Address 1 Mortgage Way, Mt. Laurel, NJ 08054
Consideration $12,754.10 inclusive of taxes, interest, penalties, and fees
Disposition Vacatur of County’s default judgment relative to parcel

Vote: Roll Call – Adopted. Yes – 8646; No – 0; Abstained – 625; Absent – 601
(Abstained: Legislator Potter as he is named in the resolution; Absent: Legislator Hanna)

RESOLUTION NO. 176-19

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

RECEIVING AND ACCEPTING THE OCTOBER 28, 2019 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 16, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Notice to submit additional intervenor funds in the amount of $75,000 no later than September 20, 2019 for Canisteo Wind Energy LLC Project (Case# 16-F-0205). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

The Dax Law Firm, P.C. – Re: Supplement/update of exhibit 31 to the application for a certificate of environmental compatibility and public need filed on behalf of the Canisteo Wind Energy LLC (Case# 19-T-0041). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.
September 19, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Order granting certificate of environmental compatibility and public need, with conditions for Baron Winds LLC (Case#15-F-0122). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

NYS Homeland Security and Emergency Services – Re: Notification of not being selected for grant funding through the FY2018 Cyber Security Grant Program. **Referred to: Administration Committee; and Robert Wolverton, Information Technology Director.**

September 20, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Notice of availability of additional application stage intervenor funds and deadline for requesting funds for the Canisteo Wind Energy LLC Project (Case# 16-F-0205). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

September 23, 2019
NYS Homeland Security and Emergency Services – Re: Notification of being awarded $187,468 under the New York State 2019-2020 Public Safety Answering Points Operations Grant (2019-2020 PSAP GRANT). **Referred to: Public Safety & Corrections Committee; and Dave Hopkins, 911 Director.**

September 25, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Order denying stay for the Canisteo Wind Energy LLC Project (Case# 16-F-0205). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

NYS Parks, Recreation and Historic Preservation – Re: Notification of approval of the remaining payment for the 2018-2019 Phase III of the snowmobile trail development and maintenance state grant-in-aid. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

September 30, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Ruling (I) denying motions to stay briefing schedule and proceeding; (II) granting request to supplement record; (III) denying request to close discovery; and (IV) admitting application amendments into evidentiary hearing record for the Canisteo Wind Energy LLC Project (Case# 16-F-0205). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,563, which represents the August 2019 surcharge revenues for Steuben County. **Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.**

October 3, 2019
Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and 2-4 Market Street, LLC is scheduled for Wednesday, October 16, 2019 at 10:00 a.m. at the Corning City Hall, located at 500 Civic Center Plaza, Second Floor Council Chambers, Corning, New York. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and 54 W. Market, LLC is scheduled for Wednesday, October 16, 2019 at 10:30 a.m. at the Corning City Hall, located at 500 Civic Center Plaza, Second Floor Council Chambers, Corning, New York. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

October 7, 2019
NYS Office for the Aging – Re: Annual Evaluation and Progress Report from April 1, 2019 through March 31, 2020. **Referred to: Human Services/Health & Education Committee; and Patty Baroody, OFA Director.**
NYS Board on Electric Generation Siting and the Environment – Re: Errata Notice (issued October 4, 2019) for the Baron Winds LLC Project (Case# 15-F-0122).  

Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Homes and Community Renewal – Re: Notification of the county’s request for release of funds and certification has been approved for the New York State Community Development Block Grant Project #1115WS301-19.  

Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Patrick Donnelly, Commissioner of Finance.

Vote:  Acclamation – Adopted.

RESOLUTION NO. 177-19

Introduced by J. Malter.  
Seconded by K. Fitzpatrick.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2019 AUTHORIZING A STEUBEN COUNTY TRAFFIC DIVERSION PROGRAM.

WHEREAS, on September 30, 2019, the Steuben County Legislature was presented with Local Law Tentatively No. Three for the Year 2019, Authorizing a Steuben County Traffic Diversion Program, making the final adoption of said Local Law subject to a Public Hearing to be held on October 28, 2019; 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 October 28, 2019, 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, there is hereby presented to each member of this Steuben County Legislature, Local Law Tentatively No. Three of 2019, authorizing a Steuben County Traffic Diversion Program.

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2019

A Local Law Authorizing a Steuben County Traffic Diversion Program.

BE IT ENACTED by the Steuben County Legislature, as follows:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this Local Law to authorize the establishment of a traffic diversion instructional program for persons referred by the District Attorney pursuant to this local law and guidelines hereby authorized to be instituted by the District Attorney to provide for an educational program under State authority authorizing local government to provide for the safety and well-being of persons within the County of Steuben. The Traffic Diversion Program will be a voluntary educational program with the goal to increase the safety of the roads in Steuben County by teaching drivers how to be better drivers.

SECTION 2. DEFINITIONS

1)  “Traffic Diversion Services” shall mean instructive materials and educational classes generally recognized by the New York State Department of Motor Vehicles which provide knowledge and techniques for safe and lawful driving.

2)  “District Attorney” shall mean the District Attorney in and for the County of Steuben as defined in the Charter of Steuben County, New York.
3) “Commissioner of Finance” shall mean the Commissioner of Finance in and for the County of Steuben as defined in the Charter of Steuben County, New York.

SECTION 3. ESTABLISHMENT OF PROGRAM

In order to effectuate “the government, protection, order, conduct, safety, health and well-being of persons and property” [New York Home Rule Section 10] within Steuben County, the County establishes a Traffic Diversion Program for any and all such persons referred to the Traffic Diversion Program, (hereinafter “Program’), by the District Attorney, as set forth herein:

a) The District Attorney is hereby authorized, per New York Home Rule Section 10 and New York County Law Section 700(1), to establish written guidelines addressing: 1) Eligibility for participation in the Program and 2) Means of written application for eligible persons to participate in local, live driver safety classes and/or providing eligible persons with qualifying alternative means of satisfying the required local, live safety instruction.

b) The District Attorney’s Office is authorized to administer all non-financial aspects of the Program in order to effectuate the intent of this local law.

c) The District Attorney shall maintain its’ Traffic Diversion records in accordance with New York County Law Section 700(7).

d) The Commissioner of Finance is authorized to accept all financial payments, as set forth herein (Section 4, below), for individuals deemed eligible by the District Attorney to participate in the Traffic Diversion Program.

e) All disbursements of the service charges, as set forth in Section 4, below, collected by the Commissioner of Finance from the Traffic Diversion Program shall be made pursuant to agreements authorized per New York General Municipal Law Section 119-o or Memorandums of Understanding and by separate resolution(s) of the Steuben County Legislature, when required by law.

SECTION 4. SERVICE CHARGE

a) Based on the Legislative Intent, Section 1, the Commissioner of Finance is authorized to collect a service charge of $275 for alleged traffic violations and/or $350 for alleged traffic related misdemeanors for an individual’s voluntary participation in the Traffic Diversion Program.

b) All payments for voluntary participation in the Traffic Safety Program shall be submitted to the Commissioner of Finance and all checks for the same shall be payable to “Steuben County” and shall be deposited into the General Fund of Steuben County.

c) The Commissioner of Finance shall periodically review the comprehensive costs of the Program to ensure the service charge imposed under this Section reasonably reflects the costs associated with conducting the Program.

d) Pursuant to this Local Law, the Steuben County Public Safety Committee shall have authority upon recommendation by the District Attorney and the Commissioner of Finance, to modify, change or otherwise adjust the service charge(s) set forth herein.

SECTION 5. SEVERABILITY

In the event any portion hereof shall be declared unenforceable, the balance of the local law remaining shall be in full force and effect.
SECTION 6. EFFECTIVE DATE

This local law shall become effective upon final adoption.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on October 28, 2019 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 Courthouse in the municipality of Bath, Corning City Hall, and the DMV Office in 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. Three for the Year 2019, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the 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 District Attorney, the Commissioner of Finance, the County Manager, the County Attorney, and the Clerk of the Legislature.

Vote: Roll Call – Adopted.

RESOLUTION NO. 178-19

Introduced by B. Schu and S. Van Etten. Seconded by R. Lattimer.

AUTHORIZING THE COMMISSIONERS OF ELECTIONS TO EXECUTE A CONTRACT AND ACCEPT AN EARLY VOTING AID TO LOCALITIES GRANT.

WHEREAS, New York State set aside $10 million in the 2019-2020 budget for the purpose of Early Voting; and

WHEREAS, Steuben County’s portion of the $10 million set aside for Early Voting is $45,027.37; and

WHEREAS, this grant funding is to be used for the purchase of electronic poll books, ballot on demand printers, and training; and

WHEREAS, expenditures under this grant must be made by December 31, 2020.

NOW THEREFORE, BE IT

RESOLVED, the Commissioners of Elections and County Manager are authorized and directed to execute the requisite documentation to effectuate this grant; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to accept $45,027.37 into revenue line item 145000 4 308 9450 Election Other State Aid and appropriate the same to expense line item 145000 5 298 000; Machine & Equipment – Major; and be it further
RESOLVED, certified copies of this resolution shall be forwarded to the Commissioners of Elections, the Commissioner of Finance, and the County Manager.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 179-19**

Introduced by B. Schu and S. Van Etten. 

Seconded by H. Lando.

**AUTHORIZED A REPAYMENT TO THE VILLAGE OF BATH FOR TAX CERTIORARI PROCEEDINGS.**

Pursuant to Section 2.07 of the Steuben County Charter.

**WHEREAS,** it is determined to be in the best interest of Steuben County to repay the Village of Bath for village taxes levied on certain properties at an incorrect taxable value after court ordered reductions were not posted to the village tax rolls prior to the levy of the taxes.

**NOW THEREFORE, BE IT**

**RESOLVED,** this Legislature authorizes the Commissioner of Finance to repay the Village of Bath for the reduction in taxes relative to these certain properties in an amount not to exceed $36,285.61; and be it further

**RESOLVED,** the Commissioner of Finance is hereby authorized and directed to transfer the sum of $36,285.61 to the Village of Bath upon settlement relative to unpaid village taxes to be re-levied onto the 2020 Town and County taxes; and be it further

**RESOLVED,** certified copies of this resolution shall be forwarded to the Commissioner of Finance and to William VonHagn, Mayor of the Village of Bath, 110 Liberty St., Bath, NY 14810.

**Vote:** Roll Call – Adopted. Yes – 8674; No – 0; Abstained – 597; Absent – 601

(Abstained – Legislator Mullen abstained as the Village of Bath is a client; Absent – Legislator Hanna)

**RESOLUTION NO. 180-19**

Introduced by G. Swackhamer. 

Seconded by G. Roush.

**AMENDING THE ESTABLISHED 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 a 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 a need for the safe and cost effective disposal of abandoned properties; and

**WHEREAS,** the County Legislature, by resolution No. 174-16, set the posted public sector tip fees at $30.00/ton for construction demolition debris and $125.00/ton for friable asbestos delivered to said landfill; and

**WHEREAS,** to assist local municipalities with demolition of said properties, the Public Works Committee requests the authority to waive said fees for up to five (5) municipal residential demolition projects per calendar year; and
WHEREAS, to further assist disposal of abandoned properties, the Public Works Committee has approved waiving all tip fees for properties owned by the Steuben County Land Bank; and

WHEREAS, municipalities will be required to submit an application for waiving said public sector tip fees to the Public Works Committee for authorization.

NOW THEREFORE, BE IT

RESOLVED, the County Legislature grants the Public Works Committee the authority to waive the established posted public sector tip fees of $30.00/ton for disposal of construction demolition debris and $125.00/ton for disposal of friable asbestos for up to five (5) municipal residential demolition projects per calendar year; and be it further

RESOLVED, the County Legislature hereby waives all tip fees for the Steuben County Land Bank; and it is further

RESOLVED, the County Legislature directs the Public Works Committee to establish an application for waiving said public sector tip fees to be utilized by local municipalities; and be it further

RESOLVED, the amendment to resolution No. 174-16 shall take effect on January 1, 2020; and be it further

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

Mr. Maio stated he understands the rationale for doing this. What criteria is Public Works going to have to decide whether a project will be waived or not? We either need to have it, discount it or not have it. Mr. Wheeler replied the department is actually working on the application form to give to the committee and the Legislature which will allow for discussion on the neighborhood impact.

Motion to postpone until next month made by Mr. Maio. Seconded by Mr. Ryan. Acclamation vote fails with 9 Legislators opposed.

Mr. Nichols commented this will still have to come back to the Public Works committee.

Mr. Van Etten asked where did the number five come from? Mr. Wheeler explained that there was discussion in the Public Works meeting that in most years, rarely do they have more than five requests. We tried to find a good balance. Mr. Van Etten asked since the Land Bank is exempt, is setting the limit at five doing anything to limit the number? Have we come close to having five? Mr. Wheeler replied no, that would be the upper limit.

Mrs. Lando asked will the application come back to committee when it is finished? Mr. Wheeler replied yes. Public Works is currently working on a draft and will present that to the committee. The Legislature can also approve the application if you would like.

Mr. Mullen asked is the tip fee set by Local Law? Ms. Prossick replied it is set by resolution.

Mr. Maio commented he is fine if we want to say that the municipalities do not pay, or if we want to set the rate at a different amount. Without knowing the criteria, he does not think we have enough information to vote today, and we also have the power to waive the fee.

Mr. Swackhamer stated we talked about this in committee and the application will come to the committee and then the committee will decide. We get these requests all the time.
Mr. Nichols asked Mr. Spagnoletti to clarify the rates. Mr. Spagnoletti stated the rate is $30 per ton for municipalities or $125 per ton if they did not remove the asbestos first. Mr. Nichols stated we chose the limit of five because we were figuring about $4,000 and we don’t want to fill the landfill.

Mr. Van Etten asked other than the municipality name, the tax parcel number and the reason for taking the property down, what other information would you want to see on the application?

Mr. Maio replied he thinks the application should be objective and not subjective. He doesn’t understand why there is even a fee; we should just waive it all the time.

Mr. Mullen stated his concern is that it not be the same municipality and that other municipalities should be encouraged to apply.

Mr. Weaver asked is there any limit on the tonnage? Mr. Wheeler replied no, this is limited only to residential units; not commercial.

Mrs. Lando asked have we ever denied a request? Mr. Wheeler replied we have never had a formal process. Most of the time when our crews are working with the municipality, we are part of the project anyhow. This is more about finalizing a process for you to review.

Mr. Van Etten commented our Public Works department has done a very good job of being cooperative with municipalities and helping the Land Bank with regard to taking properties down.

**Vote:** Roll Call – Adopted. Yes – 8132; No – 1139; Abstained – 0; Absent – 601
(No – Legislators Maio and Mullen; Absent – Legislator Hanna)

RESOLUTION NO. 181-19

Introduced by B. Schu. Seconded by C. Ferratella.

AMENDING THE MANAGEMENT SALARY PLAN AND ADOPTING THE STEP SYSTEM.

WHEREAS, Steuben County has completed a review of the management grading and compensation structure, as directed by the Administration Committee; and

WHEREAS, the Burke Group completed a thorough analysis of management grading and compensation to achieve an updated, market-rated structure, comparable to peer public sector organizations in New York State; and

WHEREAS, the proposed changes to the Management Salary Plan places Steuben County in a better position to attract and retain qualified management staff; and

WHEREAS, the Administration Committee has reviewed and approved the recommended changes.

NOW THEREFORE, BE IT

RESOLVED, the attached Management Salary Plan is hereby amended as presented by the County Manager and Personnel Officer; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Personnel Officer and the County Manager, and updated copies of the plan shall be forwarded to all department heads.

Mr. Mullen stated he is not sure from looking at this, but is the intent to tie the changes you presented to the Administration Committee relative to moving individuals to different grades, permanently to a multi-
Mr. Wheeler replied when the plan was presented, those changes had not yet occurred. Those changes are a reflection of putting that step system into place and taking out the old point system. There was nothing specific that forces the Legislature or the Administration Committee to utilize the comparable county plan. We did a market analysis that used the comparable counties and he would recommend reviewing this plan periodically every five to ten years.

Mr. Mullen asked which increase will require Full Legislature approval; the salary increase? Mr. Wheeler replied this plan sets the stage for different compensation and that is not directly tied to the salary increase. Those salaries were discussed at the October Administration Committee meeting. You will get a salary schedule with the proposed new salaries. Those positions that require a Local Law will be presented. The process for that has not changed.

Mr. Mullen commented he thinks that we should also consider normalizing benefits for management as well.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 182-19**

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

**AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXTEND THE INTERGOVERNMENTAL COOPERATION AGREEMENT WITH ALLEGANY COUNTY.**

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 850 tons per day of solid waste and the Facility currently has excess disposal capacity within that daily limit of approximately 300 tons per day; and

WHEREAS, Steuben County is willing to make up to 8,000 tons per year of capacity available for the disposal of municipal solid waste from Allegany County; and

WHEREAS, on March 28, 2016 both Counties entered into an Intergovernmental Cooperation Agreement allowing municipal solid waste from Allegany County to be disposed at the facility; and

WHEREAS, the Agreement expires on December 31, 2019 and both parties desire to extend the agreement at the rate of $27.00/ton for a period of four (4) years; and

WHEREAS, all other provisions in the Intergovernmental Cooperation Agreement will remain unchanged; and

WHEREAS, the Public Works Committee recommends extending the Intergovernmental Cooperation Agreement with Allegany County.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized to extend the Intergovernmental Cooperation Agreement with Allegany County for the disposal of municipal solid waste at the Steuben County Bath Landfill; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Public Works and Allegany County, Department of Public Works, 7 Court Street, Belmont, NY 14813.
NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized to extend the Intergovernmental Cooperation Agreement with Allegany County for the disposal of municipal solid waste at the Steuben County Bath Landfill; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Public Works and Allegany County, Department of Public Works, 7 Court Street, Belmont, NY 14813.

Vote: Roll Call – Adopted.

RESOLUTION NO. 183-19

Introduced by R. Lattimer and B. Schu. Seconded by G. Swackhamer.

AUTHORIZING THE RECLASSIFICATION OF ONE (1) BUILDING MAINTENANCE MECHANIC POSITION, GRADE IX TO ONE (1) HEAD BUILDING MAINTENANCE POSITION, GRADE X IN THE BUILDINGS AND GROUNDS DEPARTMENT.

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

WHEREAS, this Building Maintenance Mechanic position in the Buildings and Grounds Department has added duties which include an increased level of discretion exercised and supervisory responsibilities; and

WHEREAS, the Personnel Officer has determined that a Head Building Maintenance Mechanic position more appropriately performs these duties; and

WHEREAS, the Personnel Officer, County Manager, Agriculture, Industry and Planning Committee, and Administration Committee have reviewed said position within the Buildings and Grounds 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 Buildings and Grounds Department is hereby reclassified as follows:

Building Maintenance Mechanic, Grade IX ($31,595 to $44,606) to Head Building Maintenance Mechanic, Grade X ($33,087 to $46,710)

AND BE IT FURTHER RESOLVED, the 2019 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 Superintendent of Buildings and Grounds.

Vote: Roll Call – Adopted.

Motion to take Resolutions #10 – 15 as one and to dispense with the reading made by Mr. Swackhamer, seconded by Mr. Roush and duly carried.
RESOLUTION NO. 184-19

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


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 2020 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, 2019.

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 2020 shall be filed with the Clerk of this County Legislature on or before November 15, 2019, 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 2020, as herein filed, shall be held on November 25, 2019, at 11:30 A.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. 185-19

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.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, the Public Hearing on the Assessment Roll for the Year 2019, for the Budget Year of 2020, for the Marsh Ditch Watershed Protection District shall be held on November 25, 2019 at 11:30 A.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 Attorney for the Watershed District, 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. 186-19

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 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 2019, for the Budget Year of 2020 for the Upper Five Mile Creek Watershed Protection District shall be held on November 25, 2019 at 11:30 A.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. 187-19

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, the Public Hearing on the Assessment Roll for the Year 2019, for the Budget Year of 2020, for the Lamoka/Waneta Lakes’ Protection and Rehabilitation District shall be held on November 25, 2019 at 11:30 A.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: Acclamation – Adopted.

RESOLUTION NO. 188-19

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

DIRECTING THE CLOSING OF ALL STEUBEN COUNTY OFFICES ON FRIDAY, NOVEMBER 29, 2019.

Pursuant to Section 2.07(12) of the Steuben County Charter and the current agreement between the County of Steuben and the Civil Service Employee’s 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 29, 2019.

NOW THEREFORE, BE IT

RESOLVED, this County Legislature hereby declares November 29, 2019, to be a County holiday pursuant to the present contract with the Civil Service Employee’s Association, Inc.; and be it further

RESOLVED, all department heads, in particular the County Clerk, the 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. 189-19

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

APPOINTING STEUBEN COUNTY REPRESENTATIVES TO THE LAMOKA/WANETA LAKES COMMISSION.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, the counties of Steuben and Schuyler, and their respective affected townships, adopted resolutions creating the Lamoka/Waneta Lakes Protection and Rehabilitation District; and

WHEREAS, the management of said District is administered by the Lamoka/Waneta Lakes Commission comprised of seven (7) voting members and two (2) ex-officio non-voting members; and

WHEREAS, it is stipulated by an Intergovernmental Agreement between Steuben and Schuyler Counties that five (5) voting members shall be from Schuyler County and two (2) voting members shall be from Steuben County, with each County being represented with an ex-officio non-voting member from the respective Soil and Water Conservation Districts; and

WHEREAS, all Commission members shall serve four-year staggered terms; and

WHEREAS, a clerical error has been identified relative to Steuben County’s membership in the District.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Manager recommends the appointment of the following individuals to the Lamoka/Waneta Lakes Commission for the term specified:

<table>
<thead>
<tr>
<th>Town of Wayne Elected Official</th>
<th>Steuben County Property Owner in District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephen Butchko, Wayne Town Supervisor</td>
<td>Nancy Gabel</td>
</tr>
<tr>
<td>PO Box 182</td>
<td>9150 Carpenter Road</td>
</tr>
<tr>
<td>Wayne NY 14893</td>
<td>Hammondsport NY 14843</td>
</tr>
</tbody>
</table>
Ex-Officio Member
Jeffrey Parker, District Manager
Steuben County Soil and Water Conservation District
415 West Morris Street
Bath NY  14810

AND BE IT FURTHER RESOLVED, said members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Lamoka/Waneta Lakes Commission; and be it further

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

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 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. Mullen, seconded by Mrs. Ferratella and duly carried.

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

Motion Recommending a 3.5 Percent Salary Increase for the County Manager for Inclusion in the 2020 Budget made by Mr. Ryan, seconded by Mr. Van Etten and duly carried.

Motion to Adjourn made by Mr. Roush, seconded by Mr. Potter and duly carried.
SPECIAL SESSION  
Morning Session  
Thursday, November 14, 2019  
Legislative Chambers

The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers in Bath, NY on the 14th day of November, 2019 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislator Weaver.

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

Mr. Wheeler, County Manager, provided the following 2020 budget message:

PRESENTATION OF BUDGET MESSAGE

As always, the development of this budget is a team effort, and many individuals deserve recognition for their assistance:

- All Legislators, specifically the Finance Committee:
  - Scott Van Etten, Finance Chairman
  - Gary Swackhamer, Vice Chairman
  - Kelly Fitzpatrick
  - Gary Roush
  - Robert Nichols

- Joseph Hauryski, Legislative Chairman
- Carol Ferratella, Legislative Vice Chair
- Finance Department
  - Pat Donnelly, Commissioner
  - Tammy Hurd-Harvey, Deputy Commissioner

- Chris Brewer, Deputy County Manager
- All Department Heads

In addition to these elected and appointed officials, it’s critical to note that it’s the staff of Steuben County that are responsible for implementing these spending plans and they do a tremendous job year in and year out.

EXECUTIVE SUMMARY

The proposed 2020 Steuben County Budget adheres to the fiscal policy set by this Legislature – to maintain critical services and infrastructure that our residents depend upon, while also funding State-mandated programs. This budget accomplishes those goals with a minimal increase in the tax levy, well under the Property Tax Cap limit, and another decrease in the average tax rate. At a time when New York State continues to fiscally and operationally pressure municipalities, it is a credit that this Legislature and our staff have been able to incorporate those costs into the budget without overburdening the taxpayer.

The development of this budget was significantly more difficult than in recent years. In 2020, the trend of Public Safety as a cost-driver continues, with increased staffing and cost to comply with criminal justice reforms mandated by New York State. Coupled with a change in medical service providers at the County
Jail, Public Safety and court-related cost centers account for the largest expense increases in the 2020 budget.

To help offset these costs, we were able to anticipate additional revenue, particularly in sales tax, as actual collections continue to outpace prior year budgets. Without the ability to recognize additional revenue, the proposed budget would have carried a much larger increase or necessitated cuts in services.

In all, the 2020 budget is a fiscally responsible plan that strikes a balance between the needs of the organization and the interest of the taxpayer. It is through the guidance and hard work of our Legislators and the collaboration of department heads and staff that such a reasonable budget can be presented for your consideration.

**TOTAL BUDGET**
The total proposed budget for 2020 is $197,130,584, representing an increase of $6,089,229 or 3.19% in total expenditures. This increase can largely be attributed to growth of public safety and court costs, specifically within the District Attorney, Public Defender, and Jail, plus additional programmatic needs within Social Services.

Fortunately, projected revenues have also increased for 2020, totaling $146,605,245, an increase of $5,553,005 or 3.94%. This growth is primarily the result of increased sales tax anticipation, and additional state and federal reimbursement.

While there have been significant increases in both expenses and revenue over the past five years, a majority of these changes reflect capital projects in the Landfill and accounting for municipalities’ shares of sales tax, which do not impact the tax levy (net cost). With that in mind, and as indicated by the tax levy, this Legislature has essentially held the line on expenditures and the resulting tax burden.

The following table details the five-year history of total budget figures:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>EXPENSES</th>
<th>REVENUES</th>
<th>TAX LEVY</th>
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<td>$49,989,115</td>
</tr>
<tr>
<td>2020</td>
<td>$197,130,584</td>
<td>$146,605,245</td>
<td>$50,525,339</td>
</tr>
</tbody>
</table>

**BUDGET COMPARISON BY CATEGORY**
For 2020, we are projecting changes in the net (county) cost by operational category. The following chart displays the anticipated cost differentials in comparison to 2019, in descending order by change in net cost. A more detailed narrative of significant changes is provided here:
For the third consecutive year, costs within the Public Safety have increased at a greater rate than any other budget category. This is due to both enhanced state requirements and local decisions made by this Legislature to invest in additional law enforcement resources. This cost category has grown on average $982,269 or 4.54% per year since 2016, as demonstrated in the graph below:

Conversely, the county cost of other large budget categories, particularly Economic Assistance & Opportunity and Transportation, have increased at a much lower rate. For Economic Assistance & Opportunity, costs have increased in 2020, primarily due to changes in foster care programs at the federal level. However, the five year trend for this category shows an average growth of $1,113,363 or 1.62% per year.

Finally, the County continues to be successful in improving our transportation infrastructure overseen by the Department of Public Works. In 2020, there is a marked decrease in overall spending levels,
attributed to the sunset of augmented Pave NY funds. Still, this Legislature has invested significant sums in the Transportation budget category, and continues to do so in 2020. Within this category, the five year average local cost trend has been $10,507 or 0.05% per year.

STAFFING LEVELS
County personnel remain both our most important asset and our largest expense, and as such, administration and this Legislature maintain a careful watch of staffing levels. The 2020 budget includes the addition of ten positions in comparison to 2019. This continues a concerning trend of the past four years, with the requirement of additional staff to meet the demands of the State, namely in Hurrell-Harring compliance, Raise the Age, and most recently, criminal just reform. Over the past decade, staffing levels were reduced through attrition and the sale of the Health Care Facility, but that trend has reversed and must be closely monitored in the coming years.

MAJOR CHANGES IN THE 2020 BUDGET

Criminal Justice Reform
While 2018 and 2019 marked the implementation of Raise the Age, the sweeping criminal justice reforms enacted by New York State this past legislative session will have more severe budgetary consequences for Steuben County in 2020 and beyond. This is the result of the haste in which the state passed these laws, with no input from counties who must implement the reform, and certainly no additional funding to pay for staffing and equipment to achieve compliance.
The requirements have been well-articulated by District Attorney Baker, specifically a severely fragmented timeframe to produce discovery material to defense counsel, resulting in the need for additional staffing to compile and disseminate these records. These changes dramatically impact the workflow and processes of the office, but with additional staffing incorporated in this budget, the department should be able to respond to the demands. Below is a listing of the new positions created and funded in the 2020 budget.

<table>
<thead>
<tr>
<th>Criminal Justice Reform Expense Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department</td>
</tr>
<tr>
<td>District Attorney</td>
</tr>
<tr>
<td>(2) Assistant District Attorney ($68,104 + Fringe)</td>
</tr>
<tr>
<td>(2) Paralegal Assistant ($35,279+ Fringe)</td>
</tr>
<tr>
<td>(1) Part-Time Investigator ($26,489)</td>
</tr>
</tbody>
</table>

The other major component of criminal justice reform is the implementation of cashless bail, meaning most individuals will avoid incarceration in our County Jail, instead being issued an appearance ticket, except for the most serious and violent of crimes. The Governor and some state Legislators have argued that the reduction in inmate populations will cut local costs to a significant degree; enough in their estimates to offset the increases in District Attorney costs. While savings may materialize in the coming years, there is too much uncertainty to confidently budget for such large reductions in Jail expenses. More conservatively, we have zero-based two vacant full-time Correction Officer positions and five vacant part-time Correction Officer positions for 2020, resulting in a reduction of $338,436 in salary and benefit costs.

**Sheriff/Jail**

The 2020 budget continues the trend of large increases in Public Safety, specifically in the Sheriff’s Department and the Jail. In recent years, this Legislature, with the direction and leadership of the Sheriff, has invested in additional law enforcement officers to combat the opioid and drug epidemic. However, we confronted an unexpected development in late November 2018, with the New York State Office of Court Administration leadership informing the County that we must immediately implement counsel at arraignment reforms that we were previously told we had a number of years to establish. To achieve compliance in the most practical and cost effective manner, this Legislature created five additional Deputy Sheriff positions at the beginning of 2019, funding four of them, to effectuate transports of arrestees to the centralized arraignment court in Bath. While we entered into agreements with the cities of Corning and Hornell for partial reimbursement, these hires represent an additional cost of $325,878, which was not budgeted in 2019. As a result, this staffing increase is the primary reason for the 13.06% growth in the 2020 Sheriff’s department local cost.

The Jail also experienced an operational change with a large budgetary impact for 2020, namely the resignation of the Medical Director and our inability to hire Nurse Practitioner staff. As a result, an RFP for medical services was issued and awarded in recent months. While we were able to zero-base many of the Jail medical positions and eliminate the prescription drug line, as this is now part of our new vendor contract, the net budgeted cost of this change is $837,802. To further compound the fiscal pressure at the Jail, we have experienced a reduction in the number of federal inmates in transit that we house under contract for the U.S. Marshals. As a result, anticipated revenue has been reduced by $492,500. With all of these factors taken together, the local cost of the Jail has increased $997,777 or 13.37%.
Hurrell-Harring Compliance

2020 marks the second budget year in which the direct impacts of indigent defense reform are reflected in our spending plan. As previously discussed, the NYS Office of Indigent Legal Services (ILS) has established three main areas that we as a County must focus our efforts toward and for which the State will reimburse our costs: Caseload Reduction, Quality Improvement, and Counsel at First Appearance. This is the second year of a five-year implementation plan, with reimbursements increasing each year, topping out at approximately $1.6 million in 2023.

Only the Public Defender, Conflict Defender, and Assigned Counsel (administered by the County Attorney) are eligible for state reimbursement of costs. Any fiscal impacts of this system change upon the District Attorney, Sheriff’s Department, or any other County agency will be ineligible for reimbursement and therefore are a direct County cost.

Below is a summary of the additional expenses for Hurrell-Harring Compliance, which are fully offset with budgeted state reimbursement.

<table>
<thead>
<tr>
<th>Public Defender</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Assistant Public Defender ($68,104 + Fringe)</td>
<td>$203,000</td>
</tr>
<tr>
<td>(1) Paralegal Assistant ($35,279 + Fringe)</td>
<td></td>
</tr>
<tr>
<td>(2) Typists ($26,279 + Fringe)</td>
<td></td>
</tr>
</tbody>
</table>

Public Works/Highways

For decades, the Steuben County Legislature has supported the maintenance of roads, bridges, and machinery in Steuben County, and this commitment continues in 2020. The County is responsible for the maintenance of approximately 680 miles of roads and 189 bridges on County roads, in addition to supporting shared service work for Town and Village roads. This is not only a benefit to our residents, but to economic development and quality of life initiatives. Notable in 2020 is the sunset of enhanced Pave NY funds, which results in the reduction of capital expenditures for road construction and associated revenue of -$1,011,150, while other operational line items have been funded at similar levels or greater. With these major changes in mind, the overall Public Works – Highway net costs have increased $700,526 or 3.89% in 2020.
Equipment & Capital Projects
The 2020 budget also incorporates a continued investment in the procurement of equipment and execution of projects to help the County function in an efficient manner. The draft budget includes a County cost of $143,071 for Minor/Small Equipment (less than $3,000) per item, with significant portions allocated to the Public Works ($47,900), the Jail ($21,870), and the Sheriff’s Department ($15,750).

The proposed budget also includes a large allocation for Major Equipment (more than $3,000 per item), most of which are replacement of vehicles and equipment. The total County cost for Major Equipment is $2,034,000, with the majority of funds going to Public Works ($1.2 million), the Sheriff’s Department ($391,000), Elections ($128,000), and the Jail ($59,920).

The 2020 budget also includes $1,239,370 in County cost for general fund capital projects. This includes $720,000 in projects for Buildings & Grounds (paid through the Building Renovation Reserve), $535,220 for Information Technology equipment and projects, $100,000 for future voting machine replacement, and $416,350 for the local share of two major bridge replacements in Cameron and Erwin.

Landfill
The Steuben County Landfill is a great example of self-sufficient service, operating as an enterprise fund, outside of County general fund appropriations. While competition for refuse is always prevalent, our managers and staff, under the direction of the Public Works Committee and Legislature, have done an excellent job both maintaining and growing waste sources. This ensures that the Landfill division has sufficient revenue to invest in equipment and infrastructure to keep pace with current demands, while planning for future expansion. Unlike many other publicly-owned solid waste operations, Steuben also
encumbers funding to pay for long-term post-closure costs, many years in the future. In all aspects, the Landfill is a benefit to the County and its taxpayers.

COUNTY REVENUES

Sales Tax
Sales tax is always a critical component of the budget, and this fact is highlighted for 2020. During the past session, the New York State Legislature passed laws closing the loophole for third-party sellers on internet websites such as Amazon, Etsy, and others. This provides counties with an additional local share revenue stream, estimated to be worth more than $500,000 for Steuben County. It should be noted here that the Legislature and Governor gave in one hand, but are taking with the other, withholding county sales tax dollars to pay for cuts made to AIM, making local municipalities whole. In our case, this is approximately $235,000 taken from our sales tax collections to pay for a state obligation. While it has been framed as cost neutral to counties, it is an actual reduction in revenue due to us, and a very dangerous precedent of using growth in County sales tax to fund a State expense.

With that said, our year-to-date sales tax collections are up 1.01%. The Legislature has historically approached sales tax forecasts conservatively, as downturns can arise quickly and with little warning, creating a structural budget deficit. This has resulted in flexibility to appropriate additional sales tax revenue within the budget, providing some much needed cushioning of the dramatic increases in expenses we are projecting. With that said, the draft budget has increased anticipated sales tax collections by $2,000,000 in 2020, totaling $31,022,000. The following chart displays budgeted sales tax revenues for the last five years:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>BUDGETED SALES TAX</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$27,800,000</td>
</tr>
<tr>
<td>2017</td>
<td>$27,800,000</td>
</tr>
<tr>
<td>2018</td>
<td>$28,307,000</td>
</tr>
<tr>
<td>2019</td>
<td>$29,022,000</td>
</tr>
<tr>
<td>2020</td>
<td>$31,022,000</td>
</tr>
</tbody>
</table>

Fund Balance
The tentative budget includes a General Fund appropriation of $6.34 million for 2020, which is level in comparison to 2019. In addition, there is an appropriation of $620,000 in D Fund balance (Highway), and an appropriation of $40,000 from the Economic Development Fund Balance, both level with 2019 allocations. All of these appropriations are reasonable and assist in the overall management of funds.
Interest Earnings
Interest earnings continue to be strong for the County, which provides much needed revenue in a difficult year. With earnings on the rise, we have anticipated an additional $240,000 in interest earnings for 2020, for a new total of $1,200,000.

Property Tax Levy & Rates
With thorough review and guidance by the Finance Committee and the Legislature, and the tremendous efforts of our department heads and staff, the 2020 budget carries a minimal tax levy increase. While we were successful in reducing the tax levy for three straight years coming into 2020, the expansion of costs forced a modest levy increase.

The proposed 2020 tax levy represents an increase of $536,224 or 1.07%, well within the parameters of the Property Tax Cap, or approximately 30% of our allowable limit.

In addition, for the seventh consecutive year, the proposed budget shows a decrease in the average full value tax rate. The average rate for 2020 is estimated at $8.07 per thousand, representing a decrease of -2.18% from 2019 levels.

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>2016</td>
<td>$50,010,577</td>
<td>$8.59</td>
</tr>
<tr>
<td>2017</td>
<td>$50,000,771</td>
<td>$8.46</td>
</tr>
<tr>
<td>2018</td>
<td>$49,997,912</td>
<td>$8.44</td>
</tr>
<tr>
<td>2019</td>
<td>$49,989,115</td>
<td>$8.25</td>
</tr>
<tr>
<td>2020</td>
<td>$50,525,339</td>
<td>$8.07</td>
</tr>
</tbody>
</table>

Room Tax
The collection of room tax remains a critical dedicated revenue source for Steuben County which serves to fund our tourism promotion agencies. These organizations, most notably the Steuben County Conference and Visitors Bureau, work diligently to attract tourists and promote the quality of life and experiences available in this county.

For 2020, we are projecting close to $50,000 in revenue growth, largely attributable to additional funds from our recently enacted voluntary collection agreement with AirBNB. Total anticipated room tax revenue for 2020 is $975,000, all of which is distributed to our tourism-focused agencies as shown in the graph.
Local Impact of State Mandates

As always, it is important to highlight the local impact of State mandates. As well documented by the New York State Association of Counties, the nine largest State mandates account for approximately 90% of Steuben County’s property tax levy. This does not factor in the cost of the more recent State reforms that were discussed above, or the significant cuts in reimbursement for Public Health, Probation, Social Services, and others in the past two decades.

New York State relies upon local sources of revenue to fill their budget gap every year; at a massively disproportionate rate in comparison to other States across the country. So when the Governor and Legislature bemoan the property tax burden in New York, it can be directly attributed to their reliance upon local government to help fund state operations through property taxes.
Mr. Swackhamer asked what would be the impact if you had added the Community Colleges? Mr. Wheeler replied it would have been well over 100 percent.

**BUDGET WORKSHOP**

Chairman Haurski stated he would like to thank the Finance Committee, all Department Heads, Mr. Donnelly and Mrs. Hurd-Harvey for the super job they have done year in and year out; it has shown year to year.

Mr. Malter asked with the sales tax revenues, is there a way to break out the internet sales? Mr. Wheeler replied to his knowledge, no. Mr. Donnelly explained the information they get is nine months delayed. Mr. Wheeler stated we will keep you posted. We can get some general aggregate data from NYSAC and we will share that with you.

Mr. Mullen stated he does not think we should add the two additional District Attorney positions as he feels it would be good to have additional data. He doesn’t know if anyone else agrees.

Mr. Maio stated he understands the need that has been presented by the District Attorney for these positions and he intends to keep an eye that these positions will be used for what they are anticipated for. He wants to make sure that the District Attorney complies with the spirit of the law.

Mr. Van Etten commented one thing to point out with this budget is that we enjoyed a number of good years and this year was a bit of a challenge. One thing that helped was that we are in a good market period and our pension costs did not increase.

Ms. Fitzpatrick stated during the budget process we discussed how investment in our road system is critical. She feels are roads are in very good shape and that is one of the biggest benefits that we can offer to the taxpayers. Additionally we had looked at the navigation budget for the Sheriff with respect to anticipated revenues based on our percent of cost. Mr. Wheeler stated we did reduce the projected revenues. When you took out the increase in temporary hires, we also took out the corresponding revenues. Ms. Fitzpatrick commented the costs there are increasing and she is concerned that we are investing a lot of money into that budget and she hopes that the level of public safety we provide does not decrease.
Mrs. Ferratella commented with regard to the District Attorney’s situation; they are having difficulty finding attorneys and once hired, they are at will employees.

Mr. Swackhamer asked did we actually hear from anyone about what would happen if we do not comply with the new discovery requirements? Mr. Baker replied if we do not comply, our cases will be dismissed. This is mandatory and if we do not comply, the court will sanction us and dismiss cases. We are going to maintain and do what the State tells us. We will not be enhancing public safety by doing this; we are just complying with the State mandate and this will not make people any safer. To Mr. Maio’s comment, he has to comply with the statute. Mrs. Lando commented she is still concerned about where we will put all these people and equipment.

Chairman Hauryski closed the budget workshop as there were no further questions.

RESOLUTION NO. 190-19

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


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 2020, which individuals are presently serving mid-term; and

WHEREAS, said Administration Committee has recommended County of Steuben Local Law Tentatively No. Four for the Year 2019, establishing the annual salaries of such appointed officials for the Fiscal Year 2020.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Four for the Year 2019, 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 2020, as follows:
COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2019

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 2020.

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 2020, 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 2020 as follows, to wit:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>2019 SALARY</th>
<th>2020 SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner, Public Works</td>
<td>$108,923</td>
<td>$115,821</td>
</tr>
<tr>
<td>Commissioner, Social Services</td>
<td>$108,923</td>
<td>$115,821</td>
</tr>
<tr>
<td>Commissioners of Elections</td>
<td>$54,637</td>
<td>$56,003</td>
</tr>
<tr>
<td>Clerk of Legislature</td>
<td>$71,780</td>
<td>$73,879</td>
</tr>
<tr>
<td>County Attorney</td>
<td>$130,731</td>
<td>$134,380</td>
</tr>
<tr>
<td>Personnel Officer</td>
<td>$88,616</td>
<td>$93,774</td>
</tr>
<tr>
<td>Director of Real Property</td>
<td>$68,125</td>
<td>$72,739</td>
</tr>
<tr>
<td>Sheriff</td>
<td>$90,000</td>
<td>$93,774</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: If any part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5: 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 25, 2019, at 11:30 A.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.
RESOLUTION NO. 191-19

ADOPTING THE HEALTH INSURANCE PREMIUM PERCENTAGES AND REVISING THE HEALTH INSURANCE BUYOUT OPTION FOR COUNTY LEGISLATORS.

WHEREAS, the Administration Committee has been examining Health Insurance Benefits of County Legislators; and

WHEREAS, the Administration Committee is recommending the health insurance premium percentages for County Legislators be parallel with the health insurance premium percentages for management employees; and

WHEREAS, the Administration Committee is recommending that County Legislators have the ability to opt out of the Steuben County health insurance/hospitalization coverage and receive an annual buyout incentive.

NOW THEREFORE, BE IT

RESOLVED, the health insurance premium percentages for County Legislators be as follows:

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Individual Plan</th>
<th>Family Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>with Wellness</td>
<td>without Wellness</td>
</tr>
<tr>
<td>January 1, 2020</td>
<td>14%</td>
<td>19%</td>
</tr>
</tbody>
</table>

AND BE IT FURTHER RESOLVED, the health insurance annual buyout policy for County Legislators is as follows:

Insurance Buyout:
A County Legislator may opt out of Steuben County health insurance/hospitalization coverage and receive an annual buyout payment of $1,500. The Legislator must submit notice to opt out to the County Personnel Department by December 1st of the current year which will be effective January 1st of the year immediately following. Newly elected Legislators must submit their notice to opt out to the County Personnel Department by January 1st of the year they take office, then by December 1st for subsequent years. The County Legislator will receive the buyout payment on December 1st of each year that health insurance/hospitalization coverage was not taken. (See example below.) The County Legislator must show proof of current health insurance/hospitalization for self and family, if applicable, and sign a certification that he/she will keep this coverage through December 31st of each year. A County Legislator whose spouse is 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 Courthouse in the municipality of Bath, Corning City Hall, and the DMV office in 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 Commissioner of Finance, Personnel Officer, and all appointed and elected officials mentioned above.

Vote: Acclamation – Adopted.
also employed by Steuben County is not eligible to participate in the buyout program. A County Legislator who is
covered by Steuben County health insurance for all or a portion of a year will not qualify for the buyout payment for that
year. (Any County Legislator, who opts back in, after having opted out, will not receive any payment for that calendar
year that coverage resumes.) A life-altering event (for example, but not limited to death, divorce, lay-off) may allow the
buyout decision to be rescinded. Reinstatement to the County health insurance plan shall occur approximately one month
following notice of the decision to rescind.

Example
Decide to opt out    No Health Insurance    Buyout payment
December 1, 2020    January 1, 2021     December 1, 2021

AND BE IT FURTHER RESOLVED, the County Legislators health insurance premium percentages shall be
the same as management health insurance premium percentages for 2020 and thereafter; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, County
Manager, Personnel Officer, and each County Legislator.

Mr. Roush stated the intent of this resolution is to address the disparity of compensation of the legislators
and it does not do that. This is status quo and makes it more difficult to address this same problem next
year. All it does is increase the compensation for legislators by $37,000, including the next resolution
increasing the salary for the Chairman of the Legislature. He stated he is very opposed to this as there are
better solutions and this is not good legislation.

Mr. Mullen asked how does it increase the salaries by $37,000? Mr. Ryan stated that is total salary plus
benefits. Mr. Swackhamer stated this gives legislators that do not take the insurance a $1,500 stipend and
decreases the copay for those that do take the insurance. The next resolution doubles the Chairman’s
salary.

Mr. Mullen stated the reduction in the insurance contribution is basically bringing it back to what it was
eight years go. Mr. Roush stated the legislation that was done several years ago addressed the disparity.
This resolution reverses that and makes the disparity worse; it is going in the wrong direction.

Mr. Van Etten stated what we did years ago was not about the disparity with legislators, it was the
disparity of all legislators to part-time and full-time county employees. This recognized full-time benefits
by part-time people.

Mr. Swackhamer stated he was on the committee when the decision was made and the intent was to
change the disparity.

Mr. Maio stated he knows this job is part-time for all of us, but there are a great majority of us who have a
full-time job. This is additional work to our full-time job and creates time constraints. When he ran four
years ago and then again this year, he did not know how much he was going to be paid or about health
insurance, but he didn’t begrudge himself and it should be a benefit for serving the public. He
understands Mr. Roush’s point, but he doesn’t feel apologetic for doing this and does not consider it
unfair to anyone.

Mrs. Ferratella stated she wants to make sure that everyone understands that we polled other counties and
we are unpaid compared to those other counties. Since we are not under a County Executive, we do more
work and she thinks the benefits are legitimate.

Mr. Roush stated one thing that he would like to bring to everyone’s attention is this resolution causes
you to have to opt out of insurance instead of opt in. If all 17 legislators opted in under the family
coverage, that would represent over $300,000 in cost to the county. You have to opt out by December 1st and also have to prove that you have other insurance.

**Vote:** Roll Call – Adopted. Yes – 8105; No – 1316; Absent – 451
(No – Legislators Roush and Ryan; Absent – Legislator Weaver)

**AMENDED**

**RESOLUTION NO. 192-19**

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

**ESTABLISHING THE 2020 ANNUAL SALARY FOR COUNTY LEGISLATORS AND THE CHAIRMAN OF THE COUNTY LEGISLATURE.**

**WHEREAS**, the salaries proposed to be fixed and paid for the Year 2020 must be included in the Notice of Public Hearing on the Tentative Budget for the Year 2020; and

**WHEREAS**, the Administration Committee on October 28, 2019 reviewed and recommended that each Legislator’s salary for the Year 2020 be set at $12,500.00 per annum and $24,500.00 per annum for the Chair of the County Legislature.

NOW THEREFORE, BE IT

RESOLVED, the annual compensation for County Legislators shall be $12,500.00 per annum and $24,500.00 per annum for the Chairman of the County Legislature; and be it further

RESOLVED, said annual rates of compensation shall be effective commencing January 1, 2020; 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.

Ms. Lattimer stated she would like to amend this resolution being that it has been discovered that no accommodation has been made in the Charter for the Vice Chair to be compensated at a higher rate.

*Motion amending the resolution to remove all references of Vice Chair made by Ms. Lattimer, seconded by Mr. Malter and duly carried.*

**Vote:** Roll Call – Adopted.

*Motion to adjourn made by Mr. Swackhamer, seconded by Mr. Schu and duly carried.*
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, in Bath, NY on the 25th day of November, 2019 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Chairman Hauryski recognized Legislator Roush for his service and work during the Vietnam War and his publication in the *Smithsonian*. Thank you for your service and a job well done.

Roll Call and all members present except Legislator Weaver.

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

Chairman Hauryski asked Deborah Saxton to come forward. Ms. Saxton 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 25 years of service to Steuben County.

Chairman Hauryski asked Anna Martin-Miller to come forward. Ms. Martin-Miller is an employee in the Public Works Department. He presented her with a Certificate of Appreciation and a clock in recognition of her retirement with 35 years of service to Steuben County.

Mr. Gallagher introduced the Youth-In-Government interns. This program has been active since 1983 and we are blessed to have some fantastic students. We are also blessed to have the Legislature supporting our program. He reminded the Legislators that the Simulated Session will be held on Wednesday, December 4th at 11:00 a.m.

Mrs. Lando commented she is excited to see that we have six students participating from the Corning-Painted Post School District.

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

Wayne Wells, Cameron, spoke about the impeachment procedure of President Trump.

James Koegel, Canisteo thanked the Legislature for the opportunity to speak and he would like to follow up with his previous statement regarding the health implications related to windmills. My intent today was to comment further on the issue of setbacks and noise levels generated by windmills, but oddly I am at a loss of exactly what to say, after reading of your agenda in yesterday’s newspaper. The article makes reference to the “authorizing of setback for the Canisteo Wind Project”, but gives no further details. Before I can comment, I must respectfully ask the Legislature several questions: What is the basis for this activity, and in what way is the county involved in this process? Is there a bill before you today awaiting a vote? If not, what is the status of this action? Will there be an opportunity for public input before a decision is made? And finally, what research has been done, what information has been gathered from responsible sources on which to make such a decision? As I have advocated in the past, before making any decision with limited information on such a complex topic, do your own research first. There is a wealth of information from objective, professional organizations available, for example, the World Health Organization, and the Acoustical Society of America. Similarly, look to the activities of neighboring county agencies who have become aware of this situation. I highly recommend you to the following: Chautauqua County Board of Health, and their recent decision to recommend a 1.5 mile setback and maximum of 35DBA; Western New York Health Alliance, and the NYS Association of County Health Officials. Additionally, a well-informed official on this topic is Mr. Dan Stapleton, Director of Public Health.
There being no further comments, Chairman Haurycki declared the opportunity for public comment closed. Mr. Mullen commented that in the Budget Workshop minutes, page 15, third paragraph, should read “Mr. Mullen stated the reduction in the insurance contribution is basically bringing it back to what it was eight years go”.

Motion adopting the minutes of the previous meeting(s) as amended made by Mr. Van Etten. Seconded by Mr. Potter and duly carried.

Mr. Donnelly announced by law, when you are implementing the tax cap, there is certain information that is required to be filed with the State Comptroller’s Office and that information has been sent and received.

Mr. Ryan stated that he would like to recognize like to recognize Nicholas A. Pearl of Thurston for his military service.

Sheriff Allard introduced Peter Kehoe who is the Executive Director of the New York State Sheriff’s Association. He is here to recognize the efforts of our civil and jail division. Mr. Kehoe stated it is his pleasure to be here today to recognize Sheriff Allard, Undersheriff McNelis and the men and women of the Sheriff’s Office on the reaccreditation of the Civil and Jail divisions. This is not an easy accomplishment.

Mr. Kehoe stated with regard to Court Security, this is a great testament to the Sheriff and staff in showing excellence in service. You have an outstanding Sheriff and operation here in Steuben and they are well respected across the state. You should be very proud of your Sheriff’s Office.

Mr. Kehoe stated he would like to recognize the employees of the Civil and Corrections divisions. To me, they are the unsung heroes of the system. The work of the deputies in the Civil division and the Corrections Officers in the Jail division is just as dangerous and strenuous as the Road Patrol. Without the dedication and good work of the Civil deputies, orders and judgments would just be mere pieces of paper. The Corrections Officers spend most of their lives locked up behind bars and keep us safe from the inmates, as well as keep the inmates safe. Inmates, whether innocent or guilty, deserve humane treatment. We owe the Corrections Officers a debt of gratitude for doing the jail right.

Mr. Kehoe stated earning accreditation is not an easy task and is scrutinized by an outside board. The Civil Accreditation standard is 121 individual components that must be met. The Corrections Accreditation standard is 166 individual components that must be met. The board has found that both the Civil and Corrections divisions do meet or exceed every one of those standards. He would like to congratulate Sheriff Allard, Sergeant Sorge and Lieutenant Whitmore, along with the men and women of these departments. Congratulations also to the Legislature for without your moral and financial support these achievements would not be possible. Accreditation takes a lot of hard work and the entire department is to be recognized, but in particular, Sergeant Mathew Sorge in the Civil Division and First Sergeant Jason Smith in the Corrections Division.

Mr. Kehoe stated thank you for this opportunity to publicly acknowledge this great work. He presented Sheriff Allard with a plaque for the Civil Accreditation and a plaque for the Corrections Accreditation.
Sheriff Allard stated he would like to reiterate the great work of Sergeant Smith and Sergeant Sorge as they met all of the standards and have to show proof of meeting these standards over a five year period. He thanked Mr. Kehoe for coming down to make the presentation.

**RESOLUTION NO. 190-19**

Introduced by S. Van Etten. Seconded by C. Ferratella.

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

Pursuant to Section 2.07 of the Steuben County Charter.

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

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

RESOLVED, it being hereby determined that there is no method to enforce the collection of delinquent tax liens against the parcel(s) contained in Schedule “B”, the Commissioner of Finance is authorized to cancel the unpaid taxes against the property(ies) set forth in Schedule “B”, pursuant to Real Property Tax Law §558, as approved by the Steuben County Finance Committee on November 12, 2019; 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, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District; 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>
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<tbody>
<tr>
<td>A-1</td>
<td>Feinberg-Maciak Properties, LLC</td>
<td>299.13-02-004.000</td>
<td>Town of Erwin</td>
<td>2019 Court-Ordered Refund</td>
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<tr>
<td>A-2</td>
<td>Richard A. Lattimer</td>
<td>154.00-01-018.100</td>
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<td>A-6</td>
<td>David L. Holzman &amp; John J. Kropp</td>
<td>203.00-01-007.000</td>
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Legislative Meeting
Monday, November 25, 2019
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<td>A-10</td>
<td>Michael and Lisa Hamilton</td>
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<td>2020 Court-Ordered A/V Change</td>
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<tr>
<td>A-11</td>
<td>Brent D. &amp; Bethany R. Conway</td>
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<td>A-12</td>
<td>Conor J. Walsh &amp; Nicole M. Pike</td>
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<td>Gerald S. Flaitz</td>
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<td>2017 Correction of Error in Assessment</td>
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<td>A-14</td>
<td>Theron Humphrey</td>
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<td>A-17</td>
<td>Bullfrog Investment Group</td>
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<td>Village of North Hornell</td>
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<td>A-18</td>
<td>Shearer Properties LLC</td>
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<td>A-21</td>
<td>Christopher &amp; Jamie Boccia</td>
<td>140.00-01-012.100</td>
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### Resolution No. A-23
**Name**: Thomas F. & Barbara J. Darmstadt  
**Parcel No.**: 426.00-01-007.200  
**Municipality**: Town of Caton  
**Disposition**: 2016-17 Correction of Exemption

### Resolution No. A-24
**Name**: Thomas F. & Barbara J. Darmstadt  
**Parcel No.**: 426.00-01-007.200  
**Municipality**: Town of Caton  
**Disposition**: 2017-18 Correction of Exemption

### Resolution No. A-25
**Name**: Thomas F. & Barbara J. Darmstadt  
**Parcel No.**: 426.00-01-007.200  
**Municipality**: Town of Caton  
**Disposition**: 2018-19 Correction of Exemption

### Resolution No. A-26
**Name**: Thomas F. & Barbara J. Darmstadt  
**Parcel No.**: 426.00-01-007.200  
**Municipality**: Town of Caton  
**Disposition**: 2019-20 Correction of Exemption

### Resolution No. A-27
**Name**: Edward and Beverly Orcutt  
**Parcel No.**: 262.00-01-016.111  
**Municipality**: Town of Campbell  
**Disposition**: 2020 Parcel Split

### Resolution No. A-28
**Name**: Carol E. Harrison  
**Parcel No.**: 067.00-01-002.120  
**Municipality**: Town of Dansville  
**Disposition**: 2019-20 Correction of Exemption

### Resolution No. A-29
**Name**: Kevin and Julie Conklin  
**Parcel No.**: 151.06-01-036.100  
**Municipality**: Village of North Hornell  
**Disposition**: 2020 Correction of Error

### Resolution No. A-30
**Name**: Patrick F. & Susan M H Donnelly  
**Parcel No.**: 158.08-01-054.000  
**Municipality**: Village of Bath  
**Disposition**: 2020 Correction of Exemption

### Resolution No. A-31
**Name**: Randolph J. Weaver  
**Parcel No.**: 144.18-01-001.111  
**Municipality**: Village of Bath  
**Disposition**: 2020 Parcel Split

### Resolution No. A-32
**Name**: Jack C. and Betty L. Bossard  
**Parcel No.**: 153.00-01-018.110  
**Municipality**: Town of Howard  
**Disposition**: 2020 Parcel Split

### SCHEDULE “B”

<table>
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<th>Resolution No.</th>
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<tbody>
<tr>
<td>B-1</td>
<td>Grace Community Church, Inc.</td>
<td>298.08-01-024.110</td>
<td>Town of Erwin</td>
<td>Cancellation of Void Tax – 2013 City School Tax</td>
</tr>
</tbody>
</table>

**Vote**: Roll Call – Adopted. Yes – 8824; No – 0; Abstained – 597; Absent – 451  
(Abstained – Legislator Mullen due to client conflict; Absent – Legislator Weaver)

**RESOLUTION NO. 191-19**

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

**RECEIVING AND ACCEPTING THE NOVEMBER 25, 2019 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 15, 2019
Steuben County Industrial Development Agency – Re: Notice of public hearing/proposed financial assistance regarding the Steuben County Industrial Development Agency and Canandaigua Power Partners LLC & Canandaigua Power Partners II LLC is scheduled for Wednesday, October 23, 2019 at 4:00pm at the Town Court Facility located at 19 W. Main Street Atlanta, New York. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Steuben County Agricultural Society – Re: Thank you letter for the 2019 allocation to the Steuben County Agricultural Society Annual Fair and Races in the amount of $4,000. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

October 28, 2019
NYS Homes and Community Renewal – Re: Grant Agreement 60 Day Completion Notice for the NYS CDBG Project #1115WS324-17. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Public Service Commission – Re: Order granting certificate of environmental compatibility and public need with conditions for the Eight Point Wind, LLC Project (Case#18-T-0202). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

October 30, 2019
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and 2-4 Market Street Corning, LLC tax agreement and RP-412-a form for property located at 2-4 Market Street Corning, N.Y. Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.

November 4, 2019
Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Abundant Solar Power (Troupsburg) LLC is scheduled for Tuesday, November 19, 2019 at 3:30pm at the Troupsburg Town Hall, located at 873 Main Street, Troupsburg, New York. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

November 7, 2019
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $33,573, which represents the third quarter revenues ($31,565) combined with the September 2019 surcharge payment ($2,008) for Steuben County. Referred to: Administration and Finance Committees; and Patrick Donnelly, Commissioner of Finance.

November 12, 2019
Harris Beach, PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and FHFCU HQ LLC and FHFCU Lot LLC amendment to the tax agreement. Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.

NYS Board of Electric Generation Siting and the Environment – Re: Case 19-F-0540, Application of Prattsburgh Wind, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to construct the Prattsburgh Wind Farm of approximately 147-Megawatt Wind Powered Energy Facility. 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.

November 14, 2019
NYS Department of Transportation – Re: Notification of the initiated payment process to distribute the Third Quarter SFY 2019-2020 Statewide Mass Transportation Operating Assistance (STOA) payments. Referred to: Amy Dlugos, Planning Director.

Vote: Acclamation – Adopted.
RESOLUTION NO. 192-19


AUTHORIZING THE DIRECTOR OF THE OFFICE FOR THE AGING TO ACCEPT AN ANONYMOUS DONATION IN THE AMOUNT OF $1,000.

WHEREAS, Steuben County Office for the Aging is presented with an anonymous donation for the respite program; and

WHEREAS, the conditions are designated for the purchase of personal care respite services 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 $1,000 into account number 677700 and appropriate the same to expenditure line 5 434420 and revenue line into account number 677700 and appropriate the same to revenue line 42705000; 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. 193-19


AUTHORIZING THE TRANSFER OF $8,000 FROM THE COMMUNICATIONS SYSTEM CAPITAL PROJECT TO THE EMS STUDY CAPITAL PROJECT.

WHEREAS, the County Legislature established a Capital project to oversee the Emergency Communications System 3641H2 as well as a Capital Project to fund an EMS Study 3640H5 for the County; and

WHEREAS, there is a need to supplement the EMS Study Capital Project 3640H5 in the amount of $8,000; and

WHEREAS, sufficient funds are available within the current Emergency Communications System Capital Project to cover the expenses; and

WHEREAS, a transfer in the amount of $8,000 from the Emergency Communications System Capital Project 3641H2 to the EMS Study Capital Project 3640H5 would provide sufficient funds to complete the County EMS Study.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer $8,000 from the Emergency Communications System Capital Project 3641H2 to the EMS Study Capital Project 3640H5 to allow for the successful completion of the project; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Director of Emergency Services and the Commissioner of Finance.

Vote: Roll Call – Adopted.
RESOLUTION NO. 194-19

Introduced by G. Swackhamer and S. Van Etten. Seconded by R. Nichols.

AUTHORIZING THE TRANSFER OF $100,000 FROM THE BATH LANDFILL CELL 4 CAPITAL PROJECT TO THE BATH RE-PERMIT TURNPIKE ROAD CAPITAL PROJECT.

WHEREAS, the Solid Waste Division is seeking a 6 NYCRR part 360 Solid Waste Management Permit modification from the New York State Department of Environmental Conservation to construct and operate a landfill expansion and support features; and

WHEREAS, the Solid Waste Division needs to transfer $100,000 from the Bath Landfill Cell 4 Capital Project to the Bath Re-permit Turnpike Road Capital Project; and

WHEREAS, no additional funding is required for this project; and

WHEREAS, the Public Works Committee and the Finance Committee have authorized the transfer of funds from the Bath Landfill Cell 4 Capital Project to the Bath Re-permit Turnpike Road Capital Project.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to make the following transfer:

- Decrease HL/EL6214.5250000 Bath Landfill Cell 4 by $100,000
- Increase HL/EL6203.5250000 Bath Re-permit Turnpike Road by $100,000

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 195-19

Introduced by B. Schu and S. Van Etten. Seconded by R. Lattimer.

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, 2019 to the 30th day of September, 2019, 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 Commissioner of Finance, the Real Property Tax Service Agency, and the Steuben County Clerk:

MORTGAGE TAX APPORTIONMENT

The amount of money in your hands on September 30, 2019, 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, 2019, 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 $619,096.27.

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:

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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>
<th>VILLAGES</th>
<th>AMT DUE</th>
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Legislative Meeting  
Monday, November 25, 2019
43745 TUSCARORA 6,396.89 6,396.89
98434 URBANA 31,752.44 HAMMONDSPORT 2,928.25 34,680.69
55026 WAYLAND 15,397.08 WAYLAND 2,843.63 18,240.71
77445 WAYNE 18,965.58 18,965.58
55034 WEST UNION 1,353.36 1,353.36
55050 WHEELER 7,501.90 7,501.90
98442 WOODHULL 11,788.96 11,788.96
TOTAL 578,328.27 40,768.00 619,096.27

Foregoing shall be your sufficient warrant for the payment of said sums as above directed.

DATED at Bath, New York: November 25, 2019

STEUBEN COUNTY LEGISLATURE

_______________________________
By: Joseph J. Haurski, 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: November 25, 2019

______________________________
Brenda K. Mori, Clerk of the Legislature

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 196-19**

Introduced by C. Ferratella. Seconded by H. Lando.

**AUTHORIZING THE ADJUSTMENT OF PUBLIC HEALTH & NURSING SERVICES SCHEDULE OF FEES.**

Pursuant to Section 606 of the New York State Public Health Law.

WHEREAS, each municipality shall establish a schedule of fees for public health services provided by the municipality and shall make every reasonable effort to collect such fees; and

WHEREAS, by establishing customary charges above reasonable costs, all third party revenue will be maximized; and

WHEREAS, the Human Services, Health and Education Committee have approved the following rates:

- Home Care Visit $165.00
- Lead Blood Test $25.00
- Tuberculosis Test $25.00
- Immunizations:
  - Tetanus $55.00
  - Tetanus/Diphtheria/Pertussis (TDAP) $65.00
  - Meningococcal $140.00
  - Influenza (Quadrivalent) $45.00
  - Hepatitis A $115.00
  - Hepatitis B $90.00
  - Heplisav-B $135.00
NOW THEREFORE, BE IT

RESOLVED, the Director of Public Health & Nursing Services is hereby granted authorization to adjust the customary charges for services rendered and that these rates will become effective December 1, 2019; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance and the Director of Public Health and Nursing Services.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 197-19**

Introduced by B. Schu. Seconded by T. Ryan.

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 2020 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. 198-19**

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


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 2019” 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. 199-19

Introduced by B. Schu. Seconded by R. Lattimer.

ADOPTING THE TABLE OF EQUALIZATION RATES FOR FISCAL YEAR 2020.

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 2020; 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

<table>
<thead>
<tr>
<th>MUNICIPALITY</th>
<th>2019 COUNTY EQUALIZATION RATES FOR 2020 TAX LEVY</th>
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</thead>
<tbody>
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<td>CITY OF CORNING</td>
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<tr>
<td>CITY OF HORNELL</td>
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<tr>
<td>ADDISON</td>
<td>100.00</td>
</tr>
<tr>
<td>AVOCA</td>
<td>100.00</td>
</tr>
<tr>
<td>BATH</td>
<td>100.00</td>
</tr>
<tr>
<td>BRADFORD</td>
<td>71.00</td>
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<tr>
<td>CAMERON</td>
<td>100.00</td>
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<tr>
<td>CAMPBELL</td>
<td>98.22</td>
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<tr>
<td>CANISTEO</td>
<td>95.00</td>
</tr>
<tr>
<td>CATON</td>
<td>96.00</td>
</tr>
<tr>
<td>COHOCTON</td>
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<td>DANSVILLE</td>
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</table>
RESOLUTION NO. 200-19

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


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 2020, 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 2020
### Based on Assessment Rolls Completed, Verified, and Filed in 2019

**Stuben County**

<table>
<thead>
<tr>
<th>SWG Code</th>
<th>Municipality</th>
<th>Total Assessed Before All Exemptions</th>
<th>County Taxable Plus Sr Citizen, Reg Vet, All &amp; Cold War Vets, Clergy &amp; Inc Vol Fire Exempts</th>
<th>Equal Rate</th>
<th>Total Full Value</th>
<th>Aggregate Taxable for County</th>
<th>Aggregate Taxable for Town</th>
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<tbody>
<tr>
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<td>Addison</td>
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<td>Equal Rate</td>
<td>Total Full Value</td>
<td>Aggregate Taxable For County</td>
<td>Aggregate Taxable For Town</td>
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<td>88,716,313</td>
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<td>90,526,250</td>
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<td>86,649,824</td>
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<td><strong>City Totals</strong></td>
<td>367,210,762</td>
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<td>0.940</td>
<td>289,472,349</td>
<td>265,078,832</td>
<td>267,083,632</td>
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### Report of County Equalization for the Year 2020
**Based on Assessment Rolls Completed, Verified and Filed in 2019**

**Steuben County**

<table>
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<th>SW CODE</th>
<th>Municipality</th>
<th>Total Assessed Before All Exemptions</th>
<th>County Taxable Plus Sr Citizen, Reg Vet, Alt &amp; Cold War Vets, Clergy, &amp; Inc Vol Fire Exempts</th>
<th>Equal Rate</th>
<th>Total Full Value</th>
<th>Aggregate Taxable for County</th>
<th>Aggregate Taxable for Town</th>
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<td>86,452,550</td>
<td>2,816,382</td>
<td>2,864,099</td>
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LEGISLATIVE MEETING
Monday, November 25, 2019

Vote: Roll Call – Adopted.

RESOLUTION NO. 201-19

Introduced by B. Schu.  Seconded by C. Ferratella.

DIRECTING THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO ADD PENALTY TAXES ON CONVERTED FOREST LAND PARCELS.

Pursuant to Section 480-A of the Real Property Tax Law.

WHEREAS, certain parcels on the prior tax roll received an exemption from taxation on forest land and a breach of that commitment may occur; and

WHEREAS, the report may be filed by the various assessors to the Commissioner of Finance requesting penalty taxes to be calculated and added to the 2020 County and Town Tax Levy.

NOW THEREFORE, BE IT

RESOLVED, the Director of the Real Property Tax Service Agency is hereby directed to add the amount of penalty taxes to the 2020 County and Town Tax Levy; and be it further

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

Vote: Roll Call – Adopted.
RESOLUTION NO. 202-19

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

AMENDING RESOLUTION NO. 162-19 RELATIVE TO THE LEASE OF 49.12± ACRES OF LAND IN AVOCA FOR THE PURPOSE OF PURCHASING GRAVEL.

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

WHEREAS, on September 23, 2019 the County authorized the Commissioner of Public Works to enter into a lease with Wayne Mitchell for 2019 through 2023; and

WHEREAS, said resolution misstated the current rate of consideration for said lease.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is authorized and directed to pay Wayne Mitchell $1.35/cubic yard, bank measure; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works; Commissioner of Finance; Auditor; Real Property Tax Director; Risk Manager; and Mr. Wayne Mitchell, PO Box 319, Avoca, NY 14809.

Vote: Roll Call – Adopted.

RESOLUTION NO. 203-19

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

AMENDING RESOLUTION NO. 163-19 RELATIVE TO THE LEASE OF 25± ACRES OF LAND IN AVOCA FOR THE PURPOSE OF PURCHASING GRAVEL.

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

WHEREAS, on September 23, 2019 the County authorized the Commissioner of Public Works to enter into a lease with John Strait for 2017 through 2021; and

WHEREAS, said resolution misstated the current rate of consideration for said lease.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is authorized and directed to pay John Strait $1.34/cubic yard, bank measure; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works; Commissioner of Finance; Auditor; Real Property Tax Director; Risk Manager; and Mr. John R. Strait, 3980 County Rd 6, Avoca, NY 14809.

Vote: Roll Call – Adopted.
RESOLUTION NO. 204-19

Introduced by J. Malter and B. Schu. Seconded by K. Fitzpatrick.

WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE (1) ASSISTANT DISTRICT ATTORNEY POSITION, ONE (1) PARALEGAL ASSISTANT POSITION AND ONE (1) PART-TIME INVESTIGATOR POSITION IN THE DISTRICT ATTORNEY’S OFFICE.

WHEREAS, the Governor and New York State Legislature passed significant criminal justice legislation in April 2019 and established the effective date of compliance as January 1, 2020; and

WHEREAS, this legislation included amendments to NYS CPL 245.20 mandating the expansion of discovery obligations including a 15-day requirement to produce, thereby significantly increasing the workload in the District Attorney’s Office; and

WHEREAS, it is necessary and desirable to create one Management Grade H Assistant District Attorney position, one Grade XI Paralegal Assistant position and one Management Grade F Part-Time Investigator position to implement New York State’s required criminal justice reform programs by the effective date; and

WHEREAS, the funding for said positions is currently available within the 2019 budget; and

WHEREAS, Rule 16B of the Rules of Procedure of the County Legislature requires an extraordinary majority to create the aforesaid positions as a result of said request not having been anticipated for the year 2019.

NOW THEREFORE, BE IT

RESOLVED, Rule 16B of the Rules of Procedure be and the same hereby is waived; and be it further

RESOLVED, the following positions are hereby created and funded for the denoted department:

<table>
<thead>
<tr>
<th>Department/Position</th>
<th>Quantity</th>
<th>Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Attorney</td>
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</tr>
<tr>
<td>Assistant District Attorney</td>
<td>1</td>
<td>H (Mgmt.)</td>
</tr>
<tr>
<td>Paralegal Assistant</td>
<td>1</td>
<td>XI</td>
</tr>
<tr>
<td>Part-time Investigator in the Office of the District Attorney</td>
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<td>F (Mgmt.)</td>
</tr>
</tbody>
</table>

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

Mrs. Lando stated the press conference the other day regarding bail reform went very well and this is happening across the State. If there is a moratorium on the bail reform, what would we do with this? Mr. Wheeler replied he would say we would halt recruitment of the position. We can carry the position and not fill it. Incidentally, the chances of putting this reform on hold is pretty slim.

Ms. Prossick explained a portion of this bail reform is requiring the District Attorney to turn over documentation in fifteen days and that is what these employees are for.

Mr. Maio stated there is a campaign on to delay some of these things and he does not think it will get anywhere. We are giving the District Attorney positions to comply with discovery. If by some coordinated PR campaign that gets delayed, he would not want to fill a position. With that caveat, he is okay with this for now.
Mr. Wheeler stated should that happen we would seek to fill this position. If a delay happens before the position is filled, then we will not sign the vacancy request.

Mr. Swackhamer asked Mr. Wheeler if he and the Chairman would have the last say on this after this is passed? Mr. Wheeler replied we all work together. Under the Administrative Code, he and the Personnel Officer can approve vacancy requests for vacant positions. Should you create the position, they can then be filled with a department head request and approval by his office and the Personnel Officer.

Mr. Swackhamer asked would it be possible to table this resolution? Mr. Wheeler replied it is, but he would not recommend that. The requirement for discovery starts January 1st and the District Attorney needs people up and running. We would not currently fill the position if there is no need for it.

Mr. Swackhamer asked what happens if the bail reform is postponed? Mr. Wheeler replied if we hire staff and bail reform is postponed, those employees would still be on their probationary period and we would look to remove those staff. He does not believe a postponement of bail reform will happen, but it is a good question.

Mr. Van Etten stated the District Attorney had indicated previously that if something changed down the road, the part-time Investigator position and Assistant District Attorney positions would be removed. He would not delay this resolution at all.

Vote: Roll Call – Adopted. Yes – 8828; No – 593; Absent – 451.
(No – Legislator Ryan; Absent – Legislator Weaver)

RESOLUTION NO. 205-19

Introduced by R. Lattimer. Seconded by F. Potter.

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

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

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

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

WHEREAS, additional CDBG funds are available to address the documented need for mobile home replacement in Steuben County; and

WHEREAS, under the CDBG Program, Steuben County is permitted to contract with Arbor Development, Inc. to act as a sub-recipient with stringent oversight by the Planning Department; and

WHEREAS, submission of an application was approved by the Agriculture, Industry, and Planning Committee on November 6, 2019.

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

RESOLVED, that the Planning Department is further authorized to apply for additional funding to replace dilapidated mobile homes in circumstances that meet program criteria; 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, a certified copy of this resolution shall be forwarded to the Planning Director, and to the Executive Director, Arbor Development, Inc., 26 Bridge St., Corning NY 14830

Vote: Roll Call – Adopted.

RESOLUTION NO. 206-19

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

AUTHORIZING THE COUNTY MANAGER TO EXECUTE A REAL PROPERTY SETBACK WAIVER AGREEMENT WITH CANISTEEO WIND ENERGY, LLC.

WHEREAS, Canisteo Wind Energy, LLC is developing a wind energy generating system project on real property in Steuben County; and

WHEREAS, the County of Steuben owns in fee simple a vacant 2.0 acre parcel of real property located at 4293 Travis Hill Road, Canisteo, NY, Tax Map Number 254.00-01-004.000; and

WHEREAS, said County parcel is near or adjacent to the aforementioned Canisteo Wind Energy LLC Project; and

WHEREAS, Canisteo Wind Energy, LLC has requested the County sign a setback waiver agreement with them regarding Tax Map Number 254.00-01-004.000 as they have determined the Project will result in either a wind turbine being too close to the boundary line of said County Property or sound levels/shadows effect the boundary line of the County Property; and

WHEREAS, the County has no current use for the 2.0 acre parcel; and

WHEREAS, in consideration of the County signing the setback waiver agreement, Canisteo Wind Energy LLC will be financially compensating the County.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to negotiate and sign the real property setback waiver agreement with Canisteo Wind Energy, LLC; and be it further

RESOLVED, the funds received from Canisteo Wind Energy, LLC in consideration of the County entering into the Agreement shall be deposited into account HB0110-42770000 (Energy Conservation Project – Other Unclassified Revenue); and be it further

RESOLVED, certified copies of this Resolution shall be forwarded to the County Manager, Commissioner of Finance and the County Attorney.
RESOLUTION NO. 207-19

Introduced by B. Schu and S. Van Etten.
Seconded by R. Lattimer.

RESCINDING RESOLUTION NO. 143-19 RELATIVE TO WAIVING A PORTION OF THE MORTGAGE TAX ON THE PURCHASE OF THREE (3) COMMUNITY SERVICES OFFICE LOCATIONS.

WHEREAS, Resolution No. 143-19 authorized the waiver of the local share of the mortgage tax on the County’s purchase of three buildings from Yunis Realty, Inc.; and

WHEREAS, the waiver is no longer necessary as the County is not entering into a mortgage for these properties.

NOW THEREFORE, BE IT

RESOLVED, Resolution No. 143-19, authorizing the waiver of a portion of the mortgage tax on the purchase of three (3) community services office locations is hereby rescinded; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 208-19

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

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A LICENSE AGREEMENT.

WHEREAS, the County previously entered into a license agreement with L. Jay Dickson, owner of 21 Lackawanna Ave., Bath, NY, and the third-party lessor of the premises, Joel B. Havens, that for purposes of parking cars during the new County Office Building construction; and

WHEREAS, that agreement has subsequently expired; and

WHEREAS, the need for continued use of the same premises for parking continues during the new Court Space Building Project; and

WHEREAS, all parties have agreed to continue the agreement for the use of the real property for parking for one (1) year with four (4) one (1) year renewals thereafter.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is authorized to sign a License Agreement with L. Jay Dickson and Joel B. Havens for purposes of parking at 21 Lackawanna Ave., Village of Bath, New York; and be it further

RESOLVED, the agreement shall run for one year at a cost of $4,000.00, annually, with authority hereby given to the Administration Committee to renew the agreement for up to four (4) one (1) year renewals; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, the Commissioner of Finance and the County Attorney.
Mr. Ryan asked for an explanation. Mr. Wheeler explained this is the property that abuts the parking lot. We have used this property the past few years as overflow parking while we were building the Annex Building. This has been very useful for keeping the motor pool vehicles. With the new construction, we will park the construction trailers at the former bowling alley site. This agreement comes back to the committee every year. His recommendation is to continue the agreement through the renovation of the County Office building. This has been a good partnership.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 209-19**

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

**SETTING THE DATE, TIME AND PLACE OF THE MEETING FOR THE ORGANIZATION OF THE STEUBEN COUNTY LEGISLATURE FOR THE YEARS 2020 AND 2021.**

Pursuant to Section 151 and Section 450 of the County Law of the State of New York.

**BE IT RESOLVED,** this Steuben County Legislature shall meet at the Legislative Chambers on Pulteney Square in the Village of Bath, New York, on Thursday, the 2nd day of January 2020, at 10:00 A.M. for the purpose of the transaction of any business that may properly come before any regular meeting of this Legislature; 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:** Acclamation – Adopted.

**AMENDED**

**RESOLUTION NO. 210-19**

Introduced by B. Schu. Seconded by F. Potter.

**DIRECTING THE LEVY OF RETURNED UNPAID SCHOOL TAXES FOR THE YEAR 2019.**

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 2019” 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. 211-19**

Introduced by G. Swackhamer. Seconded by S. Van Etten.

**AUTHORIZING THE COUNTY MANAGER TO SETTLE THE UNIVERSAL SETTLEMENT LITIGATION.**
WHEREAS, Steuben County entered into a contract with Harter Secrest and Emery to file a lawsuit seeking funds entitled to the County under the Universal Settlement in April of 2019; and

WHEREAS, the lawsuit has been commenced and settlement negotiations have ensued with the opposing party; and

WHEREAS, a full settlement of the litigation has been reached wherein the County has agreed to 47.2% of the Universal Settlement Funds resulting in $349,268.00 being disbursed to the County, minus contingency fees owed to Harter Secrest and Emery of $130,000.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is authorized to sign any and all necessary documents to effectuate the settlement of the litigation as set forth above; and it is further

RESOLVED, the Commissioner of Finance is authorized to deposit the award of the settlement, minus contingency fees owed to Harter Secrest and Emery into account A-13804530; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, Commissioner of Finance, County Attorney and Harter Secrest and Emery, attention Paul Greene, Esq., at 1600 Bausch & Lomb Place, Rochester, NY 14604-2711.

Vote: Roll Call – Adopted.

Ms. Mori stated an amendment to resolution #9 is necessary as the title should read “Directing the Levy of Returned Unpaid School Taxes for the Year 2019”.

Motion amending the title of Resolution #9 to read “Directing the Levy of Returned Unpaid School Taxes for the Year 2019” made by Mr. Swackhamer, seconded by Mr. Mullen and duly carried.

Secretary’s Note – the vote on Resolution #9 above reflects the amended title.

BUDGET WORKSHOP

Chairman Haurycki opened the floor for discussion regarding the 2020 Budget. There being no further discussion, he 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 by Mr. Potter, seconded by Mrs. Ferratella and duly carried.

RESOLUTION NO. 212-19

Introduced by Gary Swackhamer. Seconded by J. Malter.

TITLE: 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.

WHEREAS, the following civil action has been initiated in the United States District Court, Western District:

ALLYSON LYNN WOODWORTH  
Civil Action No: 6:19-cv-06065
WHEREAS, the parties having entered into settlement negotiations in this matter and the parties having agreed to settle the County’s portion of this claim, in the amount of Forty Five Thousand Dollars ($45,000.00).

NOW THEREFORE, BE IT

RESOLVED, the County does hereby ratify the above recited settlement of the above-entitled claim and of the payment of the County’s portion thereof in the amount of Forty Five Thousand Dollars ($45,000.00), to be paid by Steuben County subject to the approval of the County Attorney; and be it further

RESOLVED, the Sheriff is authorized to execute all necessary Releases and Stipulations of Settlement; and be it further

RESOLVED, the within resolution shall be reported out within five (5) days following the execution of the settlement documents; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to David Fitch, Esq., Underberg & Kessler LLP 300 Bausch & Lomb Place, Rochester, NY 14604; Steuben County Sheriff and Scott Sprague, Risk Manager.

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

Motion to Adjourn made by Mr. Roush, seconded by Mrs. Lando and duly carried.
The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers in Bath, NY on the 25th day of November, 2019 at 11:35 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislators Roush and Weaver.

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

Chairman Hauryski 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 for the Notice of Completion and Filing of the Assessment Roll for the Marsh Ditch Watershed Protection District. Chairman Hauryski opened the floor for public comment. There being none, 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 for the Notice of Completion and Filing of the Assessment Roll for the Upper Five Mile Creek Watershed Protection District. Chairman Hauryski opened the floor for public comment. There being none, 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 for the Notice of Completion and Filing of the Assessment Roll for the Lamoka/Waneta Lakes’ Protection and Rehabilitation District. Chairman Hauryski opened the floor for public comment. There being none, 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 upon County of Steuben Local Law Tentatively No. Four for the Year 2019, 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 2020. Chairman Hauryski opened the floor for public comment. There being none, 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 on the Tentative Budget for the Fiscal Year Beginning January 1, 2020. Chairman Hauryski opened the floor for public comment. There being none, he declared the Public Hearing closed.

Ms. Mori announced the Youth In Government luncheon will immediately follow the meeting and will be held at the Bath Presbyterian Church.

RESOLUTION NO. 213-19

Introduced by B. Schu. 
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 2020, which individuals are presently serving mid-term; and

WHEREAS, said Administration Committee has recommended County of Steuben Local Law Tentatively No. Four for the Year 2019, establishing the annual salaries of such appointed officials for the Fiscal Year 2020.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Four for the Year 2019, 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 2020, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2019

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 2020.

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 2020, 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 2020 as follows, to wit:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>2019 SALARY</th>
<th>2020 SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner, Public Works</td>
<td>$108,923</td>
<td>$115,821</td>
</tr>
<tr>
<td>Commissioner, Social Services</td>
<td>$108,923</td>
<td>$115,821</td>
</tr>
<tr>
<td>Commissioners of Elections</td>
<td>$54,637</td>
<td>$56,003</td>
</tr>
<tr>
<td>Clerk of Legislature</td>
<td>$71,780</td>
<td>$73,879</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: If any part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5: 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 of the County, 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 and the Personnel Officer and all appointed and elected officials mentioned above.

Mr. Mullen stated part of the reason for adjusting the Management Salary Plan was to normalize salaries and he thinks we need to look at normalizing benefits as well.

Vote: Roll Call – Adopted. Yes – 8698; Absent – 1174

RESOLUTION NO. 214-19


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 2020 were duly filed with the Clerk of the County Legislature on or before November 15, 2019, 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 25, 2019, commencing at 11:30 A.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 2020; 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 2020 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 2020; 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, 2020, or thereafter in the Year 2020, 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 2020:

<table>
<thead>
<tr>
<th>Department / Project</th>
<th>Total Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landfill</td>
<td>$910,000</td>
</tr>
<tr>
<td>Information Technology</td>
<td>535,220</td>
</tr>
<tr>
<td>Permanent Road Improvements</td>
<td>4,148,850</td>
</tr>
<tr>
<td>Buildings &amp; Grounds</td>
<td>720,000</td>
</tr>
<tr>
<td>Elections</td>
<td>100,000</td>
</tr>
<tr>
<td>Highway</td>
<td>115,000</td>
</tr>
<tr>
<td>Bridge</td>
<td>8,827,000</td>
</tr>
<tr>
<td>Sheriff/Jail</td>
<td>37,800</td>
</tr>
<tr>
<td>Risk Management</td>
<td>10,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$15,403,870</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, $910,000 of those Capital Projects denoted as “Landfill” will be funded with a transfer from the Enterprise Fund; and be it further

RESOLVED, from and after January 1, 2020, 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, 2021, 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 into the minutes of this County legislature and printed in the annual volume of printed Proceedings for the Year 2019 and within thirty (30) days after the date of the adoption of this resolution, the Commissioner of Finance is hereby directed to file a certified copy of said 2020 Steuben County Budget with the New York State Comptroller in accordance with State Finance Law §54-a; and be it further

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

Chairman Hauryrski stated he would like to personally thank Mr. Van Etten, as Chair of the Finance Committee, along with Budget Officer, Jack Wheeler; Deputy County Manager, Chris Brewer and all of the department heads. This was not a good year for a budget with New York State continually handing us more work with no dollars attached. He thanked everyone for a fine job.

Mr. Van Etten stated one of the most telling things was when Mr. Wheeler presented the graphs from Chemung County showing the comparisons for debt and fund balance. This is proof that we are in good shape financially. A system was put into place prior to us for replacing Fund Balance with revenues and unspent dollars and that is a good practice. It allows us to be flexible and reactive to unforeseen issues that the State hands down. It is good to be in that comfort spot. This Legislature did a good job of monitoring that.

Chairman Hauryrski stated all of the department heads deserve a lot of credit. You keep us within budget and try to save us money and we really appreciate that.

Vote: Roll Call – Adopted.

RESOLUTION NO. 215-19

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


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 2020, 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 2020, 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 2020 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 2020 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 2020 to be raised by taxes amounting to the sum of $50,525,339.00 reduced by the pro-rata and omitted taxes of $99,894.67 and also reduced by anticipation of the sales tax credit in the amount of $7,922,819.56 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, 2020; 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 14, 2019, and filed with the Clerk of the Legislature on November 14, 2019 for the Year 2020, 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 2020; 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. 216-19

Introduced by B. Schu. Seconded by T. Ryan.

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2019 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 2019, 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 2020, 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 25, 2019, at 11:30 A.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 25, 2019, 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 2019 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 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 Watershed 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 the President of the Board of Directors of the said Watershed Protection District.

Vote: Roll Call – Adopted.

RESOLUTION NO. 217-19

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

ACCEPTING THE 2020 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 2020; 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. 218-19

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

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2019 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 2019 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 2020 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 25th day of November 2019, at 11:30 A.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 25th day of November 2019, 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 2019 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 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 Watershed 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 the President of the Board of Directors of the said Watershed Protection District.

Vote: Roll Call – Adopted.

RESOLUTION NO. 219-19

Introduced by B. Schu. Seconded by T. Ryan.

ACCEPTING THE 2020 BUDGET OF THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT.

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

RESOLVED, the Budget for the Upper Five Mile Creek Watershed Protection District be and the same hereby is established in the amount of $41,470 of which sum $20,000 shall be appropriated from surplus; and be it further

RESOLVED, the Steuben County Legislature hereby accepts the report of the Upper Five Mile Creek Watershed Protection District and adopts the respective Budget for 2020; 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. 220-19

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2019 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 2019 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 2020 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 25, 2019, at 11:30 A.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 25th day of November 2019, 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 2019 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 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; the Director of Real Property Tax Service Agency, and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 221-19


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 2020, levied upon the various parcels of land in the said Lakes’ Protection and Rehabilitation Districts in the amount
of $42,966.00 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 Commissioner of Finance.

Vote: Roll Call – Adopted.

Motion to Adjourn made by Mr. Mullen, seconded by Mr. Potter and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 16th day of December, 2019 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Chairman Hauryski took the opportunity prior to the Roll Call, of introducing his family.

Roll Call and all members present.

Mrs. Ferratella provided the Invocation and the Pledge of Allegiance was led by Chairman Hauryski’s daughter, Carrie.

Chairman Hauryski asked Fred Marvin to come forward. Mr. Marvin is an employee in the Emergency Management Office. He presented him with a certification of appreciation in recognition of his retirement with 20 years of service to Steuben County.

Chairman Hauryski opened the floor for opportunity for public comment.

Wayne Wells, Cameron, spoke about his concerns regarding corruption and President Trump.

Keith Isaman, Hornell, stated he is the owner/operator of Isaman Transportation which is a medical transportation company. About five years ago, Medical Answering Service (MAS) began providing medical transportation in Steuben and other counties. Instead of the counties scheduling the transportation, MAS does. In the last 90 days, he and six other companies have not been getting the runs they should. Business is off about 40 percent. He stated MAS is bringing people in from Elmira and Rochester to do local runs and that makes no sense. We get paid when the client is in our vehicle. The cost is $2.28 per mile and we get $10 for a pick up and $10 for a drop off. On a 20 mile transport, that equates to $56.60. When others from Elmira or Rochester get that call, it costs $165.60. Mr. Isaman stated another problem is that our local companies such as CBR, County Cabs, Hughes Transport, etc., cannot get in touch with MAS; when you do connect, you are put on hold for 30 minutes. Our clients are having the exact same problem. We also have certain individuals that we take and they request a specific provider and MAS is telling the consumer what company they have to take. For any of our local companies to do a run in Elmira, that would not pay as we would only get $65 and we would lose money. This has just been happening within the past 90 days. This is costing the County extra money and taking the taxes out of the County. MAS has over 600 employees, so who is watching them? Does anyone in the County watch them? The payroll for MAS is $17 million per year; if something goes wrong, that will happen in a hurry. He does not know how the County gets reimbursed by MAS. Mr. Isaman stated this is something that he thinks should be looked into.

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

Sheriff Allard stated before he does the annual Fruitcake Presentation, he has another presentation in honor Chairman Hauryski. Several years ago when he became Undersheriff, he had a meeting with Chairman Hauryski and it was loud and clear what he expected and what he did not expect and he remembers at the time that he did not say a word. At that moment we knew that we were working with a true leader who would provide ethical leadership. Sheriff Allard stated he has seen a change in the style of government and how we do business with Information Technology,
Personnel and the payroll system. This clearly defines the ethical leadership of Chairman Hauryski and he realizes how fortunate we are. Sheriff Allard stated we will miss you a great deal. The men and women of the Sheriff’s Office purchased a memento for the Chairman to take home. He presented Chairman Hauryski with a plaque that recognizes his partnership with the Sheriff in promoting growth, ethical leadership and dedicated service.

Sheriff Allard stated now for the Fruitcake Presentation. He stated he has a confession to make; for the last twelve months the subject Fruitcake has been incarcerated at the Steuben County Jail illegally. The Fruitcake has not talked to anyone and has been very cold to anyone that has approached. Who do we know who is the voice for the voiceless, who defends those who cannot speak for themselves and who will care for this Fruitcake for the next twelve months? Sheriff Allard presented the Fruitcake to Shawn Sauro, Public Defender, enclosed in an evidence bag. Mr. Sauro thanked the Sheriff and stated that he will be checking the chain of custody.

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

Mr. Baker stated he had wanted to make his comments under the Public Comment portion of today’s meeting in order to air a grievance he has, but instead he will provide them as a County Officer. He has had the privilege of appearing before Chairman Hauryksi on a number of occasions. He has had the privilege of having someone leading this County with the singular purpose of his passionate concern and doing the right thing for everyone here. Not very many other legislative bodies can say the same; certainly not in D.C. or Albany. Mr. Baker stated in working with Chairman Hauryski, we have not always agreed, however, the Chairman has always been right. He has also known that what Chairman Hauryski has done has been for the right reasons with wisdom and what was best for Steuben County. Mr. Baker stated he can never thank Chairman Hauryski enough. His grievance is that you will not be here anymore. Thank you so much for what you have done for me and this County; he cannot imagine anyone else sacrificing as much as you have.

RESOLUTION NO. 222-19

Introduced by S. Van Etten. Seconded by F. Potter.

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

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, 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>
<th>Resolution No.</th>
<th>Name</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
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<tbody>
<tr>
<td>A-3</td>
<td>Joyce Venter (Life Use)</td>
<td>197.14-01-009.100</td>
<td>Village of Canisteo</td>
<td>2020 Correction of Assessment Error</td>
<td>A-4</td>
<td>Vicky Helgerson</td>
<td>304.00-01-022.110</td>
<td>Town of Greenwood</td>
<td>2018 Correction of Duplicate Entry</td>
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<tr>
<td>A-7</td>
<td>Liberty Group Nevada Holdings</td>
<td>317.27-01-004.000</td>
<td>City of Corning</td>
<td>2019 Court Ordered Refund</td>
<td>A-8</td>
<td>Liberty Group Nevada Holdings</td>
<td>317.27-01-004.000</td>
<td>City of Corning</td>
<td>2019 Court Ordered Change</td>
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<tr>
<td>A-11</td>
<td>JPE Property</td>
<td>336.07-01-002.123</td>
<td>Village of South Corning</td>
<td>2020 Corrected Error-Vacant Land</td>
<td></td>
<td></td>
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**Vote:** Roll Call – Adopted. Yes – 9279; No – 593  
(No – Legislator Ryan)

RESOLUTION NO. 223-19

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

RECEIVING AND ACCEPTING THE DECEMBER 16, 2019 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:

LEGISLATIVE MEETING  
Monday, December 16, 2019
November 18, 2019
NYS Public Service Commission – Re: Notice of informational forums, public statement hearings, and a procedural conference for the Canisteo Wind Energy LLC Project (Case#19-T-0041). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

November 20, 2019
NYS Public Service Commission – Re: Notice of amended informational forums and public statement hearings for the Canisteo Wind Energy LLC Project (Case#19-T-0041). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and 54 West Market, LLC tax agreement and RP-412-a form for property located at 54-56 West Market Street Corning, N.Y. **Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.**

November 21, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Ruling regarding post-hearing submissions for the Canisteo Wind Energy LLC Project (Case#16-F-0205). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

November 22, 2019
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 2019. **Referred to: Human Services/Health & Education Committee; Kathryn Muller, Commissioner of Social Services; and Bill Caudill, Youth Program Coordinator.**

November 25, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Ruling awarding additional application-stage intervenor funding for the Canisteo Wind Energy LLC Project (Case#16-F-0205). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

NYS Department of Environmental Conservation – Re: Corning Study Area/Residential Properties Investigation & Cleanup for Site #851046. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

November 27, 2019
NYS Public Service Commission – Re: Notice of amended procedural conference for the Canisteo Wind Energy LLC Project (Case#19-T-0041). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

December 3, 2019
NYS Public Service Commission – Re: Amended notice of informational forums and public statement hearings for the Canisteo Wind Energy LLC Project (Case#19-T-0041). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

NYS Public Service Commission – Re: Factsheet and public hearing announcements for the Canisteo Wind Energy LLC Project (Case#19-T-0041). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

December 5, 2019
NYS Unified Court System Seventh Judicial District – Re: Funding for Courthouse Renovation Project. **Referred to: Jack Wheeler, County Manager.**
RESOLUTION NO. 224-19

Introduced by R. Lattimer. Seconded by H. Lando.

AUTHORIZING THE ISSUANCE OF A STATUTORY INSTALLMENT BOND IN THE AMOUNT OF $3,500,000 TO PAY FOR THE PURCHASE OF THREE (3) BUILDINGS FOR THE LOCATION OF COMMUNITY SERVICES’ OFFICES

WHEREAS, the Steuben County Legislature, by resolution duly adopted on the 22nd day of July, 2019, authorized the purchase of Three (3) Community Services’ Office locations; and

WHEREAS, it is now desired to authorize the financing of such purchase.

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 purchase of three (3) office buildings in and for the County of Steuben, New York, located at 115 Liberty Street, Bath, NY, 7454 Seneca Road North, Hornell, NY and 114 Chestnut Street, Corning, NY is hereby authorized at a maximum cost of $3,500,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of a Statutory Installment Bond in the amount of $3,500,000 by the County to Yunis Realty, Inc. pursuant to the provisions Section 62.10 of the Local Finance Law. The monies to be used to pay for this obligation are to be budgeted within the Community Services programs expenditure lines. Such bond shall be dated approximately as of January 1, 2020, and the power to fix and determine the exact date of such bond is hereby delegated to the County Manager of Steuben County.

Section 3. The following determinations are hereby made:

[a] That the period of probable usefulness of the aforementioned objects or purpose are as follows:
115 Liberty Street, Bath, NY thirty (30) years, pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law; 7454 Seneca Road North, Hornell, NY Thirty (30) years, pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law; and 114 Chestnut Street, Corning, NY Thirty (30) years pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law.

[b] The proposed maturity of the obligations authorized by this resolution will not be in excess of ten (10) years.

Section 4. Said statutory installment bond shall obligate the County of Steuben to pay to the registered owner, Yunis Realty, Inc., the principal sum of THREE MILLION FIVE HUNDRED THOUSAND and 00/100 DOLLARS ($3,500,000.00) in ONE HUNDRED NINETEEN (119) monthly installments of principal in the amount of TWENTY-NINE THOUSAND ONE HUNDRED SIXTY-SIX AND 67/100 DOLLARS ($29,166.67) on the first (1st) day of February, 2020, and on the first (1st) day of each and every month thereafter until January 1, 2031, when ONE (1) monthly installment of principal in the amount of TWENTY-NINE THOUSAND ONE HUNDRED SIXTY-SIX AND 27/100 dollars shall be paid. No interest
shall be paid or due on the unpaid principal balance. The installments of principal on this bond will be paid to Yunis Realty, Inc., its successors and assigns, in lawful money of the United States only upon presentation of this bond for notation of any such payment thereon at the office of Yunis Realty, Inc.

Section 5. Said installment bond shall be issued in substantially the following form, to wit:

Section 6. The faith and credit of said County of Steuben, New York, are hereby irrevocably pledged for the payment of the principal on said bond becomes due. An amount sufficient to pay the principal, and interest, if any, on said bond as the same becomes due each month in each year shall be included in the annual budget of the County of Steuben for the year, and the said bond shall not be renewed.

Section 7. The validity of such bond 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. Pursuant to the provisions of the Tax reform Act of 1986, as amended, this Legislature expressly represents that the County will not issue more than ten million dollars [$10,000,000.00] of tax exempt obligations in any calendar year and directs that a copy of this Resolution be furnished to the bond purchaser.

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, the County Manager, and Yunis Realty, Inc..

Vote: Roll Call – Adopted. Yes – 8666; No – 1206
(No – Legislators Fitzpatrick and Hanna)

RESOLUTION NO. 225-19

Introduced by B. Schu. Seconded by C. Ferratella.

APPROVING THE STATEMENT OF TAXES DUE AND DIRECTING DELIVERY OF THE COMPLETED TAX ROLLS WITH ATTACHED WARRANTS.

Pursuant to Sections 900, 902, 904 and 1330 of the Real Property Tax Law and Section 361 of the County Law of the State of New York.

WHEREAS, the County Legislature pursuant to Section 361 of the County Law of the State of New York, is deemed to have passed a budget for Fiscal Year 2020, and also by prior resolution duly adopted, made appropriations for the conduct of the County government for the Fiscal Year 2020; and

WHEREAS, the Director of the County Real Property Tax Service Agency has prepared the statement of taxes due January 1, 2020, for all towns and cities showing the respective real property tax levies and tax rates; and
WHEREAS, upon the tax rolls of several tax districts, several taxes have been duly extended as provided by Law and said completed tax rolls have been laid before this County Legislature for its approval.

NOW THEREFORE, BE IT

RESOLVED, the said statement of taxes due January 1, 2020, tax rates and tax rolls for the taxes for the year 2020 extended on the several assessment valuations of parcels of land of several tax districts for the County and Town purposes be approved as so completed; that the taxes so extended upon the tax rolls in the several amounts extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and be it further

RESOLVED, there be annexed to each of said rolls a tax warrant in the form prepared by the Clerk of the Legislature and heretofore laid before the Legislature for its approval, as provided by Section 904 of the Real Property Tax Law; that such Warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; that the several Warrants be signed by the Chairman and Clerk of this Legislature, under the Seal of the Legislature; and that the said rolls with the said Warrants annexed thereto be forthwith delivered to the respective collectors of the several tax districts in the County; and be it further

RESOLVED, the Warrant shall designate the amount payable to the Commissioner of Finance and the amount payable to the Supervisor, and shall constitute the authority of such collectors of taxes to collect and receive the several amounts thereof to be paid over to the respective Commissioner of Finance and Supervisor on or before April 1, 2020; and it be 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. 226-19


AUTHORIZING THE COUNTY TO PARTICIPATE IN TAX CERTIORARI PROCEEDINGS IN THE TOWN OF CAMPBELL.

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 assessment unit should have completed in due course a town/city wide reassessment program and filed a cyclical reassessment plan; and

WHEREAS, the Town of Campbell has recently completed a cyclical reassessment plan and has further requested the County to participate in one (1) Tax Certiorari Proceeding Index No: 2016-0758CV and 2017-0781CV 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 Real Property Tax Service Agency has estimated the County’s share of participation as set forth under the County’s policy to participate at approximately $10,000.00.
NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is authorized and directed to disburse to the properly credentialed and retained appraiser(s) a total sum not to exceed $10,000.00 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; Jeffrey P. Horton, Campbell Town Supervisor, 8529 Main St., Campbell, NY 14821; and Nicholas Davis, Esq., Davidson Fink, LLC, 28 East Main St., Ste. 1700, Rochester, NY 14606, Attorney for the Town of Campbell.

Mr. Mullen asked which property is this? Mr. Donnelly replied this is the former Kraft dairy plant.

Vote: Roll Call – Adopted.

RESOLUTION NO. 227-19

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

AUTHORIZING THE TRANSFER AND APPROPRIATION OF FUNDS TO THE COUNTY ROUTE 119 OVER THE CANISTEO RIVER FEDERAL-AID BRIDGE PROJECT ACCOUNT.

WHEREAS, a project for the Bridge Replacement (BIN 3334430) CR 119 over the Canisteo River in the Town of Cameron, County of Steuben, P.I.N. 6755.17 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Steuben desires to advance the Project by making an initial commitment of 100% of the Federal and non-Federal share of the costs of the Project; and

WHEREAS, the cost of Design and Right of Way Incidents and Acquisition work for the Project included in the New York State Department of Transportation’s Supplemental Agreement for the Project is $525,000; and

WHEREAS, the current Steuben County Budget for the Project includes $480,000 for the Design and ROW Incidents phases of the Project.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature authorizes the transfer of $2,250 from the Future Bridge Projects account (5120H0) and the appropriation of $42,750 of Federal and State Bridge Aid to the Project account (5120HI) in order to fund in the first instance 100% of the Federal and non-Federal share of the cost of Design and Right of Way Incidents and Acquisition work for the Project or portions thereof; and be it further

RESOLVED, a certified copy of this resolution shall be filed with the Commissioner of Public Works and Commissioner of Finance.

Vote: Roll Call – Adopted.
RESOLUTION NO. 228-19

Introduced by G. Swackhamer.  Seconded by S. Van Etten.

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT IN THE TOWN OF HORNELLSVILLE, AND APPROPRIATING FUNDS THEREFOR.

WHEREAS, a Project for the Bridge Replacement (BIN 3333840) CR 66 over the Canisteo River in the Town of Hornellsville, County of Steuben, P.I.N. 6754.97 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Steuben desires to advance the Project by making an initial commitment of 100% of the Federal and non-Federal share of the costs of the Project.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature approves the Project; and it is further

RESOLVED, the Steuben County Legislature authorizes the County of Steuben to pay in the first instance 100% of the Federal and non-Federal share of the cost of Design, Construction and Construction Inspection work for the Project or portions thereof; and it is further

RESOLVED, the sum of $2,445,085 (of which $340,000 has been previously appropriated for the cost of Design) is hereby appropriated and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED, in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the County of Steuben shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation (NYSDOT) thereof; and it is further

RESOLVED, the County Manager be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Steuben with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of Project costs and permanent funding of all Project costs within appropriations that are not Federal-Aid and State-Aid eligible; and it is further

RESOLVED, a certified copy of this resolution shall be filed with the Commissioner of Public Works and the NYSDOT Region 6 Planning Department, 107 Broadway, Hornell, NY 14843 by attaching it to any necessary agreements in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

Vote: Roll Call – Adopted.
RESOLUTION NO. 229-19

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

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT IN THE TOWN OF CAMERON, AND APPROPRIATING FUNDS THEREFOR.

WHEREAS, a Project for the Bridge Replacement (BIN 3334430) CR 119 over the Canisteo River, Town of Cameron, Steuben County, P.I.N. 6755.17 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Steuben desires to advance the Project by making an initial commitment of 100% of the Federal and non-Federal share of the costs of the Project.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature approves the Project; and it is further

RESOLVED, the Steuben County Legislature authorizes the County of Steuben to pay in the first instance 100% of the Federal and non-Federal share of the cost of Design, Right of Way Incidentals and Acquisition work for the Project or portions thereof; and it is further

RESOLVED, the sum of $525,000 (of which $480,000 has been previously appropriated for the cost of Design and ROW Incidentals) is hereby appropriated and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED, in the event the full Federal and non-Federal share costs of the Project exceeds the amount appropriated above, the County of Steuben shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation (NYSDOT) thereof; and it is further

RESOLVED, the County Manager be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Steuben with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid and State-Aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and it is further

RESOLVED, a certified copy of this resolution shall be filed with Commissioner of Public Works and the NYSDOT Region 6 Planning Department, 107 Broadway, Hornell, NY 14843 by attaching it to any necessary agreements in connection with the Project; and it is hereby further

RESOLVED, this Resolution shall take effect immediately.

Vote: Roll Call – Adopted.
RESOLUTION NO. 230-19

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

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Steuben County Department of Public Works desires to enter into a contract with the New York State Department of Transportation for the sharing of road salt; and

WHEREAS, any such future agreement with NYSDOT or renewals for this purpose will require standing committee authorization and oversight annually.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature approves of the Department of Public Works entering into agreement with New York State Department of Transportation for the sharing of road salt; and be it further

RESOLVED, the Public Works Committee of the Steuben County Legislature is authorized to approve future agreements and directed to provide oversight of such agreements subject to the Rules of Procedure of the Steuben County Legislature; 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. 231-19

Introduced by G. Swackhamer. Seconded by R. Lattimer.

APPROVING THE FINAL SCOPING DOCUMENTS RELATIVE TO THE SEQRA FOR THE BATH LANDFILL EASTERN EXPANSION.

WHEREAS, the Steuben County Department of Public Works proposes an expansion of the currently permitted Steuben County Bath Landfill in the Town of Bath, New York; and

WHEREAS, the Bath Landfill Eastern Expansion (“Proposed Action”) looks to expand the existing facility by 73 acres of landfill liner system, which will extend the life of the current facility by an additional 40 years; and

WHEREAS, this Proposed Action is subject to the requirements of the New York State Environmental Quality Review Act (“SEQRA”) set forth in Article 8 of the New York State Environmental Conservation Law; and

WHEREAS, based on a review of the applicable SEQRA regulations in 6 NYCRR Part 617, the Proposed Action was classified as a “Type I” action, a coordinated review process was completed, and the Steuben County Legislature declared themselves as the SEQRA Lead Agency for the Proposed Action; and

WHEREAS, the Steuben County Legislature, acting as Lead Agency, has completed its review of the Full Environmental Assessment Form at its meeting on September 23, 2019, and determined that the Proposed Action may result in one or more significant adverse environmental impacts and has previously issued a resolution declaring a positive declaration and the reasons for this determination at its meeting on September 23, 2019; and
WHEREAS, the Steuben County Legislature completed its review of the Draft Scoping Document at its meeting on September 23, 2019 and approved the Draft Scoping Document for public review; and

WHEREAS, a public comment meeting was held on October 30, 2019 and written comments were received until November 6, 2019; and

WHEREAS, in accordance with the SEQRA regulations, a Final Scoping Document was prepared to provide an overview of issues to be addressed in the Draft Supplemental Environmental Impact Statement (DSEIS).

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature, acting as Lead Agency, has thoroughly reviewed the Final Scoping Document for the proposed action and has determined it to be adequate with respect to its scope and content for the purpose of preparing a Draft Supplemental Environmental Impact Statement (DSEIS) for the proposed action; and be it further

RESOLVED, the Steuben County Legislature authorizes and directs the Commissioner of Public Works and/or the Assistant Commissioner – Landfill to make available the Final Scoping Document to involved and interested parties, as well as the public, for review, and further arranging for a copy of the document to be maintained on the County’s website to ensure it is accessible to the public; and be it further

RESOLVED, written and verbal public comments were incorporated into the Final Scoping Document available for public review, the details of which will be published in a Notice stating the availability of the Final Scoping Document in the Environmental Notice Bulletin (ENB), the Corning Leader, and the Hornell Tribune; and be it further

RESOLVED, the County’s legal counsel and Commissioner of Public Works and/or Assistant Commissioner – Landfill, in conjunction with project engineering firm Barton & Loguidice, DPC, are authorized to file the appropriate SEQRA Notices and take whatever other steps are necessary to carry out this resolution; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 232-19

Introduced by G. Swackhamer. Seconded by R. Lattimer.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH BATH ELECTRIC GAS & WATER SYSTEMS TO TREAT EFFLUENT FROM STEUBEN COUNTY’S LEACHATE TREATMENT PLANT.

WHEREAS, Steuben County owns and operates a Leachate Pre-Treatment facility (the “Facility”) located in the Town of Bath designed and permitted for the pre-treatment of leachate derived from solid waste as defined in New York Environmental Conservation Law, Article 27, Title 7 6NYCRR Part 360; and
WHEREAS, the Bath Electric, Gas & Water Systems and their Municipal Utility Commission (BEGW&S) has the necessary permits and the ability to provide the final treatment of the effluent from the Facility; and

WHEREAS, BEGW&S has permitted and authorized the Facility to discharge treated leachate to the BEGW&S treatment system through a force main pipeline owned and operated by the Facility; and

WHEREAS, both parties are desirous of entering into a long term IMA for a period of five (5) years through the BEGW&S Utilization Agreement and Industrial User Permit.

NOW THEREFORE, BE IT

RESOLVED, the County Manager or his designee is authorized to continue this arrangement and execute the BEGW&S Utilization Agreement and Industrial User Permit for a term of Five (5) years and pay the pertinent fees associated with the treatment of the Facility’s effluent; and be it further

RESOLVED, two (2) certified copies of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted. Yes – 9275; No – 0; Abstained – 597
(Abstained – Legislator Mullen abstained as he is the attorney for the municipality)

RESOLUTION NO. 233-19

Introduced by J. Malter. Seconded by K. Fitzpatrick.

AUTHORIZING THE SHERIFF AND COUNTY MANAGER TO ENTER INTO AGREEMENTS WITH STEUBEN COUNTY TOWNS AND VILLAGES FOR ENHANCED LAW ENFORCEMENT SERVICES.

WHEREAS, Towns and Villages are in need of enhanced law enforcement services in addition to existing police coverage; and

WHEREAS, the Steuben County Sheriff’s Office has in place the expertise, policies and procedures, command and control, and experience necessary to provide such enhanced law enforcement services; and

WHEREAS, the Steuben County Sheriff’s Office will agree to provide a trained and qualified Deputy Sheriff to the requesting Town or Village; and

WHEREAS, the individual Town or Village shall pay the County the actual cost of overtime personnel services and mileage on a quarterly basis, including actual cost of employee compensation or salary, plus the employer’s Social Security, Medicare, Retirement and Workers’ Compensation costs incurred, plus additional mileage incurred at the prevailing federal rate.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff and County Manager are hereby authorized to enter into inter-municipal agreements with Steuben County Towns and Villages for enhanced law enforcement services; and be it further

RESOLVED, the Sheriff will present annual updates regarding the enhanced law enforcement services provided to the Public Safety and Corrections Committee; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Sheriff and County Manager.
Mr. Mullen asked what is the scope of services for this? Mr. Wheeler replied this will cover additional patrols and details that a municipality might want above and beyond what the Sheriff may provide. There is just one municipality right now for consideration for additional patrols around a school.

Mr. Hanna asked will this be overtime? Mr. Wheeler replied it will be overtime only. There are regulations about this and these services have to be above and beyond the Sheriff’s normal duties. The Sheriff is not proposing adding additional staff.

Mr. Van Etten commented the rate charged to the municipalities factors in fringe and that will be charged back to the County.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 234-19**

Introduced by R. Lattimer. Seconded by H. Lando.

**AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH LIVINGSTON COUNTY FOR WEIGHTS AND MEASURES SERVICES.**

WHEREAS, the Agriculture, Industry & Planning and Administration Committees have approved an Inter-Municipal Agreement with Livingston County for the provisions of Weights and Measures Services; and

WHEREAS, the agreement anticipates an annual payment, plus necessary expenses related to the provision of Weights and Measures Services; and

WHEREAS, it is anticipated the services will require approximately three-quarters of a full-time employee to complete; and

WHEREAS, the agreement shall commence January 1, 2020, with the option for four (4), one (1) year renewals thereafter, with a sixty-day opt out provision; and

WHEREAS, it is desirable to enter into the agreement to assist a neighboring county.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to sign the Inter-Municipal Agreement with Livingston County; and be it further

RESOLVED, certified copies of this resolution be forwarded to the County Manager; County Attorney; Director of Weights & Measures; Ian Coyle, Livingston County Administrator, 6 Court Street Geneseo, NY 14454; David LeFeber, Chair of the Livingston County Board of Supervisors, 6 Court Street Geneseo, NY 14454; and Mark Grove, Livingston County Environmental Health Director; 6 Court Street Geneseo, NY 14454.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 235-19**

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

**AUTHORIZING THE CREATION OF A CAPITAL PROJECT AND THE TRANSFER OF FUNDS FROM GENERAL FUND BALANCE FOR THE COURT RENOVATION PROJECT**
WHEREAS, with the impending start of the Court Renovation Project, capital project funding is required; and

WHEREAS, the Ad Hoc Office Space Committee and Finance Committee have recommended utilizing general fund balance to fund this project; and

WHEREAS, utilizing general fund balance makes the County eligible for additional direct reimbursement from the NYS Office of Court Administration; and

WHEREAS, the Ad Hoc Office Space Committee and Finance Committee have authorized the creation of a new capital project for this purpose and the transfer of $3 million from general fund balance to said project to fund Phase 1 of this effort.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to create the “Court Renovation Project” capital project (Account number: HB0305); and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to transfer $3 million from general fund balance to this capital project; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 236-19

Introduced by R. Lattimer. Seconded by F. Potter.

AWARDING BIDS FOR PHASE ONE OF THE COURT RENOVATION PROJECT.

WHEREAS, Steuben County issued bids for Phase 1 of the Court Renovation Project; and

WHEREAS, the Ad-Hoc Office Space Committee has received and reviewed said bids and has recommended award to the qualified low bidders as recited below.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby award the bid to the following vendors, per discipline:

General Construction – Building Innovation Group - $987,821.00
Electrical – Matco Electrical Corporation - $384,500.00
Mechanical – Lawman Heating and Cooling, Inc. - $322,300.00
Plumbing – Kimble, Inc. - $197,700.00
Controls – Day Automation - $67,581.93

AND BE IT FURTHER RESOLVED, the County Manager is hereby authorized and directed to execute all necessary contracts, amendments, and change orders as approved by the Legislature; and be it further

RESOLVED, change orders shall be authorized with limits consistent with the Administrative Code, as follows:
AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the County Manager and Commissioner of Finance.

Vote: Roll Call – Adopted. Yes – 8666; No – 1206
(No – Legislators Fitzpatrick and Hanna)

RESOLUTION NO. 237-19

Introduced by B. Schu. Seconded by C. Ferratella.

AMENDING THE ADMINISTRATIVE CODE.

WHEREAS, the Administrative Code’s Outside Employment Policy has been reviewed by the County Manager and Personnel Officer; and

WHEREAS, upon review said Policy requires amending to make the Policy more effective and clear; and

WHEREAS, the Administration Committee has authorized and approved the requested amendment.

NOW THEREFORE, BE IT

RESOLVED, the Administrative Code’s Outside Employment Policy is hereby amended as follows:

PART XVII : PERSONNEL POLICY, Section 6, paragraph C, sub-paragraph 5, Outside Employment

Outside employment shall be defined as all work performed with another business, non-profit entity, or self-employment outside of the employee’s normal schedule whether that is for a different Department within the County or for an employer other than the County.

Before an employee may obtain outside employment, he/she must secure approval of his/her Department Head and the Personnel Officer. To obtain such approval, an employee must properly complete the Outside Employment Form and submit it to his/her Department Head. If approved by the Department Head, the form will then be forwarded to the Personnel Officer for final approval/disapproval.

No employee shall accept outside employment or engage in any public or private business if such outside employment interferes with the employee’s ability to perform their assigned duties. Outside employment must also not interfere with the employee’s normal work schedule within the County. Any employee accepting outside employment shall make arrangements with his/her outside employer to be relieved from his/her duties should the County call him/her for an emergency. Any employee accepting such employment shall agree to respond to any emergency should his/her Department Head determine it necessary.

Disapproval of outside employment will require an employee to not accept the outside employment. Employees who engage in disapproved outside employment may be subject to disciplinary action.

A copy of the Outside Employment form will be filed in the employee’s personnel folder.

All employees who sustain injuries while performing outside employment duties are to report them to their immediate supervisor prior to the next scheduled work day; and be it further
RESOLVED, the Administrative Code’s Outside Employment Form Template is hereby amended as follows:
STEUBEN COUNTY
OUTSIDE EMPLOYMENT FORM

In accordance with the Administrative Code for Steuben County (Part XVII, Section 6, C.5), employees must secure approval from Department heads and the Personnel Officer prior to performing work outside of the normally scheduled position. The Outside Employment policy was established to ensure that outside employment would not interfere with County job responsibilities, such as excessive leave time, conflict of interests, or inability to perform County job duties.

Please complete the following information to be submitted for approval regarding outside employment:

Employee Name: ___________________________ Department: ___________________________

Company Name: ___________________________ Title of Position: ___________________________

Duration of hours/employment (check all that apply):

☐ Part Time ☐ Full Time ☐ On-Call ☐ Seasonal/Temporary

Describe the duties of the outside employment:

_________________________________________________________________________________

_________________________________________________________________________________

Is this the only outside employment you have? (Complete a separate form for each outside employment.) ☐ Yes ☐ No

Will the outside employment interfere with County job responsibilities? ☐ Yes ☐ No

Will leave time be requested to work at outside employment? ☐ Yes ☐ No

Will phone calls (both incoming and outgoing) regarding outside employment interfere with County work hours? ☐ Yes ☐ No

Could the outside employment create a conflict of interest? ☐ Yes ☐ No

Please explain in the comment section below if “yes” was answered to any of the above questions.

_________________________________________________________________________________

_________________________________________________________________________________

Outside employment is:

☐ Approved ☐ Disapproved

Outside employment is:

☐ Approved ☐ Disapproved

Department Head Signature ___________________________ Date ________________

Personnel Office Signature ___________________________ Date ________________

Cc: Employee – Date sent: _______ Initial: _______

Brenda Mori, Chair of Ethics Committee

Employee ID No. ____________
RESOLVED, the Personnel Officer is directed to notify each and every County Employee of this new required form and request those employees with existing Outside Employment forms on file to fill out the new form; and be it further

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

Mr. Malter asked does this policy apply to Legislators? Mr. Wheeler replied no. Any of these things are captured in your ethics disclosure. The purpose of this policy is to make sure if there is part-time employment, that it is known and approved.

Mr. Maio asked was there a provision before? Mr. Wheeler replied yes. The process was at the department level and we could not ensure compliance. Mr. Maio asked are there any substantive changes? Mr. Wheeler replied this policy has more clarification and there has been a change to the form.

Mr. Mullen asked would this include if an individual has a hobby farm or is working on engines for people? This is pretty broad. Mr. Wheeler replied it is supposed to be all encompassing. If someone was doing mechanic work and they could potentially have a contract or conflict, or if it took significant time, then yes. He doesn’t really think it would apply to hobby farms. Mr. Mullen commented it is drafted as if it does.

Mr. Wheeler stated we are going to communicate to all employees and have employees complete the form again if they currently have a form on file. This is for if an employee has outside employment or is seeking outside employment.

Mr. Mullen asked what about not-for-profits; does this include being on a board? Mr. Wheeler replied that would be covered under ethics. Ms. Mori explained it is all part of ethics. The final step is that these forms will be submitted to the Ethics Board. Right now we have no idea if someone could be working for someone who has a contract with the County. With regard to not-for-profits, we have to report them on the financial disclosure and the employees should as well.

Mr. Maio asked is there criteria as to what would cause an application to be denied? Mr. Wheeler replied yes; a straight forward conflict, if there are requests for significant leave. We are not looking to prohibit, but we want to make sure that any conflicts are addressed.

Vote: Roll Call – Adopted. Yes – 8670; No – 1202
(No – Legislators Fitzpatrick and Mullen)

RESOLUTION NO. 238-19

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

APPOINTING THE COMMISSIONER OF FINANCE.

Pursuant to Section 6.00 of the Steuben County Charter.

WHEREAS, Tammy Hurd-Harvey of Bath, New York, has been recommended by the Administration Committee for appointment as the Steuben County Commissioner of Finance to serve for a five-year term.

NOW THEREFORE, BE IT
RESOLVED, Tammy Hurd-Harvey of Bath, New York, be and the same hereby is appointed as the Commissioner of Finance for a five-year term commencing January 1, 2020 through December 31, 2024 at the salary of $99,999; and be it further

RESOLVED, an Oath of Office shall be filed in the Steuben County Clerk's Office, and the Clerk of this Legislature is directed to file certified copies of this resolution with the above named appointee, the County Clerk and the Personnel Officer.

Vote: Roll Call – Adopted.

Mrs. Hurd-Harvey stated thank you for your confidence and support. I appreciate the opportunity to continue to serve. Mr. Donnelly has agreed to continue as Deputy and she is grateful for that.

Chairman Hauryski stated he would like to take this opportunity to thank Mr. Donnelly for his service as he will be retiring at the end of this year. We appreciate your work and hope you enjoy your retirement. Mr. Donnelly stated he would like to acknowledge his wife and family who have been very supportive. Mrs. Hurd-Harvey is very qualified and capable. He would also like to acknowledge Chairman Hauryski who did such a good job that everyone has forgotten that he used to be Chairman.

RESOLUTION NO. 239-19

Introduced by R. Lattimer. Seconded by T. Ryan.

AUTHORIZING A PUBLIC HEARING ON THE EIGHT-YEAR REVIEW OF AGRICULTURAL DISTRICT NO. 6

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

WHEREAS, Agricultural District No. 6, located in the Village of Addison, Towns of Addison, Bath, Cameron, Campbell, Caton, South Corning, Erwin, Hornby, Lindley, Rathbone, Thurston, Tuscarora, Woodhull and the City of Corning, 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, 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 27th day of January, 2020, at 10:00 a.m.; and be it further

RESOLVED, 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, certified copies of this resolution shall be forwarded to the Director of the Planning Department.

Vote: Acclamation – Adopted.

RESOLUTION NO. 240-19

Introduced by C. Ferratella. Seconded by A. Mullen.

RECOGNIZING THE SERVICE AND ACHIEVEMENTS OF OUTGOING COUNTY LEGISLATOR RANDOLPH J. WEAVER.

WHEREAS, all members of the Steuben County Legislature would like to formally recognize and thank LEGISLATOR RANDOLPH J. WEAVER for his years of service on the Steuben County Legislature.

NOW THEREFORE, BE IT

RESOLVED, this Legislature is honored to recognize the service and achievements of LEGISLATOR WEAVER, and publicly note its appreciation and thanks to him for his public service to the residents of Steuben County as a member of the Legislature commencing January 2008, representing District 1. During Randy’s twelve year tenure on the Legislature, he served as Chairman of the Agriculture, Industry & Planning Committee, member of the Human Services, Health & Education Committee; as well as served as Minority Leader from 2010 - 2011. Randy has served with honor and distinction as a member of the Steuben County Legislature, having also represented Steuben County as a member of the Southern Tier Extension Railroad Authority; and be it further

RESOLVED, the members of this Steuben County Legislature wish to thank RANDOLPH J. WEAVER for his dedication, contributions and service to the residents of Steuben County.

Vote: Acclamation – Adopted.

RESOLUTION NO. 241-19

Introduced by C. Ferratella. Seconded by R. Weaver.

RECOGNIZING THE SERVICE AND ACHIEVEMENTS OF OUTGOING COUNTY LEGISLATOR JOSEPH J. HAURYSKI.

WHEREAS, all members of the Steuben County Legislature would like to formally recognize and thank LEGISLATOR JOSEPH J. HAURYSKI for his years of service on the Steuben County Legislature.

NOW THEREFORE, BE IT

RESOLVED, this Legislature is honored to recognize the service and achievements of LEGISLATOR HAURYSKI, and publicly note its appreciation and thanks to him for his public service to the residents of Steuben County as a member of the Legislature commencing January 2008, representing District 8. During Joe’s twelve-year tenure on the Legislature, he served as Chairman and member of the Public Works Committee, and member of the Agriculture, Industry & Planning Committee. On December 14, 2010, Joe was elected by his peers to the highest office of Chairman of the Legislature, and he has served in this capacity for nine years. Joe has served with honor and distinction as a member of the Steuben County Legislature, having also represented Steuben County on the Local Emergency Planning Committee; Southern Tier Central Regional Planning & Development Board; Steuben Area Economic Development Corporation; Steuben County Industrial Development Agency and the Steuben County Land Bank; and be it further
RESOLVED, the members of this Steuben County Legislature wish to thank JOSEPH J. HAURYSKI for his dedication, contributions and service to the residents of Steuben County.

Vote: Acclamation – Adopted.

Chairman Hauryski stated well, ladies and gentlemen, this is the end of the ride. I am grateful for having the opportunity to serve the people of Steuben County. We have accomplished a great deal over the last twelve years and this would not have been possible without the dedication and hard work put forth by the legislators who have served in this Chamber. I need to thank my mentors, Phil Roche and Pat Donnelly, for their guidance and advice during my tenure as Chairman. A big thank you to those who have served with me as Vice Chair; Pat McAllister, Scott Van Etten and Carol Ferratella. My successes would not have been possible without the help and hard work of our County Managers, Mark Alger and Jack Wheeler. They are the best. Lastly, I need to thank these ladies up here, Brenda and Amanda, as well as Yvonne, for what they do for the legislators. Brenda has saved me numerous times from getting myself into trouble. To all the department heads and the people that work for the County; you are the greatest, keep up the great work you do. Thank you and God Bless.

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; 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 Corporation made by Ms. Fitzpatrick, seconded by Mr. Ryan and duly carried.

Motion to Adjourn Executive Session and Reconvene in Executive Session made by Mrs. Lando, seconded by Mr. Roush and duly carried.

RESOLUTION NO. 242-19

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

RATIFYING THE CORRECTION OFFICERS, DISPATCHERS, AND COURT SECURITY OFFICERS UNIT BARGAINING AGREEMENT.

Pursuant to the provisions of the New York State Public Employees' Fair Employment Act known as the "Taylor Law" and Section 205 of the County Law of the State of New York.

WHEREAS, the negotiating committee for the Steuben County Legislature has, for several months, been meeting with the negotiating committee of the Steuben County Local #851 of the Civil Service Employees' Association, Inc. (CSEA), the bargaining unit for Correction Officers, Dispatchers and Court Security Officers as to recommended proposals for terms and working conditions for County employees for the years 2020, 2021 and 2022; and

WHEREAS, the CSEA has accepted in whole the aforesaid recommended proposals.

NOW THEREFORE, BE IT

RESOLVED, the proposed Agreement, as recommended by the respective negotiating committees, having heretofore been approved by the members of the said CSEA covering the years 2020, 2021 and 2022 be, and the same hereby is, duly ratified, confirmed and adopted; and be it further

RESOLVED, the Chairman of the Steuben County Legislature is hereby authorized and empowered, for and on behalf of this Legislature and the County of Steuben, to execute a final and complete agreement regarding the terms and conditions of public employment between the County and the Steuben County Local #851 of the Civil Service Employees' Association, Inc., for the fiscal years 2020, 2021 and 2022, which agreement shall be drafted by the County Attorney in accordance with the proposed agreement, and upon its approval by Steuben County Legislature and its prior approval and
execution by the President of the Steuben County Local #851 of the Civil Service Employees' Association, Inc.; and be it further

    RESOLVED, when said final agreement is properly and duly executed as above stated, the original agreement shall be properly filed in the Office of the Clerk of the Legislature and a duplicate original shall be delivered to the President of the Steuben County Local #851 of the Civil Service Employees' Association, Inc., and an additional copy shall be filed with the Public Employees' Relations Board; and be it further

    RESOLVED, upon the filing of said agreement with the Clerk of the Legislature, President of CSEA, the Steuben County Commissioner of Finance and the Steuben County Personnel Officer, the same shall be, and hereby is, confirmed, ratified and approved as the entire agreement between the County of Steuben and the County employees included in said Employees' Association bargaining unit as to the terms and conditions of employment for the years 2020, 2021 and 2022; and be it further

    RESOLVED, that the Steuben County Commissioner of Finance be and the same hereby is authorized and directed to appropriate sufficient funds for the salaries included in the proposed Agreement to the appropriate line items; and be it further

    RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, County Attorney, Personnel Officer, Clerk of the Legislature, Commissioner of Finance and to the President of the Steuben County Local #851 of the Civil Service Employees' Association, Inc.

Vote: Roll Call – Adopted.

Motion to Adjourn made by Mr. Malter, seconded by Mr. Potter and duly carried.