Pursuant to Section 151 of the County Law and the Rules of Procedure of the County Legislature adopted August 23, 1993, the Legislators from the thirteen districts comprising the towns and cities of Steuben County convened in the Legislative Chambers, Bath, New York, on Thursday, the 2nd day of January, 2020, at 10:00 a.m. for the purpose of organizing the County Legislature of Steuben County for the years 2020 and 2021 and for the transaction of such other business as would properly and lawfully come before the meeting.

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

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

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

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

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7§ 105.1.F. The Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person or Corporation made by Mr. Van Etten, seconded by Mr. Roush and duly carried.

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

Temporary Chair Swackhamer reconvened the Organizational Meeting of the Legislature. He led the Pledge of Allegiance and asked Mr. Mullen to provide the Invocation.

Temporary Chair Swackhamer called for nominations for Chair of the Steuben County Legislature for 2020 and 2021. Mr. Potter nominated Scott J. Van Etten, seconded by Mr. Mullen.

Motion to close nominations for Chair of the Steuben County Legislature made by Mr. Potter, seconded by Ms. Fitzpatrick and duly carried.

RESOLUTION NO. 001-20

Introduced by Mr. Potter. Seconded by M. Mullen.


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

WHEREAS, this Steuben County Legislature has, on this 2nd day of January 2020, been duly organized and has, in accordance with Section 2.04 of the Steuben County Charter, duly selected County Legislator SCOTT J. VAN ETTEN of Corning, New York, as Chair of the Legislature for a two-year term commencing January 1, 2020.
NOW THEREFORE, BE IT

RESOLVED, SCOTT J. VAN ETLEN of Corning, New York, be and the same hereby is appointed Chair of the Legislature of Steuben County for a two-year term commencing January 1, 2020, and within twenty days (s)he shall cause to be filed in the Office of the Steuben County Clerk an Oath of Office as such Chair; and be it further

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

Vote: Roll Call – Adopted.

Chairman Van Etten stated, that has a nice ring to it, doesn’t it Mrs. Lando. Not a bad progression for a high school senior that interned with County Supervisor Lynn Morse back in 1983 under the Youth in Government program. Back then there were 34 Supervisors, Mr. Alger was the County Planner, and they smoked cigars in the chamber. We have come a long ways.

The retirement of Chairman Hauryski is a significant change for this legislative body, but one that I believe will adapt to and continue moving forward. Mr. Schu and I began our first term as Legislators on the same day in 2008 as Mr. Hauryski, Mr. Weaver, and Mr. Crossett. As Joe detailed in his farewell address, we encountered a number of challenges over those 12 years, we addressed each and every one of them in the best way possible, always keeping in mind the impact to County Employees and County Taxpayers.

A lot of turnover occurred during those 12 years. We had some great Legislators that we served with such as Mr. Roche, Mr. McAllister, Mr. Donnelly, Mr. Argentieri, Mr. Schwartz, Mr. Stachnik, Mr. Gehl, Mr. Creath, Mr. Walsh and Mr. Farrand. Some retired, some termed out, and some became County Judges.

We also saw turnover occur in the ranks of the County staff. Most of them good, some not so much. We have had 4 Sheriffs, 2 District Attorneys, 3 County Attorneys, 2 Clerks of the Legislature, 2 County Managers, 3 Deputy Managers, 3 Personnel Directors, 3 County Treasurers/Finance Directors, 3 Real Property Tax Directors, 2 County Planners and 1 County Clerk. Change can be good, but sometimes longevity ensures consistency in the delivery of services. That is the case with our two largest departments where we have had the same Public Works Commissioner and Social Services Commissioner all 12 years.

So, where do we head now? What are the areas that we need to focus on in 2020 and beyond? Obviously, the multi-phase Court Room Renovations are getting under way. Once completed, we believe that OCA will be satisfied with our campus as it relates to the operation of County Courts. Economic development in our County remains a high priority. We see the results of the collaboration of the IDA, County and State working together with Upstate Niagara to keep the cheese plant in Campbell open and operating under new ownership. We’ve also seen positive activity in Hornell as the rail car industry and supporting businesses continue to grow. Having an IDA that is responsive, adaptable, and collaborative with other agencies is critical to fostering future growth in our County.

Given what we have seen come down the pike from Albany in the past few years, it is impossible to predict what new harebrained program they will be handing down in the form of an unfunded mandate. When put to the task, our County displayed a great deal of ingenuity in scrambling to design and implement a CAP Court last year. Working with the towns and cities, we implemented a plan that appears to be successful, as long as we continue to monitor and make minor adjustments. The one year anniversary of the CAP Court is coming up, and it will be interesting to see the statistics.
Our Public Works Department continues to do an excellent job of maintaining the vast network of County roads and landfills. The implementation of the strategic five-year road plan has brought consistency while allowing flexibility to address unforeseen issues caused by significant weather events. The growing pains of implementing that five-year road plan are behind us, but it is critical that we continue to fund and maintain the road and bridge system based on an annually updated plan, since our residents/taxpayers have grown accustomed to roads being in top condition.

Finally, you cannot expect an Accountant to lead an organization like this without mentioning our fiscal management and financial position. Our County is unique in that we are in very good financial shape. It was not always the case, as Mr. Swackhamer and Mr. Malter can attest. But after many years of tightening belts, developing budgets with conservative estimates in both revenue and departmental expenditure lines, we have steadily grown our Fund Balance to a comfortable level. Combine that with the fact that we have very little long-term debt that we need to service on an annual basis, and it allows us to be reactive, and address almost an unexpected issue with the comfort of knowing that when pressed, we can pay for it. When we needed $600,000 to purchase land next to the Landfill, we had it. As we look at a $10 million Court Renovation building project, we have the unique ability to pay for it and avoid bonding. We all saw the comparable charts and graphs of our adjacent counties during last fall’s budget process. Some are facing significant financial challenges, and it is good to know that we are not one of them. But, we cannot rest on our laurels. We must continue to protect our financial position, budget responsibly, always question/challenge budget overages, and never get lax about any requests for transfers from Contingency or Fund Balance. Because a financial house that is not built on a solid foundation, is nothing more than a house of cards.

I would like to welcome Mr. Horton and Mr. Van Caeseele. I hope that you enjoy your first year of serving with this group of Legislators. You will learn that while we sometimes have significant disagreements on issues, we always seem to find a common ground to move forward while keeping the best interests of the County and taxpayers in mind. As a legislative body we do not micromanage the County operations. We leave that to the County Manager, his Deputy and all of the Department Heads throughout the organization. They are the professionals, trained and experienced in their specific disciplines. They may come to us for advice, or strategic direction, but the day to day functioning of this large organization is Mr. Wheeler’s responsibility.

So with that, I would like to thank you all for your vote of confidence in my ability to lead this Legislature. I will be finalizing committee assignments in the next week and get those distributed. I am not looking to totally shuffle the deck where committee assignments are concerned. They have seemed to be very productive in the last couple of years and why fix it if it is not broken.

As in the past, I would ask that each Committee propose at least one 2020 goal that we can use when developing our Legislative Goals and Objectives for this year. With that, let’s finish up this agenda. Thank you.

Chairman Van Etten called for nominations for Vice Chair of the Steuben County Legislature. Mrs. Ferratella nominated Robin K. Lattimer, seconded by Mr. Hanna.

Motion to close nominations for the Vice Chair of the Steuben County Legislature made by Mr. Roush, seconded by Mr. Nichols and duly carried.

RESOLUTION NO. 002-20

Introduced by C. Ferratella. Seconded by Mr. Hanna.

Pursuant to Section 2.04 of the Steuben County Charter.

WHEREAS, this Steuben County Legislature has on this 2nd day of January 2020, been duly organized and has in accordance with Section 2.04 of the Steuben County Charter, duly selected County Legislator ROBIN K. LATTIMER of Bath, New York, as Vice Chair of the Legislature for a two-year term commencing January 1, 2020.

NOW THEREFORE, BE IT

RESOLVED, ROBIN K. LATTIMER of Bath, New York, be and the same hereby is appointed Vice Chair of the Legislature of Steuben County for a two-year term commencing January 1, 2020, and within twenty days (s)he shall cause to be filed in the Office of the Steuben County Clerk an Oath of Office as such Vice Chair; and be it further

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

Vote: Roll Call – Adopted.

Ms. Lattimer stated I appreciate your vote and am humbled by your support. I look forward to joining the leadership with Chairman Van Etten and he keeps a really good eye on the County’s financials and that is a basis for how well we do. We are a very cohesive group; we have healthy debate and a good concerted effort when we come together. I appreciate everyone coming to the table and bringing their skill sets and we will continue to do that.

The Republican and Democratic members adjourned for caucus.

Chairman Van Etten reconvened the Organizational Meeting of the Legislature.

RESOLUTION NO. 003-20


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

Pursuant to Section 2.04 of the Steuben County Charter.

BE IT RESOLVED, Legislator GARY D. SWACKHAMER be and the same hereby is designated Majority Leader of the Steuben County Legislature; and be it further

RESOLVED, the aforesaid designation of GARY D. SWACKHAMER of Hornell, New York, be and the same hereby is accepted for filing, said designation to be for a two-year term commencing January 1, 2020; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 004-20


RECEIVING AND FILING THE DESIGNATION OF THE MINORITY LEADER OF THE STEUBEN COUNTY LEGISLATURE.
Pursuant to Section 2.04 of the Steuben County Charter.

BE IT RESOLVED, Legislator HILDA T. LANDO be and the same hereby is designated Minority Leader of the Steuben County Legislature; and be it further

RESOLVED, the aforesaid designation of HILDA T. LANDO of Corning, New York, be and the same hereby is accepted for filing, said designation to be for a two-year term commencing January 1, 2020; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 005-20

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


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

RESOLVED, this Legislature does hereby recognize the authority of the Chair of the Legislature of Steuben County to appoint such designated members of this Legislature as (s)he shall select to the various standing and special committee positions for the years 2020 and 2021, which have heretofore been established and set up by the Steuben County Legislature and said committees shall each consist of the same number of members as prescribed in the Rules of Procedure of the Steuben County Legislature until such committee is abolished or changed by a majority vote of the Legislature membership pursuant to the Rules of Procedure; and be it further

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

RESOLVED, the Chair of this Legislature, within thirty (30) days of election to the Chairmanship, shall duly submit and file in the Office of the Clerk of this Legislature the committees' roster appointed for the years 2020 and 2021; and the Clerk of the Legislature shall duly and properly furnish to each member of this Legislature a complete list of the said committees' roster.

Vote: Acclamation – Adopted.

RESOLUTION NO. 006-20


REGULATING THE PUBLICATION OF CERTAIN OFFICIAL MATTERS.

Pursuant to Section 2.09 of the Steuben County Charter.

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

NOW THEREFORE, BE IT
RESOLVED, whenever this Legislature does not designate the particular newspaper or newspapers for the publication of a certain matter in a specific resolution, this resolution shall govern the officer or officers having the publication in charge for the years 2020 and 2021;

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

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

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 007-20

Introduced by G. Swackhamer. Seconded by R. Lattimer.

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

Pursuant to Section 214, subdivision 1 of the County Law, we, the Republican members of the Steuben County Legislature, hereby designate the following official newspaper for the years 2020 and 2021:

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

The above-named designations are filed with the Clerk of this Legislature this 2nd day of January 2020; and the Clerk is directed to forward certified copies to the Secretary of State at Albany, New York; the Steuben County Clerk; the Commissioner of Finance; the Steuben County Board of Elections; and the above-named newspaper.

Dated: January 2, 2020

/s/ Carol A. Ferratella /s/ Frederick G. Potter

/s/ Kelly H. Fitzpatrick /s/ Gary B. Roush
RESOLUTION NO. 008-20

Introduced by H. Lando. Seconded by S. Maio.

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

Pursuant to Section 214, subdivision 1 of the County Law, we, the Democratic members of the Steuben County Legislature, hereby designate the following official newspaper for the years 2020 and 2021:

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

The above-named designations are filed with the Clerk of this Legislature this 2nd day of January 2020; and the Clerk is directed to forward certified copies to the Secretary of State at Albany, New York; the Steuben County Clerk; the Commissioner of Finance; the Steuben County Board of Elections; and the above-named newspaper.

Dated: January 2, 2020

/s/ Hilda T. Lando

/s/ Steven P. Maio

/s/ John V. Malter

Vote: Acclamation – Adopted.

The Honorable Philip J. Roche, County and Family Court Justice, administered the oaths of office to the Chair and Vice Chair of the Steuben County Legislature

Motion to Adjourn made by Mr. Mullen, seconded by Mr. Hanna and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 27th day of January, 2020 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Scott J. Van Etten.

Roll Call and all members present except Legislators Ferratella, Lattimer, Ryan and Swackhamer.

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

Chairman Van Etten opened the floor for the opportunity for public comments.

Kyle Peterson, Campbell, stated originally we were coming here to officially introduce the Second Amendment Sanctuary Ordinance to you, the Legislature. However, after our meeting on the 21st, we are here to make this more of an information meeting and to inform you we are slowing things down in order to seek legal advice and gather even more supporters. I have served almost 10 years in the United States Army, 4 years of which was on active duty where I had deployed to Iraq and Kuwait. I had a secret clearance and served on a personal security detachment where I trained regularly with various types of firearms. Understandably, every time another mass tragedy and loss of innocent lives happens, the country is shaken and debate arises. All over the news you see how someone illegally used a gun to commit a crime and after every one of these crimes, politicians want to immediately push legislation about gun control. These gun laws do much more harm to law-abiding citizens, than to the criminals who don’t follow the laws. These laws are just making it harder for law-abiding citizens to own guns for lawful purposes. Now with all the weapons I have trained on and fired, not once did one go rogue and shoot somewhere I did not aim and never once did it shoot by itself. Triggers don’t pull themselves so guns are not where the blame lies. The blame lies with the person committing the crime. Governor Cuomo’s new bail reform has/will release hundreds to thousands of inmates charged with crimes such as, but not limited to: Manslaughter in the 2nd degree; unlawful imprisonment in the 1st degree; criminal sale of a controlled substance in the 1st degree; money laundering in support of terrorism in the 3rd and 4th degree; and many other crimes that are violent, drug or child/sexual related. With the release of these types of criminals without bail, our communities and the victims in our communities are put in further and unnecessary danger, leaving many in fear due to the current firearm laws and proposed firearm bills. Both the U.S. Constitution and the NYS Civil Rights Laws (Article 2, Section 4) protect our right to keep and bear arms. “A well-regulated militia, being necessary to the security of a free state; the right of the people to keep and bear arms shall not be infringed”. Many of these gun laws that are being passed and introduced are in violation of our 1st, 4th, 5th, 9th, 10th and 14th amendments. Furthermore, to make it clear to all, we are not giving up, quitting or stepping away from this issue at hand. We are simply postponing until a later date. We look forward to further communication with County officials.

Wayne Wells, Cameron, spoke about his concern for the businesses we have lost due to the economy under the leadership of President Trump.

Doug Mitchell, Addison, stated as a Steuben County resident and the Chairman of the Steuben County SCOPE Chapter, I want to thank you for your wisdom and political will in passing a resolution for your concern and repugnance with the NY SAFE Act passed in January 2013 in the dead of night. And for memorializing that same resolution again last March 2019 when one of your own members and the Shooters Committee on Political Education brought you nearly 1500 signatures requesting an ordinance to establish a sanctuary county. With the reality of Governor Cuomo’s bevy of attorneys, his huge amount of state money defending the state’s pre-emption laws, his deference for his State Troopers over duly elected Sheriffs and District Attorneys and his veiled threats regarding his ability to fire Sheriffs and
District Attorneys, the desired ordinance became a resolution. A good start, but it’s not enough. There are approximately 100 million firearm owners in the United States...5 million of them are military with a boss and a gun use protocol. Another 5 million are law enforcement with a boss and a gun use protocol. That leaves 90 million folks or ninety percent with no boss and no gun use protocol, and that scares the “you know what” out of so many ambitious politicians needing control. And that’s just what the Founding Fathers intended; a government always held in check by civil elections by citizens with rights rather than privileges “the right to keep and bear arms shall not be infringed”. The NY SAFE Act, the Red Flag Laws and, most recently, the Bail Reform Laws all contribute to the destruction or erosion of “due process” and common sense justice. We Upstate seem to be the frogs in the pot of water. Each time one of these laws, unfunded mandates or regulatory changes is handed down, the water temperature goes up, and the frog adjusts and tolerates it a bit longer until it dies or moves to another state with better weather. Maybe it’s time to jump out of the pot so to speak. Maybe it’s time to put some teeth into our resolve. And to Mr. Cuomo and his hoplophobic cadre, a quote from a recent poster and excuse the indelicate vernacular “if you need to disarm a society to govern, you ‘suck’ at governing”. Thank you.

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

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting Upon the Agricultural District within the Village of Addison, Towns of Addison, Bath, Cameron, Campbell, Caton, Corning, Erwin, Hornby, Lindley, Rathbone, Thurston, Tuscarora, Woodhull and the City of Corning, New York, known as Agricultural District No. 6, to consider the recommendations of the Agricultural and Farmland Protection Board, and any proposed modification of the District. Chairman Van Etten 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. Malter, seconded by Ms. Fitzpatrick and duly carried.**

**RESOLUTION NO. 009-20**

Introduced by K. Fitzpatrick

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.
<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Name</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
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<tr>
<td>A-1</td>
<td>Daniel G. Kamin Bath LLC Rite Aid Corporation</td>
<td>158.11-01-015.000</td>
<td>Village of Bath</td>
<td>2020 Court Ordered Correction</td>
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<td>A-2</td>
<td>WH Greenhow Company Evening Tribune</td>
<td>151.71-03-012.100</td>
<td>City of Hornell</td>
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<td>Daniel C. Michaloski</td>
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<td>City of Hornell</td>
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<td>Juergen and Deirdre Tinz</td>
<td>276.00-01-007.000</td>
<td>Town of Rathbone</td>
<td>2020 Correction of Exemption</td>
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<td>A-6</td>
<td>Magan Kay Stalbird</td>
<td>191.13-01-068.000</td>
<td>Village of Savona</td>
<td>2020 Correction of Acreage</td>
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<td>A-7</td>
<td>New York State</td>
<td>209.00-01-005.000</td>
<td>Town of Hornby</td>
<td>2020 – Tax Exempt</td>
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<td>A-8</td>
<td>James Tagliareni</td>
<td>295.00-01-005.110</td>
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<td>2020 Parcel Split</td>
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<td>A-9</td>
<td>Kenneth and Janine Owens</td>
<td>324.00-01-009.210</td>
<td>Town of Jasper</td>
<td>2020 Parcel Split</td>
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<td>A-10</td>
<td>Bus and Laura J. Fenton</td>
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<td>Lldon and Myrtle Jamison</td>
<td>217.00-01-043.100</td>
<td>Town of Canisteo</td>
<td>2020 Parcel Split</td>
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<td>Jerome and Deanne Rarrick</td>
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<td>Marcy and James Travis</td>
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<td>George M. Lucas</td>
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<td>Village of Bath</td>
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<td>Town of Prattsburgh</td>
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<td>Sarah F. Miles, John and Beverly Scanlon</td>
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Resolution No. A-17
Name Gail D. and James E. Harris
Parcel No. 226.00-00-004.000
Municipality Town of Campbell
Disposition 2020 Parcel Split

Vote: Roll Call – Adopted. Yes – 7113; Abstained – 597; Absent – 2162
(Abstained – Mullen due to client conflict; Absent – Ferratella, Lattimer, Ryan, Swackhamer)

RESOLUTION NO. 010-20


RECEIVING AND ACCEPTING THE JANUARY 27, 2020 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY MANAGER’S OFFICE.

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

December 9, 2019

Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Riedman Purcell CH II LLC (Phase II Project) is scheduled for Thursday, December 19, 2019 at 11:00am 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.

December 10, 2019
NYS Department of Transportation – Re: Notification of the initiated payment process for the Accelerated Fourth Quarter SFY 2019-2020 Statewide Mass Transportation Operating Assistance (STOA) payments. Referred to: Amy Dlugos, Planning Director and filed with Brenda Mori, Clerk of the Legislature.

December 13, 2019
NYS Board on Electric Generation Siting and the Environment – Re: Correspondence letter on the application for the Canisteo Wind Energy LLC Project (Case#16-F-0205). Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

December 16, 2019
NYS Homeland Security and Emergency Services – Re: Notification of being awarded $796,257 under the New York State 2019 Statewide Interoperable Communications Grant Program (2019 SICG-Formula). Referred to: Public Safety & Corrections Committee; and Timothy Marshall, Emergency Services Director.


December 18, 2019
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Abundant Solar Power (Troupsburg) LLC (payment in lieu of tax) agreement and RP-412-a form for property located at 2985 County Route 84, Troupsburg, NY. Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.
NYS Parks, Recreation and Historic Preservation – Re: Notification of the Withdrawal and Consumptive Use Application has been submitted to the Susquehanna River Basin Commission (SRBC). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

**December 26, 2019**
NYS Board on Electric Generation Siting and the Environment – Re: Notice of issuance of the recommended decision and schedule for filing exceptions issued December 23, 2019 for 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: Notice seeking comment on recommended decision issued December 24, 2019 for the Canisteo Wind Energy LLC Project (Case#16-F-0205). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

**January 2, 2020**
NYS Public Service Commission – Re: Ruling adopting protective order issued December 31, 2019 for the Canisteo Wind Energy LLC Project (Case#19-T-0041). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

NYS Department of Environmental Conservation – Re: Site reclassification notice for property located at 6666 Babcock Hollow Road, Bath, NY (Site Name: Steuben-Allegany BOCES, Site#851019, Tax Map No#174-1-33). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and The Residences of Hornell II LLC (payment in lieu of tax) agreement and RP-412-a form for property located at Airport Road, City of Hornell, NY. **Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.**

Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and the Iron Shore Properties LLC (payment in lieu of tax) agreement and RP-412-a form for property located at 1, 3, 5, and Prindle Ave, City of Hornell, NY. **Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.**

**January 6, 2020**
NYS Public Service Commission – Re: Ruling memorializing agreement reached at procedural conference issued January 3, 2020 for the Canisteo Wind Energy LLC Project (Case#19-T-0041). **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

**January 8, 2020**
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,192, which represents the November 2019 surcharge payment for Steuben County. **Referred to: Finance Committee; and Tammy Hurd-Harvey, Commissioner of Finance.**

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 011-20**

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

**RATIFYING THE ACTS TAKEN FROM JANUARY 1, 2020 THROUGH JANUARY 6, 2020, INCLUSIVE, BY THE STANDING COMMITTEES THAT HELD MEETINGS.**

Pursuant to Section 154 of the County Law of the State of New York.
WHEREAS, prior to the assignments of members of the Legislature to the various standing committees of the County of Steuben by the Chairman of the Legislature it was necessary and desirable for several standing committees, as previously composed, to conduct certain business as reflected by the minutes of their meetings held on the 1st day of January, 2020, through and including January 6, 2020.

NOW THEREFORE, BE IT

RESOLVED, the acts of the standing committees as composed and sitting on January 1, 2020 through January 6, 2020, inclusive, and as reflected by the aforesaid minutes be, and the same hereby are, ratified.

Vote: Roll Call – Adopted.

RESOLUTION NO. 012-20

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

REQUESTING AN EXTENSION OF THE MORTGAGE TAX.

Pursuant to New York State Tax Law Section 253-i, renumbered as Section 253-s.

WHEREAS, the Administration and Finance Committees of the Steuben County Legislature have requested the extension of the County Recording Tax on obligations secured by a mortgage; and

WHEREAS, the County of Steuben has adopted by Local Law No. Six of the Year 2008 Tax Law Section 253-i, renumbered as Section 253-s, for the imposition of a County Recording Tax on obligations secured by a mortgage; and

WHEREAS, said local law adopting the recited recording tax is without a termination date; and

WHEREAS, Tax Law Section 253-i, renumbered as Section 253-s, contains an expiration date of December 1, 2020, as set forth in Law 2005 C 365 §3, as amended by Law 2017 C 61 (Subpart H)(Part C); and

WHEREAS, said additional tax revenues will continue to lessen the burden on the real property tax levy in the provision of necessary governmental services by Steuben County.

NOW THEREFORE, BE IT

RESOLVED, the Legislature of Steuben County requests the passage of legislation by the New York State Legislature extending the expiration of Tax Law Section 253-s for an additional three years, or be made permanent; and be it further


Vote: Roll Call – Adopted.
RESOLUTION NO. 013-20

Introduced by K. Fitzpatrick. Seconded by R. Nichols.

REQUESTING LEGISLATION FOR AN EXTENSION AUTHORIZING AN ADDITIONAL ONE PERCENT SALES TAX FOR STEUBEN COUNTY.

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, an increase in the rate of the Steuben County Sales and Use Tax from 3 percent to 4 percent for the period beginning December 1, 1992 through November 30, 2020, has heretofore been adopted; and

WHEREAS, it is necessary and desirable to continue to impose the additional one percent rate to avoid a disproportionate increase of the tax burden on real property owners; and

WHEREAS, the New York State Legislature could authorize the Steuben County Legislature to continue to impose an additional one percent sales tax in order to equitably spread the need for additional revenues; and

WHEREAS, a necessity exists for the passage of such Legislation by the New York State Legislature.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby requests the New York State Legislature to adopt special legislation authorizing the Steuben County Legislature to establish an additional one percent sales tax for the period commencing December 1, 2020 through November 30, 2023, or be made permanent; and be it further

RESOLVED, from said additional revenues for the period December 1, 2020 through November 30, 2023, the County of Steuben shall pay or cause to be paid annually to the City of Hornell the sum of $820,000.00; and to the City of Corning the sum of $820,000.00; and in addition, the sum of $790,000.00 to the towns and villages of the County of Steuben, based upon their respective equalized full value; 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 Andrea Stewart-Cousins, NYS Senate Majority Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable John J. Flanagan, NYS Senate Minority Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Carl E. Heastie, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Crystal D. Peoples-Stokes, NYS Assembly Majority Leader, 926 Legislative Office Building, Albany, NY 12248; Honorable William A. Barclay, NYS Assembly Minority Leader, Capitol 444, Albany, NY 12248; 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 Joseph M. Giglio, New York State Assemblyman, 525 Legislative Office Building, Albany, NY 12248; Honorable Marjorie Byrnes, New York State Assemblywoman, 723 Legislative Office Building, Albany, NY 12248; and Deborah R. Liebman, Esq., New York State Department of Taxation and Finance, W.A. Harriman Campus, Bldg. 9, Room 228, Albany, NY 12227.

Vote: Roll Call – Adopted.

RESOLUTION NO. 014-20

Introduced by B. Schu and K. Fitzpatrick. Seconded by H. Lando.

AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER FUNDS FROM VARIOUS BOARD OF ELECTIONS OPERATING ACCOUNTS TO THE VOTING MACHINES CAPITAL PROJECT.
WHEREAS, the Board of Elections will need to purchase new voting machines in the future; and

WHEREAS, the Board of Elections having excess funds for 2019 in various accounts that can be transferred to a capital project for said future purchases as follows:

- Printing account 5 403 100 having excess funds of $55,000.00;
- Postage account 5 405 100 having excess funds of $10,000.00;
- Inspectors & Custodians account 5 421 600 having excess funds of $35,000.00;
- Election Equip Maintenance account 5 427 310 having excess funds of $5,000.00; and
- Voting Equip Transport account 5 453 140 having excess funds of $4,000.00.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer the sum of $109,000.00 from the above-referenced accounts to the Voting Machines Capital Project (H0900 1450H2) for the future purchase of voting machines; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 015-20


AUTHORIZING THE COMMISSIONER OF FINANCE TO REAPPROPRIATE FUNDS FROM THE 2019 JAIL BUDGET INTO THE 2020 JAIL BUDGET.

WHEREAS, the Sheriff having $7,700 appropriated in 2019 for the purchase of a UPS with bypass switch for the control room in the Jail; and

WHEREAS, the Sheriff and Purchasing were unable to get final pricing on a UPS with bypass switch for the Control Room in the Jail during 2109; and

WHEREAS, the Sheriff anticipates the final quote in early January of 2020; and

WHEREAS, the Sheriff will then be able to create and process a purchase order.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized to reappropriate $7,700 from the 2019 Major Equipment Account (315000-5290000) and add $7,700 to the 2020 Major Equipment Account (315000-5290000); and be it further

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

Mr. Mullen asked would this be increasing the 2020 budget? Mr. Van Etten stated this will modify the 2020 budget and moves it from 2019 to 2020. It does affect the 2020 budget.
Mr. Mullen asked does it affect the overage that went into the fund balance? Mrs. Hurd-Harvey stated no because the fund balance is based on actual dollars, not budgeted dollars.

**Vote:** Roll Call – Adopted.

RESOLUTION NO. 016-20

Introduced J. Malter and K. Fitzpatrick.  
Seconded by G. Roush.

AUTHORIZING THE COMMISSIONER OF FINANCE TO REAPPROPRIATE $32,700 FROM THE JAIL’S 2019 MAJOR EQUIPMENT LINE TO THE CAPITAL PROJECT ENTITLED “REPLACE WATER LINES IN THE JAIL”.

WHEREAS, $37,500 was budgeted for the purchase of a dishwasher for the Jail in 2019; and

WHEREAS, to achieve cost savings and efficiencies, a replacement dishwasher was leased for $4,800 per year instead; and

WHEREAS, leasing leaves $32,700 in additional funds that are now needed to replace water lines in the jail.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized to reappropriate $32,700 from the 2019 Major Equipment Account (315000-5290000) to the Replace Water Lines in the Jail Capital Project Account (3150HB-5250000); and be it further

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

**Vote:** Roll Call – Adopted.

RESOLUTION NO. 017-20

Introduced by H. Lando and K. Fitzpatrick.  
Seconded by S. Maio.

ACCEPTING AND APPROPRIATING THE UNITED WAY OF THE SOUTHERN TIER LEAD GRANT.

WHEREAS, the United Way of the Southern Tier is administering funds relative to the Lead Grant; and

WHEREAS, high blood levels in children put them at risk for life long developmental and cognitive delays; and

WHEREAS, increased on time testing and reducing lead exposure are evidenced based strategies to prevent the risk of delays in children with high blood lead level; and

WHEREAS, the United Way of the Southern Tier Lead grant proposes to reduce risk of Lead exposure in children in Steuben County by increasing training to providers, staff, parents and the community, as well as provide the necessary materials in the form of lead free paint and supplies for mitigation of homes with tested high lead levels; and

WHEREAS, Steuben County Public Health and Nursing Services has been awarded the United Way of the Southern Tier Lead Grant in the amount of $3,000.

NOW THEREFORE, BE IT
RESOLVED, the Steuben County Legislature authorizes the Commissioner of Finance to accept and appropriate $3,000 in grant funds into the 2020 Steuben County Public Health Lead supply budget (402100); and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Director of Public Health and Nursing Services and the Commissioner of Finance.

**Vote:** Roll Call – Adopted.

RESOLUTION NO. 018-20

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

ACCEPTING A GRANT FROM THE APPALACHIAN REGIONAL COMMISSION.

WHEREAS, multiple regional economic development studies have identified workforce recruitment and retention as crucial to economic growth; and

WHEREAS, the same studies identify lack of appropriate housing as an impediment to recruiting a 21st century workforce; and

WHEREAS, the Planning Director submitted an application to the Appalachian Regional Commission (ARC) in September 2018 seeking funds to conduct a housing demand analysis study to assess workforce housing needs county-wide; and

WHEREAS, the County has already budgeted $12,500 to match an anticipated award of $12,500 from the ARC; and

WHEREAS, the Planning Director was notified of said grant award on December 5, 2019; and

WHEREAS, the Agriculture, Industry, and Planning Committee approved said grant.

NOW THEREFORE, BE IT

RESOLVED, Steuben County hereby accepts said grant and agrees to appropriate the budgeted $12,500 to match the ARC award of $12,500; and be it further

RESOLVED, the Planning Director is hereby authorized to sign a grant agreement and any other necessary documents with ARC; and be it further

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

**Vote:** Roll Call – Adopted.

RESOLUTION NO. 019-20

Introduced by J. Malter. Seconded by H. Lando.

AUTHORIZING THE DIRECTOR OF PROBATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH LEGAL ASSISTANCE OF WESTERN NY (LawNY) FOR THE JUSTICE FOR FAMILIES PROGRAM GRANT.

WHEREAS, LawNY is applying for a three year Federal Grant released by the Office on Violence Against Women at the U.S. Department of Justice which supports a number of project components, all in the interest of improving the safety of victims of Domestic Violence and improving offender accountability; and
WHEREAS, the Probation Department in the course of their duties, provides court ordered supervision for Domestic Violence offenders sentenced to Probation; and

WHEREAS, this grant project would provide up to $30,000 each year for three (3) years to the Probation Department to assist with personnel costs of having specialized caseloads supervising Domestic Violence offenders and training; and

WHEREAS, the submission of the grant application required the submission of a Memorandum of Understanding that is signed by all project partners by January 22, 2020.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature ratifies the Director of Probation having entered into a Memorandum of Understanding with LawNY for the Justice for Families Program Grant for an amount up to $30,000 for each of three (3) years; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Director of Probation and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 020-20

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

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF ADDISON FOR CODE ENFORCEMENT SERVICES.

WHEREAS, the Town of Addison in 1983, by Local Law, opted out of the enforcement of the State of New York Uniform Fire Prevention and Building Code; and

WHEREAS, since 1983 the County has acted as Code Enforcement under the State of New York Uniform Fire Prevention and Building Code for the Town through a contract with a qualified code enforcement official; and

WHEREAS, the County and the Town of Addison desire to enter into an agreement to document and memorialize the responsibilities of the County and the Town of Addison for Code Enforcement services; and

WHEREAS, permit fees cover the costs of said Code Enforcement Services and any costs not covered by permit fees are billed to the Town of Addison.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to sign the Inter-Municipal Agreement with the Town of Addison for Code Enforcement Services upon review of the County Attorney; and be it further

RESOLVED, certified copies of this resolution be forwarded to the Steuben County Planning Director and Jack Thompson, Supervisor, Town of Addison, 21 Main St., Addison NY 14801.

Mr. Mullen mentioned that they discussed in committee about passing on additional overhead costs that we have to pay for with this contract.

Vote: Roll Call – Adopted.
RESOLUTION NO. 021-20

Introduced by B. Schu and K. Fitzpatrick. Seconded by H. Lando.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT FOR A BROADBAND EXPANSION STUDY.

WHEREAS, Steuben County, as a founding partner of the Southern Tier Network (STN), has a long history of actively working towards the expansion of broadband services in our communities; and

WHEREAS, STN has been successful in providing dark fiber and middle mile access to businesses, carriers, governments, and non-profits; and

WHEREAS, despite these efforts, there remains significant gaps in access to suitable broadband services in many locations, particularly in our rural areas; and

WHEREAS, to address this issue, Steuben, along with the partner counties of Schuyler, Yates, and Tioga, have proposed a joint study, led and coordinated by STN, to examine gaps in broadband availability and to develop operational and funding options for the provision of broadband services throughout the region; and

WHEREAS, Steuben County’s financial share of the study shall not exceed $75,000; and

WHEREAS, the Administration and Finance Committees have approved said action.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized and directed to enter into an intermunicipal agreement with the counties of Schuyler, Yates, and Tioga for the broadband expansion study; and be it further

RESOLVED, funding for this study, not to exceed $75,000, shall be paid from the Southern Tier Fiber Capital Project (H0100 1230H1); and be it further

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

Mr. Mullen asked how is this cost split between municipalities? Mr. Wheeler stated Tioga County will pay a higher amount because they weren’t part of the original creation of STN. Yates and Schuyler pay half of what we pay due to their size.

Vote: Roll Call – Adopted.

RESOLUTION NO. 022-20

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

AMENDING THE ADMINISTRATIVE CODE

WHEREAS, the Administrative Code’s Rehabilitation Policy has been reviewed by the County Manager and Risk Manager; 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 Rehabilitation Policy is hereby amended as follows:

PART XVI: REHABILITATION/EMPLOYEE ASSISTANCE/REINSTATEMENT, Section 10, paragraph 1, Rehabilitation

In the event of a positive drug or alcohol test, the drug program coordinator shall make an ADMINISTRATIVE REFERRAL to an accredited S.A.P.(Substance Abuse Professional) or to a clinical coordinator of the employee assistance contract group. The employee must provide proof of enrollment into an accredited program within 24 hours of referral and sign a release of information to allow the S.A.P. to keep the employer contact informed of the person’s participation in the program. If the employee does NOT contact the Department of Transportation Substance Abuse Professional within 24 hours, the employee’s employment will be deemed abandoned with Steuben County.

All responsibility for their participation in a rehabilitation program belongs with the employee. Any cost involved in services by the Medical Review Officer, which is required by Federal Regulations, shall be paid by the employer. Any cost not covered by insurance that is incurred by an employee for their initial treatment by a Substance Abuse Professional due to being referred as a result of a first time positive alcohol and/or prohibited drug test will be paid by the employer. Any additional cost involved in required treatment will be the responsibility of the employee per Section 5.1 of the Addendum IV of the CSEA contract.

AND BE IT FURTHER RESOLVED, the Administrative Code’s Department of Transportation Substance Abuse Professional Process is hereby added as follows:

DOT SAP PROCESS – STEUBEN COUNTY

Employee tests positive for prohibited drugs as defined in 49 CFR or alcohol levels at or exceeding .04% in a DOT regulated test, the employee is immediately removed from “safety sensitive duties” and placed on suspension.

The following process needs to be completed before the driver can return to “safety sensitive duty” as defined in 395.2 U.S. Federal Motor Carrier Safety Regulations:

1. The employee will first need to meet with a DOT Certified SAP – Substance Abuse Professional. You must call within 24 hours, Joe DiMaria 585-865-7446. If the employee does NOT contact the DOT SAP within 24 hours, your employment will be deemed abandoned with Steuben County.

2. Any cost involved in services provided by the Medical Review Officer, which is required by Federal Regulations, shall be paid by the employer. Any cost not covered by insurance that is incurred by an employee for their initial treatment by a Substance Abuse Professional due to being referred as a result of a first time positive alcohol and/or prohibited drug test that cost will be paid by the employer. Any additional cost involved in required treatment will be the responsibility of the employee per Section 5.1 of Addendum IV of the CSEA contract.

3. The DOT SAP will meet with the employee to do an evaluation and determine next steps; treatment, counseling, meetings, etc. may be required. This process could take as little as 6-8 weeks or up to 6-8 months, depending on the evaluation. Once the DOT SAP is satisfied the employee has fulfilled the requirements, the DOT SAP will notify Steuben County you are able to return to safety sensitive duty. You will be required to take an observed “return to duty” alcohol/drug test prior to returning. If this test is negative, you will be able to return to work at Steuben County. A second positive test is immediate termination of employment.

4. Once back to work, you will be required to take random observed “follow up” tests. There will be 6 tests per year, from 1 year up to 5 years, determined by the DOT SAP. Any failed observed test will be grounds for termination.

5. If you agree and want to follow this “return to duty process”, please sign here and return this signed policy process letter within 5 days to the Risk Management Office, Steuben County 3 East Pulteney Square, Bath NY 14810.

   - I AGREE TO FOLLOW THE DOT SAP PROCESS - ______________________

Legislative Meeting
Monday, January 27, 2020
AND BE IT FURTHER RESOLVED, the Risk Manager is directed to notify each and every County Employee affected by this new requirement; 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. 023-20

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

MODIFYING AND ADOPTING AGRICULTURAL DISTRICT NO. 6, AS A RESULT OF THE EIGHT YEAR REVIEW OF SAID DISTRICT.


WHEREAS, pursuant to the procedures and timetable set forth by the Department of Agriculture and Markets, the County Agricultural and Farmland Protection Board has filed their recommendations, relative to the eight year review of said Agricultural District with this Legislature; and

WHEREAS, this Legislature did hold a Public Hearing on the proposed modification to said district recommended by the Agricultural and Farmland Protection Board on January 27, 2020.

NOW THEREFORE, BE IT

RESOLVED in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature does find as follows:

(1) Within the district as recommended to be modified, the number of participating farms and farm acreage thereof is consistent with and substantially furthers the objective of encouraging and protecting viable farming in the area, for which the district was originally created; and

(2) The district has, since its creation, been of substantial assistance to a majority of participating farmers in maintaining an active farm economy in the area; and

(3) Continuation of this district is consistent with the County's important agricultural economy and predominantly rural pattern of development; and

(4) The district deters local government adoption of land use regulations unduly restrictive of normal farm activities, supports orderly patterns of community development, and helps to sustain active farming for its important economic and environmental values; and be it further

RESOLVED, in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature has deliberated on said District and modifications, and does hereby adopt the proposed modifications of Agricultural District No. 6 in the County of Steuben for a period of eight years; and be it further

RESOLVED, the Clerk of this Legislature is directed to submit said proposal to the Commissioner of Agriculture and Markets with such reports, maps, materials, and documentation as required by law; and be it further

RESOLVED, the Clerk of this Legislature shall forward certified copies of this resolution to the Commissioner of the New York State Department of Agriculture and Markets, 10B Airline Drive, Albany, New York 12235; Steuben County Planning Director and Director of the Steuben County Real Property Tax Service Agency.
Vote: Roll Call – Adopted.

Motion to group resolutions numbered 17 through 31 under one acclamation vote and dispense with the reading made by Mr. Nichols, seconded by Mr. Roush and duly carried.

Motion adopting resolutions numbered 17 through 31 made by Mr. Mullen, seconded by Mr. Roush and duly carried.

RESOLUTION NO. 024-20


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


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 Manager appoints the following persons as members of the Steuben County Alternatives to Incarceration Advisory Board for a three (3) year term commencing January 1, 2020 and expiring December 31, 2022:

Honorable Philip J. Roche
Steuben County Court Judge/ATI Advisory Board Chairperson

Honorable Chauncey J. Watches
Steuben County Judge

Honorable Patrick F. McAllister
Steuben County Surrogate Court Judge

Honorable Mathew K. McCarthy
City Court Judge

Brooks T. Baker, Esq.
Steuben County District Attorney

Shawn M. Sauro, Esq.
Steuben County Public Defender

Chairman or Designee
Public Safety & Corrections Committee

Jennifer K. Prossick
Steuben County Attorney

Jack K. Wheeler
Steuben County Manager

James L. Allard
Steuben County Sheriff

Cheryl Crocker, Director
Steuben County Probation

Craig Pomplas
ATI Representative

Sienna Evingham
Crime Victim

Henry W. Chapman, Psy.D., Director
Steuben County Community Services/
NYS Certified Alcohol and Substance
Abuse Treatment Provider

To be appointed by Chairman of the Steuben County Legislature:
Ex-Offender
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. 025-20

Introduced by S. Van Etten. Secended by J. Malter.

APPOINTING MEMBERS TO THE EMPLOYEE ASSISTANCE PROGRAM ADVISORY COMMITTEE.

Pursuant to Section 12.19 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
Matthew Sorge

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. 026-20


FILLING A VACANCY ON THE STEUBEN COUNTY FIRE ADVISORY BOARD.

Pursuant to Section 12.19 of the Steuben County Charter and Section 225-a of the County Law of the State of New York.

WHEREAS, a vacancy currently exists on the Steuben County Fire Advisory Board.

NOW THEREFORE, BE IT

RESOLVED, Jeffrey P. O’Neil of 307 Granger Road, Wayland, New York is hereby appointed a member of the Fire Advisory Board to fill the vacancy of a term that commenced January 1, 2019 and ends December 31, 2020; and be it further

RESOLVED, said member 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 appointee, the County Auditor, and the Steuben County Emergency Management Office.

Vote: Acclamation – Adopted.

RESOLUTION NO. 027-20


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

Pursuant to Section 12.19 of the Steuben County Charter and Article 4, Title 4 of the Public Authorities Law.

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

NOW THEREFORE, BE IT

RESOLVED, John Meyer of Joseph L. Meyer & Sons, Inc. is hereby appointed as the Steuben County representative on the Board of Directors of the Genesee Valley Regional Market Authority for a term of two (2) years from January 1, 2020 through December 31, 2021; and be it further
RESOLVED, said member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Genesee Valley Regional Market Authority; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 028-20


APPOINTING REPRESENTATIVES TO THE INTERCOUNTY ASSOCIATION OF WESTERN NEW YORK.

Pursuant to Section 12.20 of the Steuben County Charter.

BE IT RESOLVED, from January 1, 2020 through December 31, 2021, the Steuben County Legislature does hereby designate the following as representatives of this Legislature to the Inter County Association of Western New York:

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

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

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 029-20


APPOINTING A REPRESENTATIVE TO THE STEUBEN COUNTY JURY BOARD.

Pursuant to Section 12.19 of the Steuben County Charter and Section 503 of the Judiciary Law of the State of New York.

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

WHEREAS, the term of the Legislative Representative to the Jury Board has expired.

NOW THEREFORE, BE IT
RESOLVED, Hilda T. Lando, Steuben County Legislator representing District 2, is hereby appointed as the Legislative Representative to the Steuben County Jury Board for a two (2) year term commencing January 1, 2020 and expiring December 31, 2021; and be it further

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

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 030-30


APPOINTING MEMBERS TO THE STEUBEN COUNTY LAND BANK CORPORATION, A NEW YORK LAND BANK.

Pursuant to Article 16 of the Not-for-Profit Corporation Law.

WHEREAS, the Steuben County Land Bank Corporation was established July 25, 2016, by Resolution No. 126-16; and

WHEREAS, the Board of Directors shall consist of seven (7) members who shall, pursuant to Article III, Section 2 (c) of the By-Laws of the Steuben County Land Bank Corporation, be appointed by the Chairman of the Steuben County Legislature for two year terms; and

WHEREAS, the “Municipal Representative” of the Board of Directors shall, pursuant to Article III, Section 2 (f) of the By-Laws of the Steuben County Land Bank Corporation, be appointed by the Chairman of the Steuben County Legislature and confirmed by a majority vote of the Steuben County Legislature as well as the governing board of the Municipal Representative’s municipality consenting to his/her appointment.

NOW THEREFORE, BE IT

RESOLVED, the following individuals, as recommended by the Chairman of the Legislature, are hereby appointed as members of the Steuben County Land Bank Corporation for a term of two years commencing January 1, 2020 and expiring December 31, 2021:

1. Scott J. Van Etten, Chairman of the Steuben County Legislature
2. Hilda T. Lando, Steuben County Legislator, District 2
3. Jack K. Wheeler, County Manager
4. Tammy Hurd-Harvey, Commissioner of Finance
5. Jennifer Miller, Corning City Planning Director, Municipal Representative
6. William von Hagn, Village of Bath Mayor, Municipal Representative
7. John Buckley, Hornell City Mayor, Municipal 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 Steuben County Land Bank Corporation; and be it further
RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor, the County Manager, and the County Attorney.

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 031-20**


**APPOINTING MEMBERS TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.**


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

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

WHEREAS, the term has expired for various Board members.

NOW THEREFORE, BE IT

RESOLVED, the following persons, as recommended by the 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, 2020 through December 31, 2022**
Michael L. Nisbet, 20 Bennet 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, 2020 through December 31, 2020**
Scott J. Van Etten, Chairman, Steuben County Legislature, 11331 Hendy Hollow Road, Corning NY 14830

**January 1, 2019 – December 31, 2021**
Mark R. Alger, County Resident, 109 Rumsey Street, Bath, NY 14810
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 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: Acclamation – Adopted.  

RESOLUTION NO. 032-20

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

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 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

Aging Program  
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  
Theresa McKinley, Executive Director  
(filling unexpired term of Larkin Podsiedlik)
BE IT FURTHER RESOLVED, that said appointees shall serve at the pleasure of the Legislature, for a two (2) 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. 033-20


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, 2020 and ending December 31, 2021.

LEGISLATOR MEMBERS
1. Scott J. Van Etten, 11331 Hendy Hollow Road, Corning, NY
2. Robert V. Nichols, 743 Thompson Road, Addison, NY
3. Steven P. Maio, 319 East Second Street, 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
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. Joseph J. Hauryski, 6031 County Route 17, Campbell, 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 Regional Planning and Development Board, 8 Denison Parkway East, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 034-20


APPOINTrING 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 Directors of the Steuben Area Economic Development Corporation; and

WHEREAS, the By-Laws of the Steuben County 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 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, 2020 through December 31, 2022
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 14830
Michael J. Doyle, 54 Lake Street, Hammondsport, NY 14840

January 1, 2020 through December 31, 2020
Scott J. Van Etten, Chairman, Steuben County Legislature, 11331 Hendy Hollow Road, Corning, NY 14830

January 1, 2019 through December 31, 2021
Mark R. Alger, County Resident, 109 Rumsey Street, Bath, NY 14810
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 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: Acclamation – Adopted.

RESOLUTION NO. 035-20


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, 2020 through December 31, 2021:

1. Mark R. Alger, Community Representative, 109 Rumsey St., Bath, NY 14810
2. Summer Deming, Youth Member, Bath, NY
3. Ashilee Dickinson, Legal Assistance of Western New York, 16 West William St., Bath, NY 14810
4. Cheryl Crocker, Steuben County Probation Department, 3 East Pulteney Sq., Bath, NY 14810
5. Alexis Loss, Youth Member, Bath, NY
6. Lynn Lewis, Steuben County Community Services, 115 Liberty St., Bath, NY 14810
7. John McNelis, Steuben County Undersheriff, 7007 Rumsey St. Ext., Bath, NY 14810
8. Kathryn A. Muller, Steuben County Department of Social Services, 3 East Pulteney Sq., Bath, NY 14810
9. Kris Pashley, Community Representative, 27 Fero Ave., Corning, NY 14830
10. Cora Saxton, Wayland-Cohocton Central School District, 310 East Naples St., Wayland, NY 14572
11. Darlene Smith, Steuben County Public Health, 3 East Pulteney Sq., Bath, NY 14810

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; Matthew Newman, NYS Office of Children and Family Services, Division of Youth Development and Partnerships for Success, 52 Washington Street, Room 338, Rensselaer, NY 12144; the County Auditor; and the Youth Programs Coordinator.

Vote: Acclamation – Adopted.
RESOLUTION NO. 036-20


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

Pursuant to Section 12.19 of the Steuben County Charter, Section 224 of the County Law and upon the request of the said Association.

WHEREAS, pursuant to Article V, Section 3 (B) of the Association By-Laws, the County governing body shall be requested annually to appoint two legislators to serve as Directors on the Association Board of Directors.

NOW THEREFORE BE IT

RESOLVED, the appointment of Jeffrey P. Horton, Legislator, District 8, and Frederick G. Potter, Legislator, District 10, by the Steuben County Manager as Legislator representatives on the Board of Directors of the Cooperative Extension Association of Steuben County for a one (1) year term beginning January 1, 2020 and expiring December 31, 2020, be and the same hereby are approved; and be it further

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

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 037-20


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

Pursuant to Section 12.19 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, 2019.

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

Accommodations
Linda Wright, General Manager, Hilton Garden Inn Corning 01/01/20 – 12/31/22
Brett Bixby, General Manager, Hampton Inn, Corning – Painted Post 01/01/18 – 12/31/20
Ronald F. Leonard, President, Keuka Lakeside Inn, Hammondsport 01/01/19 – 12/31/21

Attractions
Ryan Doolittle, Tourism Sales Specialist, Corning Museum of Glass 01/01/20 – 12/31/22
Joe Hope, Weis Vineyards, Hammondsport 01/01/18 – 12/31/20
Nate Basch, Director of Events, Corning’s Gaffer District 01/01/19 – 12/31/21

(filling unexpired term of Coleen Fabrizi)

Community-At-Large
Justin Recktenwald, Owner, Wild Brute Winery, Arkport 01/01/20 – 12/31/22
Ariel Kirk, Agriculture Educator, Cornell Cooperative Extension of Steuben County 01/01/18 – 12/31/20

(filling unexpired term of Larkin Podsiedlik)

Chris Waters, Community Arts Manager, The ARTS Council of Southern Finger Lakes 01/01/19 – 12/31/21

Chamber of Commerce Representative
Jim Presley, President, Hammondsport Chamber of Commerce 01/01/20 – 12/31/20

County Manager Designee
Amy Dlugos, Planning Director 01/01/19 – 12/31/21

County Legislators
K. Michael Hanna, District 5 01/01/19 – 12/31/21
Hilda T. Lando, District 2 01/01/18 – 12/31/20

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. 038-20

Introduced by K. Hanna. Seconded by J. Malter.

SUPPORTING AN INCREASE IN THE STATE APPROPRIATION FOR CORNELL COOPERATIVE EXTENSION.

WHEREAS, Cornell Cooperative Extension is a formal collaboration between the National Institute of Food and Agriculture at USDA, New York State, County Governments and the Citizens of the State that has served to apply unbiased, research-based knowledge from Cornell, New York’s Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

WHEREAS, local extension educators are key community partners in helping to implement state initiatives including maximizing agriculture and local food systems, strengthening the economy, promoting healthier eating habits
and access to good nutrition, fighting poverty particularly in rural areas, protecting water quality and stewardship of New York’s natural resources, building opportunity through STEM based youth education and leadership skills in 4-H, promoting renewable energy options while protecting farmland resources, and partnering where appropriate in Taste NY initiatives to promote tourism and local food and farm businesses, and

WHEREAS, support from Federal, State and County sources is essential to the continued success of locally-governed county cooperative extension associations; and

WHEREAS, state appropriations for county cooperative extension associations to match county government appropriations as authorized by Section 224 (8) of the County Law have remained stagnant for twenty years; and

WHEREAS, state funding is needed to ensure that the Cornell Cooperative Extension system can equitably work for all New York residents through increased resources to support rural, suburban, and urban community development needs.

NOW THEREFORE, BE IT

RESOLVED, the Legislature of Steuben County supports increasing the State appropriation for Cornell Cooperative Extension associations to $8 million, such funds to be distributed directly to the associations through Cornell University as agent for the state as provided by law; and be it further

RESOLVED, certified copies of this resolution shall be provided to Honorable Philip A. Palmesano, New York State Assemblyman, 320 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O’Mara, New York State Senator, 406 Legislative Office Building, Albany, NY 12247; Honorable Marjorie Byrnes, New York State Assemblywoman, 723 Legislative Office Building, Albany, NY 12248 and Honorable Joseph M. Giglio, New York State Assemblyman, 525 Legislative Office Building, Albany, NY 12248.

Vote: Acclamation – Adopted.

Resolution no. 039-20

Introduced by K. Hanna and K. Fitzpatrick. Seconded by B. Schu.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF CERTAIN REAL PROPERTY IN THE TOWN OF ERWIN.

WHEREAS, there is an available parcel of land with an existing building available for purchase in the Town of Erwin; and

WHEREAS, the County is desirous of purchasing the property for use as a possible DMV location; and

WHEREAS, the owners of 77 Victory Highway, ServU Federal Credit Union, have agreed to sell said parcel to the County of Steuben for $450,000.00 total; and

WHEREAS, funds are available in unrestricted fund balance; 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 $450,000 from the unrestricted fund balance for this purchase; and be it further

RESOLVED, the County Manager is authorized and directed to execute all contracts and agreements for purchase of 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.

Mr. Mullen stated Mr. Wheeler did an excellent job on this. Mr. Wheeler stated the credit also needs to go to Mr. Brewer and Ms. Prossick.

Vote: Roll Call – Adopted.

*Motion to adjourn made by Mr. Roush, seconded by Mr. Mullen and duly carried.*
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 24th day of February, 2020 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Scott J. Van Etten.

Roll Call and all members present except Legislators Lando, Lattimer and Swackhamer.

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

Chairman Van Etten asked Courtney Hagadone to come forward. Ms. Hagadone 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 Van Etten asked Hattie Mullen to come forward. Ms. Mullen 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 Van Etten asked Debby Spencer to come forward. Ms. Spender 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 Van Etten asked Jason Barrett to come forward. Mr. Barrett is an employee in the 911 Department. He presented him with a Certificate of Appreciation and a pin in recognition of his 15 years of service to Steuben County.

Chairman Van Etten opened the floor for comments by members of the public.

Doug Mitchell, Addison, stated he is here today representing the Steuben County SCOPE Chapter. Sadly, I stand here today even more concerned than I was 7 years, 1 month and 10 days ago when the NY SAFE Act was presented under a “message of necessity”, in the dead of night with no desire or prospect of public input or debate. Truly cowardly and tyrannical with no apologies offered. Those who voted in favor of this “feel good” legislation said it was “common sense” legislation that the public wanted…that gun owners were unreasonable and paranoid about their rights and the Constitution. Well, here we are in NY 7 years later…we have a mandated ammo database that is nonexistent, a mandated universal background check procedure that is not always followed, and 95 percent non-compliance in registering existing AR platform rifles. But it sure felt good when they passed it! We now have a “common sense” red flag law that violates “due process” and several other customs we have enjoyed in the past in a “free and just” society. If a person is considered a danger to himself and others, why only confiscate firearms? Why not cars, knives, hammers, screwdrivers, ice picks, baseball bats and golf clubs? Wouldn’t it be easier to just lock up the person rather than all the instruments you think might be a problem (or that you’re scared of)? I believe it is time that the citizens of Steuben County peacefully, but emphatically say “enough is enough”…that we can do a better job of governing ourselves than NYC or Albany. One size does not fit all. A lot can change in 5, 8 or 10 years…evidence being the NY SAFE Act, the Red Flag Law, the Green Light Law, Bail Reform & Discovery Law in NYS. I will leave you with a quote, not mine, by the way…”This year will go down in history. For the first time, a civilized nation has full gun registration. Our streets will be safer, our police more efficient and the world will follow our lead into the future.” 1935 – Adolf Hitler. Mr. Mitchell stated he sincerely hopes this body will consider the wishes of so many Steuben County residents and consider a sensible Ordinance ensuring both the safety and the rights of your constituents. Thank you.
David Sutfin, Hornell, stated socialism kills and he imagines all of you are aware of that. The average Republic lasts about 200 years. Your duly elected Governor has gone from a civil society to near chaos. This always starts with gun control. The Governor has disregard for the U.S. and State Constitution and has turned gun owners into felons overnight. New York State has become a sanctuary for illegal aliens, we have decriminalized drug use and have instituted bail reform. Criminals are now free to do what they want at will. Where do all the drug addicts get the money to feed their habits? Crime is definitely on the rise. Shootings are up 60 percent in NYC since Bail Reform. Private citizens in NYC are worried they will not get their city back and they cannot protect themselves from criminals. Do you really believe that criminals purchase guns at a gun dealer? They do not register their weapons and there is no background check. Mr. Sutfin stated we need a simple ordinance for a Second Amendment Sanctuary. How close are we to destroying the greatest republic in the world? This county and others across the State are being extorted by the Governor. Without action it will only get worse. When people fear government there is tyranny. When governments fear the people then there is freedom.

Kyle Peterson, Campbell, stated he is here today to re-inform everyone that we are still working on revising the Second Amendment Sanctuary Ordinance. We have been getting more feedback from other counties recently and have made more revisions since the last time I spoke with you all. So, I will leave the current revised copy for everyone to review; this revision comes after Gregg (the person heading the Chemung ordinance) had a meeting with Chemung County Legislators, along with the County Attorney. Again, this is just another revision and we encourage as much feedback from everyone as you are able to give. He would also like to provide everyone with some more information today. If anyone has done research of some of the current firearm bills that have been introduced, you have probably seen some of these bills I am going to talk about. If you have not seen them, I encourage you to go to nysenate.gov, then search bills and type “firearm” in the “title” section. There are hundreds of bills out there related to firearms. A few of them are Senate Bill S3565, S1834, A2847 (multiple versions), A7640, S7065, S1412 and A1724. Mr. Peterson recited the provisions of each of these bills. To make it clear, these are only some of the bills that have been introduced. There are many more out there, but not all of them are bad either. There are some that would be beneficial, such as A5087 which makes amendments to the SAFE Act. Furthermore, since I have started working on this ordinance, I have heard a lot about preemption. Preemption is based off of the Supremacy Clause with Article VI of the U.S. Constitution which dictates that federal law is the “supreme law of the land” and federal law preempts state law, even when the laws conflict. However, in absence of federal law, or when a state law would provide more protection for consumers, employees, and other residents than what is available under existing federal law, then state law holds. On the federal level, we have the National Firearms Act (1934), the Federal Firearms Act (1938), the Gun Control Act of 1968, the Firearms Owners Protection Act (1986), the Brady Act (1993), the Federal Assault Weapons Ban (1994), the Lawful Commerce in Arms Act and Child Safety Lock Act (2005), and the National Instant Criminal Background Check System Improvement Amendments Act (2007). Although we have all these Federal regulations and laws of firearms, NYS continues to introduce and pass more and more firearms restrictions. Some have been within reason, and some have not been within reason. All affect law abiding citizens and few affect criminals as they do not follow the law to begin with. To conclude, the 2nd Amendment states a well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed. As quoted from Samuel Adams, “If ye love wealth better than liberty, the tranquility of servitude better than the animating contest of freedom, go home from us in peace. We ask not your counsels or your arms. Crouch down and lick the hands which feed you. May your chains set lightly upon you, and may posterity forget that you were our countrymen.”

Wayne Wells, Cameron, provided his opinion on President Trump and corruption.

Chairman Van Etten thanked everyone for their comments and declared the opportunity for public comment closed.
Dr. William Mullaney, President of Corning Community College presented his 2020 annual report. He introduced Board of Trustee members Gail Bailey and Ronald Allison. He also introduced Financial Officer, Todd Garnier. Dr. Mullaney stated the success of the college is built upon our dedication to the students. The community has been very warm and welcoming and is very supportive of the college. He stated Dr. Douglas accomplished many things during her eight-year tenure, including the construction of the residence halls and the Health Education Center. Dr. Mullaney reviewed various highlights from 2018 through the present. During the Fall of 2018 they introduced the new program in Sustainability Studies. Additionally they partnered with CAF USA, a Spanish-owned railcar manufacturing company with a branch in Elmira to manage employee development training. He noted that they have the highest transfer rates in New York and during the winter 2018 semester they signed a new collaborative agreement with SUNY Oswego. This 2+2 agreement allows students to complete two years of undergraduate study at SUNY CCC and then apply to SUNY Oswego to earn a Bachelor of Arts in Music. During the 2019 spring semester we held the ceremonial groundbreaking for the College’s STEAM Innovation Center where state-of-the-art equipment will allow the College to explore and expand public-private partnerships with local employers in order to meet their workforce needs. Additionally, this will allow the College to reduce our carbon footprint, improvement energy efficiency and raise student awareness about the importance of environmental sustainability. During the summer of 2019 we implemented free tuition for students who take SUNY CCC courses that are taught in their high schools. We also celebrated the retirement of Dr. Katherine Douglas. The SUNY Chancellor visited the College this past fall and Dr. Mullaney stated we were very proud of how our students and staff presented our College to the Chancellor. We were also recognized as a 2020 Best College by Niche; we were ranked fifth in New York State. Dr. Mullaney stated the Journal of Microbiology and Biology Education accepted for publication an article by one of our professors, Dr. Matthew Skerritt.

Dr. Mullaney presented a brief PowerPoint presentation on their STEAM Innovation Zone. The Innovation Zone offers programming and develops collaborations for life-long access to high-quality STEAM education in Healthcare, Information Technology, Digital Design, Engineering, Advanced Manufacturing and Clean Energy. We welcome collaboration with industry, agencies, non-profits and community organizations. Dr. Mullaney outlined the STEAM Innovation Zone programs for 2020 – 2022. These include installing the equipment for the Digital Dome Theatre by Summer 2020 and open for use by Fall 2020; develop and begin offering the Megatronics curriculum by Fall 2020; partnering with Siemens for energy retrofit with a goal of reducing energy use by 20 percent by Summer 2021; develop the Makerspace as a laboratory for design, manufacturing, and information technology course projects by Fall 2021 and creating a STEM summer bridge program to promote STEM careers by Summer 2022.

Mr. Nichols asked it looks like you have a deficit of $4 million; how did that happen? Dr. Mullaney replied that decrease is largely the result of the depreciation of assets at the college. Mr. Garnier commented that is non-cash. Mr. Van Etten asked what has happened with enrollment? It is interesting that it picked up in 2018 and has dropped down in 2019. Dr. Mullaney replied for the past five years they have seen an enrollment decline at the college. When the economy is doing well, enrollment declines. There are also fewer high school students graduating, however, we did see an increase with the ACE Program and that made up for that decline. Ms. Fitzpatrick asked have the Excelsior Scholarships had any effect on the decreased enrollment? Dr. Mullaney replied by most accounts it has; it seems to have had a more positive effect on the four-year universities. Mrs. Ferratella asked what about international students? Dr. Mullaney replied international students are a small part of our population. We have continued our outreach efforts. One of our largest growth areas is with students from New York City. We would like to look at expanding our international student population.

Motion adopting the minutes of the previous meeting(s) made by Mr. Malter, seconded by Ms. Fitzpatrick and duly carried.
Mr. Wheeler stated he would like to recognize the most recent winners of the Employee Innovation Award. Dr. Ryan Peterson, Lisa Hamilton and Karen Adam presented a proposal for making double-sided printing the default in an effort to save paper and we will start doing that. Our estimate is this will result in an annual savings of $2,500 - $4,500.

Chairman Van Etten stated the Legislators should have all received via email a copy of a letter that Mayor Buckley sent thanking the County for our cooperation with the Preston Avenue site. Mr. Wheeler stated the Legislature has done great work with this and he would also like to recognize Chris Brewer and Steve Orcutt as they have been instrumental in coordinating everything.

RESOLUTION NO. 040-20


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 cancel any unpaid taxes against the assessed gas well contained in Schedule “B”, pursuant to Real Property Tax Law §558, as approved by the Steuben County Finance Committee on February 11, 2020; 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>David C. Morse &amp; Roger L. Bump</td>
<td>332.17-02-047.000</td>
<td>Village of Addison</td>
<td>2020 Parcel Split</td>
</tr>
<tr>
<td>A-2</td>
<td>Ronald &amp; Gale Sick</td>
<td>054.06-01-002.200</td>
<td>Town of Wayland</td>
<td>2020 Parcel Split</td>
</tr>
<tr>
<td>A-3</td>
<td>Roger P. &amp; Gayla Rounds</td>
<td>295.00-01-013.000</td>
<td>Town of Addison</td>
<td>2020 Parcel Split</td>
</tr>
<tr>
<td>A-4</td>
<td>Jill Crooker</td>
<td>295.00-01-013.100</td>
<td>Town of Addison</td>
<td>2020 Correction of Exemption</td>
</tr>
</tbody>
</table>
Resolution No. | A-5 | Resolution No. | A-6  
|----------------|----------------|----------------|
| Name | David & Janet Mendez | Name | Magan Kay Stalbird  
| Parcel No. | 148.00-01-016.122 | Parcel No. | 191.13-01-068.000  
| Municipality | Town of Bradford | Municipality | Village of Savona  
| Disposition | 2020 Correction – Vacant Land | Disposition | 2020 Correction of Clerical Error  

Resolution No. | A-7 | Resolution No. | A-8  
|----------------|----------------|----------------|
| Name | Wades Concrete LLC | Name | Matthias E. & Andrea L. Reisen  
| Parcel No. | 275.00-01-028.110 | Parcel No. | 084.00-01-005.000  
| Municipality | Town of Rathbone | Municipality | Town of Avoca  
| Disposition | 2020 Parcel Split | Disposition | 2020 Parcel Split  

Resolution No. | A-9 | Resolution No. | A-10  
|----------------|----------------|----------------|
| Name | Eric M. & Bobbie P. Smalt | Name | Keuka Surf Shack LLC  
| Parcel No. | 003.13-02-021.000 | Parcel No. | 091.05-01-012.100  
| Municipality | Village of Wayland | Municipality | Town of Urbana  
| Disposition | 2020 Correction of Re-leved Tax | Disposition | 2020 Parcel Split  

Resolution No. | A-11 | Resolution No. | A-12  
|----------------|----------------|----------------|
| Name | Gerald D. Morse | Name | Gerald D. Morse  
| Parcel No. | 282.00-02-026.000 | Parcel No. | 282.00-02-026.000  
| Municipality | Town of Corning | Municipality | Town of Corning  
| Disposition | 2018 Refund due to Acreage Error | Disposition | 2019 Refund due to Acreage Error  

Resolution No. | A-13 | Resolution No. | A-14  
|----------------|----------------|----------------|
| Name | Gerald D. Morse | Name | Betty A. Orcutt Irrevocable Family Wealth Trust & Steven P. Orcutt  
| Parcel No. | 282.00-02-026.000 | Parcel No. | 203.00-02-002.000  
| Municipality | Town of Corning | Municipality | Town of Bath  
| Disposition | 2020 Correction of Acreage Error | Disposition | 2020 Court Ordered Correction  

Resolution No. | A-15 | Resolution No. | A-16  
|----------------|----------------|----------------|
| Name | Betty A. Orcutt Irrevocable Family Wealth Trust & Steven P. Orcutt | Name | Betty A. Orcutt Irrevocable Family Wealth Trust & Steven P. Orcutt  
| Parcel No. | 203.00-02-001.000 | Parcel No. | 146.00-01-029.000  
| Municipality | Town of Bath | Municipality | Town of Bath  
| Disposition | 2020 Court Ordered Correction | Disposition | 2020 Court Ordered Correction  

**SCHEDULE “B”**  

Resolution No. | B-1 | Resolution No. | B-2  
|----------------|----------------|----------------|
| Name | Talisman Energy USA Inc. (Andrews Gas Well) | Name | Talisman Energy USA Inc. (Andrews Gas Well)  
| Parcel No. | 563.00-06-004.000 | Parcel No. | 563.00-06-004.000  
| Municipality | Town of Corning | Municipality | Town of Corning  

**Vote:** Roll Call – Adopted.
RESOLUTION NO. 041-20

Introduced by S. Van Etten.  
Seconded by G. Roush.

RECEIVING AND ACCEPTING THE FEBRUARY 24, 2020 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 17, 2020
NYS Department of Transportation – Re: Notification of up to $43 million in funding for operating assistance and capital projects to support public transportation services in rural areas with populations of less than 50,000.  Referred to: Amy Dlugos, Planning Director.

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Canandaigua Power Partners, LLC amended and restated tax agreement.  Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.

January 21, 2020
NYS Department of Environmental Conservation – Re: Preliminary data results from the site investigation at the Steuben County Wayland Landfill.  Referred to: Public Works Committee; Steve Orcutt; Assistant Commissioner of Landfill, and Jennifer Prossick, County Attorney.

Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Canisteo Wind LLC proposed financial assistance is scheduled for Tuesday, February 11, 2020 at 3:30pm and 5:30pm at the Troupsburg Town Hall located at 873 Main Street, Troupsburg, New York.  Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.


January 27, 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, County Attorney; Tammy Hurd-Harvey, Commissioner of Finance; and Brenda Mori, Clerk of the Legislature.

City of Hornell – Re: Resolution confirming the reappointment of Mayor John Buckley to the Steuben County Land Bank Corporation for a term of two years commencing on January 1, 2020 and expiring on December 31, 2021.  Referred to: Amy Dlugos, Steuben County Land Bank Corporation Executive Director; and Brenda Mori, Clerk of the Legislature.

January 28, 2020
NYS Parks, Recreation and Historic Preservation – Re: Notification of the application approval for the 2019-2020 snowmobile trail development and maintenance assistance in the amount of $42,084.00.  Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

January 31, 2020
Innogy Renewables US LLC – Re: Notification of a public open house for Baron Winds LLC is scheduled on February 12, 2020 from 6:30pm-8:30pm at the Cohocton Development Corporation, located at 71 Maple Avenue, Cohocton, NY.  Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Legislative Meeting  
Monday, February 24, 2020
Honorable Craig Doran, NYS Supreme Court Justice, 7th Judicial District Administrative Judge - Letter requesting support from the Steuben County Legislature on Chief Judge DiFiore’s proposal for the Trial Court Consolidation. **Referred to: Ad Hoc Office Space Committee; and Jack Wheeler, County Manager.**

**February 3, 2020**
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $1,761, which represents the December 2019 surcharge revenues for Steuben County. **Referred to: Finance Committee; and Tammy Hurd-Harvey, Commissioner of Finance.**

**February 5, 2020**
Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Canisteo Wind LLC proposed financial assistance is **RESCHEDULED** to Wednesday, February 26, 2020 at 4:00pm and 6:00pm at the Troupsburg Fire Hall located at 893 State Route 36, Troupsburg, New York. **Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

**February 12, 2020**
NYS Department of Transportation – Re: Notification of the initiated payment process to fully expend the SFY 2019-2020 Statewide Mass Transportation Operating Assistance (STOA) payment. **Referred to: Amy Dlugos, Planning Director and filed with Brenda Mori, Clerk of the Legislature.**

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 042-20**

Introduced by C. Ferratella and K. Fitzpatrick. Seconded by F. Potter.

**AUTHORIZING THE TRANSFER OF FUNDS FROM THE STEUBEN COUNTY DIABETES COALITION TO THE S2AY RURAL HEALTH NETWORK.**

**WHEREAS,** the Steuben County Diabetes Coalition (coalition) was formed on October 15, 2010; and

**WHEREAS,** the coalition covered Steuben, Chemung and Schuyler Counties; and

**WHEREAS,** coalition members now attend the Living Healthy Regional Coalition chaired by the S2AY Rural Health Network; and

**WHEREAS,** due to the establishment of the Living Healthy Regional Coalition, the Steuben County Diabetes Coalition was disbanded on July 17, 2019; and

**WHEREAS,** Steuben County Diabetes Coalition members voted to use the remaining money raised by the coalition to fund scholarships for children with a Diabetes diagnosis that live in Steuben, Chemung and Schuyler Counties to attend the American Diabetes Association’s Camp Aspire; and

**WHEREAS,** the S2AY Rural Health Network has agreed to accept and distribute the remaining money for Camp Aspire scholarships.

**NOW THEREFORE, BE IT**

**RESOLVED,** the Steuben County Legislature authorizes the Commissioner of Finance to transfer $4,559.29 to the S2AY Rural Health Network from the Steuben County Diabetes Coalition (A 26004025); and be it further...
RESOLVED, a certified copy of this resolution shall be forwarded to the Director of Public Health and Nursing Services, the Commissioner of Finance, and the Executive Director of the S2AY Rural Health Network, PO Box 390, Canandaigua, NY 14424.

Vote:  Roll Call – Adopted.

RESOLUTION NO. 043-20

Introduced by J. Malter and K. Fitzpatrick.               Seconded by F. Potter.

AUTHORIZING ACCEPTANCE OF THE FY19 STATEWIDE INTEROPERABLE COMMUNICATIONS FORMULA GRANT.

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

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

WHEREAS, the County has implemented a County-wide 911 system for notification and operation of the county responders; and

WHEREAS, the 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, the 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 the County grant funds in the amount of $796,257 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 $796,257 for implementation of the Round 8 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 8 Interoperable Communications Grant” to the grant award amount of $796,257; 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 Office of Emergency Services Director.

Vote:  Roll Call – Adopted.
RESOLUTION NO. 044-20

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

AUTHORIZING A TRANSFER FROM THE 2019 CONTINGENT FUND.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the Steuben County budget for the Nichol Inn Capital Project contains insufficient funds to cover expenditures; and

WHEREAS, environmental monitoring costs will continue to be incurred related to the property known as “The Nichol Inn”; and

WHEREAS, the Finance Committee has approved this transfer from the 2019 Contingent Fund to cover the 2019 expenditures and future years’ environmental monitoring costs.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to adjust the following accounts in the 2019 budget and transfer funds from the County General Fund (A) to the Nichol Inn capital project fund (H3164):

ACCOUNTS:
Account 199000 5-499-000 Contingent Expenditures- ($35,000.00)
Account 995000 5-936-000 Provisions for Capital Projects Expenditures - $35,000.00
Account 1364H1 4-503-1900 Interfund Transfer Revenue - $35,000.00
Account 1364H1 5-250-000 Capital Projects Expenditures - $35,000.00

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 045-20

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

AUTHORIZING STEUBEN COUNTY TO ENTER INTO A MAINTENANCE AGREEMENT WITH NYSDOT TO MAINTAIN A PORTION OF COUNTY ROUTE 60.

WHEREAS, the New York State Department of Transportation (NYSDOT) has submitted to the County of Steuben a proposed agreement by which the County of Steuben is to maintain 0.016 centerline miles of a County Road (shown as part numbered 6 on the Table of Maintenance) known as County Road 60 Christian Hollow Road and to be designated as a portion of New York Project No. 6048.24, D264118; and

WHEREAS, prior to the County’s maintenance of said road, NYSDOT will provide improvements under United States Federal Highway Administration funds; and

WHEREAS, said proposed agreement also provides for the County to request the NYSDOT, to submit the aforementioned project with the recommendation that it be approved by the Administrator of the United States Federal Highway Administration; and
WHEREAS, if such project is approved and constructed by NYSDOT and the Administrator of the United States Federal Highway Administration, the County will thereafter at its own cost and expense maintain the previously described portion of this project in a manner satisfactory to NYSDOT and the Administrator of the United States Federal Highway Administration, or their authorized representatives, and make ample provision each year for such maintenance.

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben shall maintain said portion of said road and guarantees the maintenance of such road when constructed and will pay the cost of such maintenance and will maintain the project in a manner satisfactory to NYSDOT or its authorized representatives and will make ample provisions each year for such maintenance; and be it further

RESOLVED, the County recommends that NYSDOT submit such project to the Administrator of the United States Federal Highway Administration and recommend to him/her the approval of the same for construction with funds apportioned to the State for construction of Highways and related projects under the provisions of Federal Highway Acts; and be it further

RESOLVED, the County Manager is hereby authorized to enter into an agreement with NYSDOT, for the maintenance of that certain part of County Route 60 after NYSDOT project is completed; and be it further

RESOLVED, two certified copies of this resolution shall be submitted to the State Department of Transportation; the Commissioner of Public Works; County Attorney and the Administrator of the United States Federal Highway Administration.

Vote: Roll Call – Adopted.

RESOLUTION NO. 046-20

Introduced by R. Nichols. Seconded by F. Potter.

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

WHEREAS, Kanakadea Park has a lean-to shelter and outhouse located in the County park limits; and

WHEREAS, both are in disrepair and in need of replacement; and

WHEREAS, the Finger Lakes Trail traverses through Kanakadea Park; and

WHEREAS, the Finger Lakes Trail Conference, Inc. (FLTC) volunteers will be furnishing all labor and materials to replace both of the aforementioned structures; and

WHEREAS, the FLTC volunteers have requested the County waive the nightly fees for the use of two cabins, one campsite with electric and one campsite without electric for four nights at Kanakadea Park; and

WHEREAS, the Public Works Committee has determined that it is in the best interest of the County to waive the cabin and camping fees in exchange for the replacement of the above-mentioned structures and authorized the Commissioner of Public Works to waive the said fees to the FLTC volunteers.

NOW THEREFORE, BE IT
RESOLVED, the Commissioner of Public Works is hereby authorized and directed to waive the nightly fees for two cabins, one campsite with electric and one campsite without electric for four nights at Kanakadea Park for the FLTC volunteers for the replacement of the lean-to shelter and outhouse; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 047-20

Introduced by R. Nichols. Seconded by J. Malter.

ESTABLISHING A TIP FEE FOR STABILIZED AND UN-STABILIZED WASTE WATER TREATMENT PLANT SLUDGE.

Pursuant to Section 226-b of the NY State County Law.

WHEREAS, 6NYCRR Part 360 defines two types of waste water treatment plant sludge, stabilized - 360.2(b) and untreated solids – 360.2(b); and

WHEREAS, the un-stabilized/untreated waste water treatment plant sludge presents unique environmental, health and safety issues that require different waste screening and handling practices as well as handling costs; and

WHEREAS, 6 NYCRR 363-7.1(j) requires that all bio-solids accepted for disposal must be stabilized, dewatered to 20 percent solids, and exhibit no free liquids; and

WHEREAS, bio-solids that do not meet the above criteria require authorization from NYSDEC for disposal in the landfill; and

WHEREAS, the current unilateral tip fee at the Bath Landfill for the waste water treatment plant sludge is $36.00/ton; and

WHEREAS, the Solid Waste Division desires to establish a $37.00/ton tip fee for stabilized waste water treatment plant sludge and a $50.00/ton tip fee for un-stabilized waste water treatment plant sludge.

NOW THEREFORE, BE IT

RESOLVED, the Legislature recognizes that un-stabilized/untreated waste water treatment plant sludge possesses more complex environmental, health and safety issues; and be it further

RESOLVED, the Legislature hereby authorizes the Commissioner of Public Works to establish the $37.00/ton tip fee for stabilized waste water treatment plant sludge and the $50.00/ton tip fee for the un-stabilized/untreated waste water treatment plant sludge; and be it further

RESOLVED, the new tip fees will take effect on March 1, 2020; 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. 048-20


AUTHORIZING AN APPLICATION TO THE 2019-2020 FEDERAL TRANSIT ADMINISTRATION (FTA) FORMULA GRANTS FOR RURAL AREAS PROGRAM (SECTION 5311).

WHEREAS, the County of Steuben is submitting a request for a grant of funds to the New York State Department of Transportation, pursuant to 49 USC. 5311, for a project to provide public mass transportation services for Steuben County operated by First Transit, Inc. and Steuben Area Rides (Arc of Steuben) for the 2019 and 2020 fiscal years; and

WHEREAS, the County and the State of New York have entered into a continuing agreement which authorizes the undertaking of the Project and payment of the Federal Share; and

WHEREAS, the County is contracting with a third party subcontractor for the project described above.

NOW THEREFORE, BE IT

RESOLVED, the Planning Director is authorized to act on behalf of Steuben County and to sign the application and to progress and complete the above named project; and be it further

RESOLVED, the Planning Director is authorized to sign any contracts or agreements between Steuben County and any third party subcontractor necessary to complete the public transportation project, subject to the approval of the County Attorney; and be it further

RESOLVED, a certified copy of this resolution shall be distributed to the County Planning Director.

Vote: Roll Call – Adopted.

RESOLUTION NO. 049-20

Introduced by B. Schu. Seconded by K. Fitzpatrick.

AUTHORIZING INTER-MUNICIPAL AGREEMENTS FOR INFORMATION TECHNOLOGY SERVICES.

WHEREAS, the Department of Information Technology enters into contracts with the Cities, Towns, Villages and School Districts of Steuben County for purposes of printing tax bills, as well as providing Information Technology services to the City of Corning; and

WHEREAS, in an effort to streamline and clarify the approval process to properly comply with General Municipal Law governing inter-municipal agreements it is necessary for the County Legislature to formally approve entering into the current and future agreements for these services; and

WHEREAS, any such future agreements would still require standing committee authorization and oversight.

NOW THEREFORE, BE IT

RESOLVED, this Legislature authorizes the County Manager to enter into inter-municipal agreements with the Cities, Towns, Villages and School Districts of Steuben County; and be it further
RESOLVED, the Administration Committee of this Legislature is authorized to approve future agreements and is directed to provide oversight of such agreements subject to the Rules of Procedure of this County Legislature; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 050-20

Introduced by R. Nichols. Seconded by C. Ferratella.

AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY LOCATED IN THE TOWN OF CAMERON FOR THE PURPOSE OF REPLACING AND MAINTAINING THEREON THE COUNTY ROUTE 119 BRIDGE OVER THE CANISTEO RIVER.

WHEREAS, the Bridge Replacement Project, P.I.N. 6755.17, CR 119 over the Canisteo River, BIN 3334430, Town of Cameron, County of Steuben (“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, 15% State funds and 5% local funds; and

WHEREAS, the County of Steuben (“the County”) has entered into an agreement with the New York State Department of Transportation to advance the Project by making a commitment of 100% of the non-federal share of the design and right-of-way costs of the Project; and

WHEREAS, in order to construct and maintain the Project, the County desires to acquire in fee a parcel of land from Steven Thomas Jenks, being a portion of his property, Tax Parcel ID 255.00-01-006.000, located at 5772 County Route 119, Town of Cameron, County of Steuben; and

WHEREAS, the fee acquisition contains 1.613 acres of real property as delineated on Steuben County Highway Department Acquisition Map No. 1, Parcel No. 1 for the Project; and

WHEREAS, Steven Thomas Jenks, the grantor, in consideration of up to five thousand dollars ($5000.00) to be paid by the County, the grantee, desire to convey this parcel of property to the County.

NOW THEREFORE, BE IT

RESOLVED, that this Legislature does hereby approve of acquiring in fee the 1.613 acre parcel of land from Steven Thomas Jenks, being a portion of his property, Tax Parcel ID 255.00-01-006.000, located at 5772 County Route 119, Town of Cameron, County of Steuben; and

RESOLVED, that the County Manager, is authorized to make and enter into agreements on behalf of the County of Steuben, to execute any and all documents associated with the acquisition of the aforementioned property; and be it further

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

Vote: Roll Call – Adopted.
RESOLUTION NO. 051-20

Introduced by J. Malter, B. Schu and K. Fitzpatrick. Seconded by S. Maio.

WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ADDITIONAL POSITIONS WITHIN THE PUBLIC DEFENDER’S OFFICE AND THE CONFLICT DEFENDER’S OFFICE TO COMPLY WITH HURRELL-HARRING.

WHEREAS, pursuant to Hurrell-Harring mandates, and per Indigent Legal Services (ILS), additional positions are necessary in the Public Defender’s Office and Conflict Defender’s Office; and

WHEREAS, the State has mandated duties of a Data Control Officer under the ILS mandate to assist with coordinating communications of data from all three indigent defense departments to ILS to ensure compliance; and

WHEREAS, a Senior Typist position, Grade VI, is necessary to comply with the State mandated duties of Data Control Officer in the Public Defender’s Office; and

WHEREAS, a Senior Assistant Public Defender position, Management Grade I, will assist with the caseload cap in the Public Defender’s Office; and

WHEREAS, a Typist position, Grade IV and Paralegal Assistant position, Grade XI, will support the additional attorneys required in the Public Defender’s Office; and

WHEREAS, a Part-time Assistant Conflict Defender position, Management Grade H, will assist with the caseload cap in the Conflict Defender’s Office, which will potentially result in fewer cases being sent to Assigned Counsel, thereby saving the County money; and

WHEREAS, the funding for said positions is currently available within the 2020 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 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>Conflict Defender</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistant Conflict Defender</td>
<td>1</td>
<td>H (Mgmt.)</td>
<td>$28,746 - $34,147</td>
</tr>
<tr>
<td>Public Defender</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Typist</td>
<td>1</td>
<td>IV</td>
<td>$26,279 - $37,099</td>
</tr>
<tr>
<td>Senior Typist</td>
<td>1</td>
<td>VI</td>
<td>$28,442 - $40,151</td>
</tr>
<tr>
<td>Paralegal Assistant</td>
<td>1</td>
<td>XI</td>
<td>$35,279 - $49,804</td>
</tr>
<tr>
<td>Senior Assistant Public Defender</td>
<td>1</td>
<td>I (Mgmt.)</td>
<td>$63,232 – $75,116</td>
</tr>
</tbody>
</table>

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

Vote: Roll Call – Adopted. Yes – 7681; No – 593; Absent – 1598
(No – Legislator Ryan; Absent – Legislators Lando, Lattimer and Swackhamer)
LOST

RESOLUTION NO. 052-20

Introduced by J. Malter, B. Schu and K. Fitzpatrick. Seconded by S. Maio.

WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION IN THE DISTRICT ATTORNEY’S OFFICE.

WHEREAS, the District Attorney previously shared an Assistant District Attorney position on a part-time basis with Schuyler County through an inter-municipal agreement; and

WHEREAS, Schuyler County now needs the shared Assistant District Attorney to work full-time for Schuyler County; and

WHEREAS, the District Attorney is requesting a 16B waiver to create one (1) Part-time Assistant District Attorney position, Management Grade H; and

WHEREAS, it is desirable to create one (1) Part-time Assistant District Attorney position, Management Grade H, to cover the workload previously handled by the shared Part-time Assistant District Attorney; and

WHEREAS, the funding for said positions is currently available within the 2020 budget; and

WHEREAS, Rule 16B of the Rules of Procedure of the County Legislature requires an extraordinary majority to create the aforesaid position as a result of said request not having been anticipated for the year 2020.

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 position is 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 PT</td>
<td>1</td>
<td>H (Mgmt.)</td>
<td>$28,746 - $34,147</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. Mullen stated he will not vote for this. He understands there was a part-time position in the office and the District Attorney is looking to fill that void, but he believes that we recently added additional positions and before we add another, he would like to get data on how the other positions are functioning. He would like that data to also include CAP court attendance and who is actually going; work performed for youthful offenders and also the volume of work due to the new Discovery requirements. We should have more data.

Vote: Roll Call – Lost. Yes – 4691; No – 3583; Absent – 1598
(No – Legislators Fitzpatrick, Hanna, Horton, Mullen, Potter and Ryan; Absent – Legislators Lando, Lattimer and Swackhamer)
RESOLUTION NO. 053-20

RECLASSIFYING ONE (1) ZERO-BASED STAFF PSYCHOLOGIST POSITION, GRADE XIX TO AN ASSISTANT DIRECTOR OF COMMUNITY SERVICES POSITION, MANAGEMENT GRADE I.

Introduced by C. Ferratella and B. Schu.
Seconded by G. Roush.

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

WHEREAS, a Staff Psychologist position in the Office of Community Services is vacant and zero-based; and

WHEREAS, there is a need for an Assistant Director of Community Services position in the Office of Community Services; and

WHEREAS, the Personnel Officer, County Manager, Human Services Health & Education Committee, and Administration Committee have reviewed said position and funding for said position within the Office of Community Services 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:

Fund & Reclassify:
One (1) zero-based Staff Psychologist position, Grade XIX ($68,445 - $96,631) to an Assistant Director of Community Services, Management Grade I ($63,232 - $75,116)

AND BE IT FURTHER RESOLVED, the 2020 County Job Classification and Salary Schedule and Management Salary Plan are hereby amended to reflect the above-stated change; and be it further

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

Vote: Roll Call – Adopted.

Motion to postpone resolution #15 until the March 23, 2020, Legislative Meeting made by Mr. Potter, seconded by Mr. Roush and duly carried.

RESOLUTION NO. 054-20

APPOINTING MEMBERS TO THE HALL OF FAME COMMITTEE.

Introduced by S. Van Etten.
Seconded by K. Fitzpatrick.

Pursuant to Section 12.20 of the Steuben County Charter.

BE IT RESOLVED, the County Manager is recommending the following individuals for appointment to the Hall of Fame Committee for a three-year term commencing January 1, 2020 and ending December 31, 2022:

LEGISLATIVE REPRESENTATIVE
Robin K. Lattimer, Legislator, District 3, 7600 County Route 14, Bath, NY 14810
AND BE IT FURTHER RESOLVED, the above-named appointees shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Hall of Fame Committee; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 055-20

APPOINTING A MEMBER 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 on May 20, 2019, George W. Welch, Jr. of Corning, New York was appointed to the Regional Board of Trustees of Corning Community College for a term to expire June 30, 2024; and

WHEREAS, George W. Welch, Jr. has submitted his resignation to said Board; and

WHEREAS, the Chairman of the Legislature has recommended Thomas F. Beers of Hornell, New York, for appointment to the Regional Board of Trustees to fill the unexpired term of George W. Welch, Jr. through June 30, 2024.

NOW THEREFORE, BE IT

RESOLVED, that Thomas F. Beers of Hornell, New York, be and the same hereby is appointed to the Corning Community College Board of Trustees for the above-mentioned terms; and be it further

RESOLVED, said member 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. William Mullaney, President of Corning Community College, 1 Academic Drive, Corning, New York 14830; Thomas F. Beers, 145 Main Street, Hornell, New York 14843; 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.D. Discussions Regarding Proposed, Pending or Current Litigation made by Mr. Malter, seconded by Mr. Ryan and duly carried.

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

RESOLUTION NO. 056-20

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

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, Gregory L. Mullen; 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 One Hundred Sixty Five Thousand Dollars ($165,000); 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, 9 Cornell Road, Latham, New York 12110.

Vote: Roll Call – Adopted. Yes – 7732; No – 542; Absent – 1598
(No – Legislator Maio; Absent – Legislators Lando, Lattimer and Swackhamer)

Motion to Adjourn made by Mr. Ryan, seconded by Mr. Roush and duly carried.