I. CALL TO ORDER

Mr. Swackhamer called the meeting to order at 10:15 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 9, 2021, MEETING MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. District Attorney

1. Budget Adjustment – VOCA Grant Funding – Mr. Terwilliger stated this is the VOCA (Victims Against Crimes Act) grant that we do in conjunction with the Department of Social Services. The Department of Social Services actually allocated our portion of the grant last year. He requested authorization to accept and appropriate that funding in the amount of $53,555.35. This funding helps support the cost of the Victim Advocate position, cell phone and office supplies.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT AND APPROPRIATE VOCA GRANT FUNDS IN THE AMOUNT OF $53,555.35 RECEIVED FROM THE DEPARTMENT OF SOCIAL SERVICES IN THE 2020 BUDGET MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Driver Diversion Program – Mr. Terwilliger stated we are 10 percent ahead of current funds gathered for the year. We anticipate being approximately $70,000 - $100,000 over our projects if we maintain our current trend. We are saving a great deal of money using this service.

B. Public Works

1. Add 4-Wheel Drive Pickup to Major Equipment List (Landfill) – Mr. Spagnoletti stated last year we were scheduled for a four-wheel drive pickup, but due to COVID and the supply chain disruption we...
were not able to purchase it. This year he is requesting authorization to add a four-wheel drive pickup truck to the Landfill’s Major Equipment for $32,000. This will replace a 2013 Dodge Durango with 125,000 miles.

**MOTION:** AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO AMEND THE LANDFILL MAJOR EQUIPMENT LIST TO ADD A FOUR-WHEEL DRIVE PICKUP TRUCK FOR $32,000 MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Additions to Major Equipment (Highway)** - This year I have $727,500 in the budget for major equipment. He stated that he has already purchased a grader and loader for $500,000. There is $206,000 remaining in the account. There are four items that he would like to add. The first is a blacktop roller and trailer for $45,000. This is a compact vibratory roller that we can use for pipe jobs and in the past we have borrowed one from the Town of Erwin. The second is a pothole machine for $25,000. Currently we are spending $45,000 to rent the machine. The third item is two flail mower attachments for $25,000. We currently have a mowing contract and the vendor is doing a great job. That contract runs out this year. I would like to rig up our second mower with the flail attachments and that would allow us to do all the mowing ourselves if we cannot get this vendor in the future. The fourth item is a brush chipper for $40,000. We have five or six, however all but one are 20 years or older.

**MOTION:** AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO AMEND THE HIGHWAY MAJOR EQUIPMENT LIST TO ADD THE FOLLOWING ITEMS: BLACKTOP ROLLER AND TRAILER - $45,000; POTHOLE MACHINE - $25,000; 2 FLAIL MOWER ATTACHMENTS - $25,000 AND BRUSH CHIPPER - $40,000 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. **Office of Community Services**

1. **Budget Adjustment** - Dr. Chapman stated due to COVID, the Governor had instituted a 20 percent withhold of State Aid. That was recently reversed and he requested authorization to accept into the 2020 budget, $28,241 in OASAS funds and $15,898 in OMH funds to be passed through to our service providers.


D. **Sheriff’s Office**

1. **Appropriation from Unspent Fund Balance to Black Creek Capital Project** – Mr. Wheeler requested authorization to appropriate $145,000 from the Unspent Fund Balance into the Black Creek Capital Project to pay for an upgrade to the Black Creek Security Management System at the Jail.

**MOTION:** AUTHORIZING THE APPROPRIATION OF $145,000 FROM THE GENERAL FUND UNSPENT FUND BALANCE TO THE BLACK CREEK CAPITAL PROJECT MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Mr. Malter commented we have no choice but to pay for it. Ms. Prossick commented my office has received the revised contract and all of the interest and finance options in the contract have been removed.

**VOTE ON PREVIOUS MOTION:** ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

E. **Real Property Tax Service Agency**

1. **Tax Certiorari – Town of Caton** – Mrs. Jordan stated she received a request to amend the share of cost to participate in appraisal costs services for the tax certiorari property in the Town of Caton, specifically
Corning Natural Gas. The Legislature had previously authorized $1,500 and we need an additional $1,650. She requested authorization to up to $3,500.

**MOTION:** AUTHORIZING THE COUNTY TO PARTICIPATE IN A TAX CERTIORARI PROCEEDING RELATIVE TO CORNING NATURAL GAS IN THE TOWN OF CATON IN AN AMOUNT NOT TO EXCEED $3,500 MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. **Board of Elections**

1. **Audit Proposal** – Mr. Wheeler requested authorization to appropriate $23,000 from the Contingent Fund to pay for a Board of Elections audit to be performed by Bonadio.

**MOTION:** AUTHORIZING THE APPROPRIATION OF $23,000 FROM THE CONTINGENT FUND TO PAY FOR A BOARD OF ELECTIONS AUDIT TO BE PERFORMED BY BONADIO MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Nichols asked when people are registering to vote, how do you know that they are legally living in the County. For example someone could put that their address is located in a parking lot, etc. Mrs. Olin replied someone who is homeless can give us a park bench number and that is an actual address. Mr. Nichols asked what is stopping someone from voting here with a park bench address and then going to Chemung County and doing the same? Mrs. Olin replied we are required by law to do address verification cards. We mail those out to every registered voter on our list. If those cards are not deliverable by mail and they are returned to us, we make that voter inactive in our system. They can vote, but they would have to go to the poll site and sign an affidavit. We have the NYS Voter System and the information for every person registered goes into a central system in Albany. That system looks at the name, date of birth, social security number and compares all of those things. If they find something comparable, we then get a report and we go in and look at the voter information. If the information from the report looks like the same individual, we purge them from our system because they are registered in another county. That is a process that happens statewide. Mr. Nichols asked what do you do to keep track of deceased voters? Mrs. Olin replied there is a report that comes through the NYS Voter System. Our staff also searches obituaries and looks at funeral home websites to make sure we are keeping the deceased off the active voter list.

G. **Commissioner of Finance**

1. **Monthly Reports** – Mrs. Hurd-Harvey asked if there were any questions regarding the monthly reports. The committee had no questions.

2. **Year-End Budget Adjustments and Transfers** – Mrs. Hurd-Harvey stated a few final adjustments to close out 2020 including a redistribution of $12,956 from the Elections Cybersecurity Grant for the Firewall purchase as well as funding the 2020 Landfill expenditure lines. She explained there was money left over in equipment and we are transferring that to the depreciation lines and OPEB. There was a big adjustment of $1.5 million because the actuary had given us in error the Health Care Facility numbers instead of the Landfill. That error has been corrected and resulted in a $1.5 million charge on the 2020 financial basis. There was a small accrual basis loss and we tried to fix the budget on all those lines. We also funded the negative fringe lines which were mostly in the Landfill.

**MOTION:** APPROVING THE YEAR-END BUDGET ADJUSTMENTS AND TRANSFERS AS PRESENTED BY THE COMMISSIONER OF FINANCE MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Current-Year Budget Adjustments and Transfers** – Mrs. Hurd-Harvey requested approval of current-year budget adjustments and transfers which include appropriating a total of $200,756.07 in capital project interest earnings to the individual capital project expenditure lines. We also rolled over $32,733.43 in unspent 2020 Elections Cyber Security Grant into 2021 along with $15,206.79 in unspent 2020 State Farm Grant to 2021 for the Sheriff’s Traffic Education Mobile exhibit.
MOTION: APPROVING THE CURRENT-YEAR BUDGET ADJUSTMENTS AND TRANSFERS RELATIVE TO CAPITAL PROJECT INTEREST EARNINGS AND ROLLING OVER UNSPENT FUNDS FROM THE ELECTIONS CYBER SECURITY GRANT AND THE STATE FARM GRANT MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. Audit – Mr. Malter asked is the 2020 audit in progress or coming to a close? Mrs. Hurd-Harvey replied Bonadio has completed their field work and they will wrap up in the next few weeks and will present the audit in June or July.

5. Sales Tax – Mr. Swackhamer asked how are the sales tax numbers looking? Mrs. Hurd-Harvey replied we will receive one more receipt later this week or early next week. As of last week, the year-to-date collections for 2021 were down 3 percent compared to 2020. Based on NYSAC’s estimates there will probably be some large upward adjustments on this adjustment payment.

IV. OTHER BUSINESS
A. Youth Hunting – Mr. Van Etten stated the County Clerk forwarded an email regarding 12 and 13 year old youth hunters being allowed to hunt big game with adult supervision. The county would need to opt into this by passing a local law, which would need to be done by June. He asked if this is something we could do. Ms. Prossick replied we would need to have a Special AIP meeting. Mr. Wheeler stated we can schedule that prior to the Legislative meeting.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7 § 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. SCHU. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ACCEPT A NON-REFUNDABLE UNDERTAKING OF $11,000.00 RELATIVE TO PARCEL #159.05-01-040.000, SITUATE IN THE TOWN OF BATH, TO DEFER THE ENFORCEMENT OF SALE UNTIL MARCH 31, 2022, SAID UNDERTAKING TO BE PAID WITHIN THIRTY DAYS MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ACCEPT A NON-REFUNDABLE UNDERTAKING OF $3,000.00 RELATIVE TO PARCEL #015.05-02-015.000, SITUATE IN THE VILLAGE OF WAYLAND, TO DEFER THE ENFORCEMENT OF SALE UNTIL MARCH 31, 2022, SAID UNDERTAKING TO BE PAID WITHIN THIRTY DAYS MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ACCEPT A NON-REFUNDABLE UNDERTAKING OF $2,500.00 RELATIVE TO PARCEL #159.13-03-046.000, SITUATE IN THE VILLAGE OF BATH, TO DEFER THE ENFORCEMENT OF SALE UNTIL MARCH 31, 2022, SAID UNDERTAKING TO BE PAID WITHIN THIRTY DAYS MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ACCEPT A NON-REFUNDABLE UNDERTAKING OF $2,000.00 RELATIVE TO PARCEL #099.20-01-018.000, SITUATE IN THE VILLAGE OF AVOCA, TO DEFER THE ENFORCEMENT OF SALE UNTIL MARCH 31, 2022, SAID UNDERTAKING TO BE PAID WITHIN THIRTY DAYS MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ACCEPT A NON-REFUNDABLE UNDERTAKING OF $5,500.00 RELATIVE TO PARCEL #299.19-03-072.000, SITUATE IN THE CITY OF CORNING, TO DEFER THE ENFORCEMENT OF SALE UNTIL MARCH 31, 2022, SAID UNDERTAKING TO BE PAID WITHIN THIRTY DAYS MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ACCEPT A NON-REFUNDABLE UNDERTAKING OF $3,500.00 RELATIVE TO PARCEL #328.00-01-005.100, SITUATE IN THE TOWN OF WOODHULL, TO DEFER THE ENFORCEMENT OF SALE UNTIL MARCH 31, 2022, SAID UNDERTAKING TO BE PAID WITHIN THIRTY DAYS MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ACCEPT A NON-REFUNDABLE UNDERTAKING OF $9,000.00 RELATIVE TO PARCEL #257.00-03-003.200, SITUATE IN THE TOWN OF THURSTON, TO DEFER THE ENFORCEMENT OF SALE UNTIL MARCH 31, 2022, SAID UNDERTAKING TO BE PAID WITHIN THIRTY DAYS MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO EXTEND THE DEADLINE FOR BALANCE DUE PAYMENT TO SATISFY THE UNDERTAKING AGREEMENT RELATIVE TO PARCEL #017.08-01-065.000, SITUATE IN THE TOWN OF COHOCTON, SAID BALANCE DUE PAYMENT TO BE PAID BY APRIL 30, 2021 MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO EXTEND THE DEADLINE FOR BALANCE DUE PAYMENT TO SATISFY THE UNDERTAKING AGREEMENT RELATIVE TO PARCEL #318.18-02-036.000, SITUATE IN THE VILLAGE OF SOUTH CORNING, SAID BALANCE DUE PAYMENT TO BE PAID BY MAY 31, 2021 MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MS. FITZPATRICK. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. SCHU. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
Tuesday, May 11, 2021
9:30 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON

Wednesday, May 5, 2021