The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, in Bath, NY, on Monday, the 26th day of April, 2021, and was called to order by the Chairman of the Legislature, Scott J. Van Etten.

Roll Call and all members were present.

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

The Clerk of the Legislature read the following Memoriam:

IN MEMORIAM

JOHN S. WALSH
1940 – 2021

The death of our former colleague, John S. Walsh, who passed away on March 23, 2021, is acknowledged by this Legislature with deep sadness.

John was born on September 10, 1940, in Hempstead, NY to John and Evelyn Walsh. He graduated from SUNY Farmingdale with studies in construction theory, automobile technology, torch welding and aviation ground school. Over the course of his life he owned and operated his own gas station/garage in Bethpage, NY and was a first-class lineman for The Long Island Lighting Company. In 1971 he relocated to Kanona, NY and established his own motorcycle business, John Walsh Sales, Inc. until 1989. John was a founding member of the Kanona Volunteer Fire Department. He worked for the Steuben County Public Works Department from 1992 to 1997 and was head mechanic for SUNY Geneseo from 2000 to 2004.

In 2004, John was elected as Steuben County Legislator representing the residents of District 7 in Wheeler, Fremont, Avoca and Howard. During his tenure on the Legislature, John served as a member of Agriculture, Industry and Planning Committee, the Public Safety & Corrections Committee, the Rules Committee, the Administration Committee, the Finance Committee and the Human Services Committee. He was also Vice Chair of the Health & Education Committee. In addition to his service as a Steuben County Legislator, he served on the Wheeler Town Board.

John served with honor and distinction, and represented the Legislature with dignity and professionalism throughout his 8 years of service. He will be fondly remembered as a dedicated public servant who was generous to his community with his time, talents and support. He will be sadly missed by all who knew him.

The members of this Steuben County Legislature respectfully move that the above “Memoriam” be spread upon the minutes of this meeting and the Clerk of the Legislature shall forward a copy of this Memoriam to his wife Suzanne and his children, Colleen, Sean, Gwen, John W. and Andrew, as an expression of the sympathy felt by this Legislature on the passing of their loved one.

Adopted by silent rising affirmation.
The Clerk of the Legislature read the following Memoriam:

IN MEMORIAM

ELEANOR BETH CLARK
1931 – 2021

The death of our former colleague, Eleanor “Beth” Clark who passed away on April 13, 2021, is acknowledged by this Legislature with deep sadness.

Beth was born on May 12, 1931 in Alder, Montana to Emerson and Hazel (Rice) Stone. In 1953 she graduated near the top of her class from Montana State College with a degree in Bacteriology. Following graduation, she moved to Oakland, California and in 1959 married the love of her life, Robert C. Clark.

Beth served as Steuben County Legislator representing the residents of the Town of Bath in District 3 from 1980 to 1993. During her tenure on the Legislature, Beth held leadership positions as Chair of the Public Health Committee, Chair of the Health & Education Committee, Chair of the Administration Committee, Vice Chair of the County Treasurer Committee, Vice Chair of the Veterans Services Committee, Vice Chair of the Public Relations Committee and Vice Chair of the Finance Committee. She also served as a member of the Planning Committee and the Appropriations Committee.

Beth also proudly represented Steuben County on the Inter-County Association of Western New York from 1982 to 1993; serving as President of the 19-county organization in 1984.

Beth will be remembered as a member of the Legislature who was always fair-minded. She considered the impact of her decisions on all of the residents of the County, not just the few. She worked tirelessly to find balance in the most difficult of situations. She was a dedicated public servant who was generous to her community with her time, talents and support. She will be sadly missed by all who were blessed enough to know her.

The members of this Steuben County Legislature respectfully move that the above “Memoriam” be spread upon the minutes of this meeting and the Clerk of the Legislature shall forward a copy of this Memoriam to her children, Elaine, David, Laura and Charles, as an expression of the sympathy felt by this Legislature on the passing of their loved one.

Adopted by rising silent affirmation.

Chairman Van Etten opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.

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

Mrs. Scotchmer asked the Legislators to please turn off their microphones when they are not speaking.

Chairman Van Etten announced there will be a grand display at Tyrtle Beach as Legislator Fitzpatrick will be doing a big dive on Friday night. Ms. Fitzpatrick stated for those who do not know, this is a fundraising event or youth organizations and 100 percent of the donations go to those organizations. It has been a tough year, but we need to move this tradition forward. Let’s show that we can pull together as a community to raise funds for local youth.
RESOLUTION NO. 062-21

Introduced by G. Swackhamer. 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 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.

SCHEDULE “A”

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Parcel No.</th>
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<th>Municipality</th>
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<td>349.08-02-007.000</td>
<td>Steuben County Land Bank</td>
<td>Addison Village</td>
<td>2021</td>
<td>Correction of Relevy Error</td>
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<td>A-2</td>
<td>136.00-02-007.100</td>
<td>County of Steuben</td>
<td>Hornellsville</td>
<td>2021</td>
<td>Correction of Exemption</td>
</tr>
</tbody>
</table>

Vote: Roll Call – Adopted.

RESOLUTION NO. 063-21

Introduced by S. Van Etten. Seconded by C. Ferratella.

RECEIVING AND ACCEPTING THE APRIL 26, 2021 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY MANAGER’S OFFICE.

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

March 15, 2021
NYS Board on Electric Generation Siting and the Environment – Re: Notification of the lacking requirements needed for the certificate of petition (amendment) on the Eight Point Wind, LLC (Case#16-F-0062) project. Referred to: AIP Committee; and Matt Sousa, Planning Director.

March 16, 2021
Read and Laniado, LLP, Attorneys at Law – Re: Application for the Eight Point Wind, LLC certificate of environmental compatibility and public need pursuant to Article 10 to construct a Wind Energy Project (Case#16-F-0062). Referred to: AIP Committee; and Matt Sousa, Planning Director.
March 18, 2021
City of Hornell, Mayor Buckley – Re: Thank you letter for all of the County’s efforts during the COVID-19 pandemic. Referred to: Steuben County Legislature; Jack Wheeler, County Manager; and Darlene Smith, Public Health Director.

March 24, 2021
NYS Department of Transportation – Re: Notification of the initiated payment for the SFY 2020-2021 Statewide Mass Transportation Operating Assistance (STOA) program. Referred to: Matt Sousa, Planning Director; and Brenda Scotchmer, Clerk of the Legislature.

March 25, 2021
NYS Division of the Budget – Re: Notification of approval for the SFY 2021 Raise the Age (RTA) county plan. Referred to: Human Services/Health & Education Committee; Finance Committee; Public Safety & Corrections Committee; Kathy Muller, Commissioner of Social Services; Cheryl Crocker, Probation Director; Jennifer Prossick; County Attorney; Tammy Hurd-Harvey, Commissioner of Finance; and Jack Wheeler, County Manager.

March 29, 2021
Young/Sommer LLC – Re: 60-day notice of intent to file an application for the Prattsburgh Wind, LLC project. Referred to: AIP Committee; Matt Sousa, Planning Director; Jennifer Prossick; County Attorney; and Jack Wheeler, County Manager.

Village of Canisteo – Re: Notification on the filing of a renewal application with the Susquehanna River Basin Commission (SRBC) for a water withdrawal (well (2) location). Referred to: AIP Committee; Matt Sousa, Planning Director; Jennifer Prossick; County Attorney; and Jack Wheeler, County Manager.

March 31, 2021
NYS Board on Electric Generation Siting and the Environment – Re: Application on the Eight Point Wind, LLC (Case#16-F-0062) Project. Referred to: AIP Committee; and Matt Sousa, Planning Director.

April 6, 2021
NYS Seventh Judicial District Administrative Judge, Honorable Craig Doran – Re: Correspondence letter on the reopening of the New York State Courts during the COVID-19 pandemic. Referred to: Steuben County Legislature; Jennifer Prossick; County Attorney; Brooks Baker, District Attorney; Shawn Sauro, Public Defender; and Brenda Aston, Conflict Defender.

April 8, 2021
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $1,608, which represents the February 2021 surcharge payment for Steuben County. Referred to: Finance Committee; and Tammy Hurd-Harvey, Commissioner of Finance.

Mr. Van Etten asked with regard to the notification of the approval of the Fiscal Year 2021 Raise the Age Plan; is that something that is submitted every year? Mr. Wheeler replied yes. The plan does not change much as it is just an estimated cost. We are just certified that we are complying.

Vote: Acclamation – Adopted.

RESOLUTION NO. 064-21

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

PRESENTING LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2021, AMENDING THE STEUBEN COUNTY CHARTER, ESTABLISHING THE POSITION OF DIRECTOR OF PUBLIC SAFETY.

Pursuant to Steuben County Charter Sections 2.07(7) and 13.05.
WHEREAS, Steuben County currently has a 911 Department headed by a Director and an Office of Emergency Services headed by a Director; and

WHEREAS, the Steuben County Legislature has determined it is in the best interest of the County to place the functions of the 911 Department and the Office of Emergency Services under a Director of Public Safety; and

WHEREAS, placing the 911 Department and the Office of Emergency Services under a Director of Public Safety will result in more efficient delivery of emergency services in the County of Steuben; and

WHEREAS, Steuben County has adopted a Charter form of government as approved by the voters of Steuben County on November 5, 2013; and

WHEREAS, it is appropriate to amend the Charter to reflect this change.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. One for the Year 2021, Amending the Steuben County Charter, Establishing the Position of Director of Public Safety.

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2021

A Local Law, Amending the Steuben County Charter, Establishing the Position of Director of Public Safety.

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

SECTION 1. LEGISLATIVE INTENT: It is the intent of the Steuben County Legislature to amend the Steuben County Charter and to establish the position of Director of Public Safety.

SECTION 2. AMENDMENT TO THE STEUBEN COUNTY CHARTER: The Steuben County Charter, be and the same, hereby is amended and added as follows:

Section 12.01 911 Department; Director of Public Safety

There shall be a 911 Department, headed by [a] the Director of Public Safety, responsible for emergency dispatch operations for Steuben County. The Director shall be appointed by the County Manager, subject to confirmation of the Steuben County Legislature. The Director shall have and exercise all powers and duties now or hereafter conferred or imposed by the County Manager, County Legislature, Administrative Code, and applicable law and/or regulation.

Section 12.07 Office of Emergency Services; Director of Public Safety

There shall be an Office of Emergency Services, headed by [a] the Director of Public Safety, responsible for coordination of disaster preparedness and response activities. The Director shall be appointed by the Manager, subject to confirmation of the Steuben County Legislature. The Director shall have and exercise all powers and duties now or hereafter conferred or imposed by the County Manager, County Legislature, Administrative Code, and applicable law and/or regulation.

NOTE: Old law is in brackets [ ] and deleted; New matter is underlined.

SECTION 3. EFFECTIVE DATE: The within Local Law shall be effective immediately upon adoption.
AND BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on May 24, 2021 at 10:00 A.M. in the Steuben County Legislative Chambers, 3rd Floor of the Annex Building in the Village of Bath, New York, and the Local Law is subject to a permissive referendum of the qualified electors of the County of Steuben by filing of a legal petition within forty-five (45) days after its final adoption, with the Clerk of the Legislature of the County of Steuben protesting such Local Law; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouse in the municipality of Bath, Corning City Hall, and the DMV office in Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, 911 Department, Office of Emergency Services, Personnel Officer, Commissioner of Finance, and the County Attorney.

Vote: Acclamation – Adopted.

RESOLUTION NO. 065-21

Introduced by R. Lattimer.  Seconded by R. Nichols.

PRESENTING LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2021, AUTHORIZING 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT.

WHEREAS, New York State enacted in its’ 2021-2022 New York State Budget, a pilot program, allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2023; and if a county authorizes such action within their municipality; and

WHEREAS, in order for Steuben County to participate in this Pilot Program, the County is required to take an affirmative act opting into the Program.

NOW THEREFORE, BE IT

RESOLVED, a local law opting into the State’s Pilot Program is hereby presented to each member of this Steuben County Legislature, Local Law Tentatively No. Two for the Year 2021, authorizing 12 and 13 year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of a licensed adult.

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2021

A Local Law, authorizing 12 and 13 year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of a licensed adult.

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

Section 1. Legislative Intent

The intent of this Local Law is to authorize Steuben County to permit 12 and 13 year old individuals to participate in the new and safe hunting opportunities in accordance with Environmental Conservation Law § 11-0935. The enacted 2021-2022 New York State Budget, includes a pilot program, allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2023 if a county authorizes such action within their municipality. Steuben County is passing this local law as hunting is a valued tradition for many families, and this new opportunity

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allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

Section 2. Pilot Program Authorization

Pursuant to Environmental Conservation Law, ECL 11-0935, Steuben County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2023.

Section 3. State Requirements to Adhere Once Authorized

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, age 21 years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, age 21 years or older, with a crossbow during the times when other hunters may use crossbows; and
- Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- All licensed twelve (12) and thirteen (13) year old hunters as well as their adult supervisors shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and
- All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year old with a firearm or crossbow.

Section 4. Local Law Filing Requirements

A copy of this local law shall be sent to the New York State Department of Conservation as well as the NYS Department of State.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. Effective Date

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.
AND BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on May 24, 2021 at 10:00 A.M. in the Steuben County Legislative Chambers, 3rd Floor of the Annex Building in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouse in the municipality of Bath, Corning City Hall, and the DMV office in Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

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

Mr. Swackhamer asked will the youth still have to take the hunter safety course? Chairman Van Etten replied yes and anymore that course is available online. The only thing with the online course is they do not have the hands on safety training with the gun.

Vote: Acclamation – Adopted.

RESOLUTION NO. 066-21

Introduced by J. Malter. Seconded by T. Ryan.

AUTHORIZING THE SHERIFF TO ACCEPT A DONATION FROM CORNING INC.

WHEREAS, the Sheriff’s Office is in need of additional body cameras for use by its deputies; and

WHEREAS, Corning, Inc. has offered to purchase and donate 33 body cameras and pay for all associated software/hardware, storage, maintenance, and licensing fees for two (2) years; and

WHEREAS, said equipment will be provided by Axon Enterprise, Inc.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff hereby is authorized to accept the donation of 33 body cameras, including all associated software/hardware, storage, maintenance and licensing fees for two (2) years; and be it further

RESOLVED, the Sheriff is authorized to sign a purchasing agreement with Axon Enterprises, Inc. to secure the donated body cameras, software/hardware, storage, maintenance and licensing fees for two (2) years; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Sheriff and the Director of Purchasing.

Vote: Roll Call – Adopted.

Chairman Van Etten stated that he would like to thank Corning, Inc. for helping public safety across the County if everyone accepts these.

RESOLUTION NO. 067-21

Introduced by B. Schu and G. Swackhamer. Seconded by J. Malter.

AUTHORIZING A CONTINGENT FUND TRANSFER FOR THE BOARD OF ELECTIONS AUDIT WITH BONADIO.
WHEREAS, the Board of Elections would like to assure accuracy in their processes; and

WHEREAS, an audit will provide historical analysis and key performance indicators, evaluate and document internal controls, cover Voter Completeness Registration testing, ineligible Voter testing and to identify key areas critical to help the operations of the Elections Office; and

WHEREAS, the County already has a contract with Bonadio for such auditing services and this amendment will cost $23,000.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer $23,000 from the Contingent Fund (199000.5449900) to the Board of Election Fiscal Services line (145000.5421130); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 068-21

Introduced by G. Swackhamer. Seconded by C. Ferratella.

CLOSING THE MOBILITY MANAGEMENT CAPITAL PROJECT AND TRANSFERRING ALL 2020 APPROPRIATIONS AND FINANCIAL TRANSACTIONS TO THE GENERAL FUND.

WHEREAS, Resolution No. 153-20 was passed by the Steuben County Legislature in August of 2020 to accept Federal 5311 funding for Mobility Management services and appropriate said funding to the Mobility Management Capital Project (5630H2); and

WHEREAS, the mobility management services being funded by this grant do not take the form of a capital project; and

WHEREAS, the County prefers to more properly account for this grant; and

WHEREAS, the specific funds awarded are as follows:

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<tr>
<th>Description</th>
<th>Project Cost</th>
<th>Federal Share</th>
<th>State Share</th>
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<td>2019 Mobility Management</td>
<td>$412,606</td>
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<td>2020 Mobility Management</td>
<td>$424,739</td>
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NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to appropriate the 2019 and 2020 Mobility Management grant funds into the Mobility Management Services General Fund cost center to reflect appropriations and revenues of the State of New York, third party subcontractors, and any vendors for the purposes of fulfilling the grant requirements; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to move all 2020 financial transactions from the Mobility Management Capital Project to the Mobility Management General Fund cost center; and be it further
RESOLVED, the Commissioner of Finance is authorized to close the existing Mobility Management Capital Project (5630H2); and be it further

RESOLVED, certified copies of this resolution shall be sent to the Planning Director and to the Commissioner of Finance.

Roll Call – Adopted.

RESOLUTION NO. 069-21

Introduced by R. Lattimer. Seconded by R. Nichols.

ACCEPTING THE NEW YORK STATE SEPTIC SYSTEM REPLACEMENT FUND GRANT.

WHEREAS, the Clean Water Infrastructure Act of 2017 established the State Septic System Replacement Fund; and

WHEREAS, Steuben County has been awarded $170,000 in funding to address failing septic systems in specific geographic areas that impact threatened or impaired waterbodies; and

WHEREAS, this multi-year program is administered by the New York State Environmental Facilities Corporation and the New York State Department of Environmental Conservation; and

WHEREAS, this is additional funding awarded to Steuben County for round 2; and

WHEREAS, the County Planning Department administers this program on behalf of the County.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is authorized to execute a new participation agreement with the New York State Environmental Facilities Corporation for round 2 of the State Septic System Replacement Fund program; and be it further

RESOLVED, the Commissioner of Finance is authorized to accept these funds into the Clean Water Infrastructure account (898900.5440419); and be it further

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

Mr. Swackhamer asked how is this distributed? Mr. Sousa replied these are funds from the New York State Environmental Facilities Corporation and this is a reimbursable grant that covers up to 50 percent of the costs of well and septic system replacements on Smith Pond and Waneta Lake. The County will apply for the reimbursement of these funds.

Vote: Roll Call – Adopted.

RESOLUTION 070-21

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

AUTHORIZING A TRANSFER FROM GENERAL FUND UNASSIGNED FUND BALANCE TO THE BLACK CREEK SECURITY MANAGEMENT SYSTEM CAPITAL PROJECT.
WHEREAS, the Jail is in need of upgrades to its security system; and

WHEREAS, there is a capital project for said project, but in order to complete the project an additional $145,000 is needed; and

WHEREAS, it is necessary to appropriate $145,000 in General Fund Unassigned Fund Balance to cover this additional expense.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to transfer the sum of $145,000 from the General Fund Unassigned Fund Balance to the Black Creek/Touchscreen/CCTV Capital Project 3150H7; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 071-21

Introduced by J. Malter and G. Swackhamer. Seconded by H. Lando.

AUTHORIZING THE CONTRACT TO UPGRADE THE BLACK CREEK SECURITY MANAGEMENT SYSTEM.

WHEREAS, the Jail is in need of upgrades to the current security system; and

WHEREAS, Black Creek Security Management System has been deemed a sole source contractor for the security system at the Jail; and

WHEREAS, it is necessary to contract with Black Creek Security Management Systems to complete the necessary upgrades.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff is authorized to enter into a contract with Black Creek Security Management Systems for security upgrades at the Steuben County Jail, subject to the approval of the contract by the County Attorney; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 072-21

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

AMENDING THE COUNTY’S SHARE OF THE COST RELATIVE TO THE TAX CERTIORARI PROCEEDING IN THE TOWN OF CATON.

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

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

WHEREAS, the Town of Caton has recently completed a cyclical reassessment plan and has further requested the County to participate in one (1) Tax Certiorari Proceeding Index No: E2020-0589CV and 2019-0970CV pursuant to the County’s participation policy; and

WHEREAS, the recited request complies with the policy of the County to so participate; and

WHEREAS, the Steuben County Legislature duly adopted Resolution No. 031-21 on February 22, 2021 authorizing the Commissioner of Finance to disburse a total sum not to exceed $1,500.00 to the properly credentialed and retained appraiser(s); and

WHEREAS, the Real Property Tax Service Agency has recalculated the estimate of the County’s share of participation at an additional $1,650.00.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized and directed to disburse to the properly credentialed and retained appraiser(s) a total sum not to exceed $3,500.00 in and for the recited proceeding; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Real Property Tax Service Agency; Commissioner of Finance; Donald Haussener, Town of Caton Supervisor, 11161 Hendy Hollow Rd., Corning, NY 14830; and Nicholas S. Cortese, Esq., Coughlin & Gerhart, LLP, 99 Corporate Dr., PO Box 2039, Binghamton, NY 13902-2039, Attorney for the Town of Caton.

Mr. Swackhamer asked how many times can they apply? Every time they have applied, has the valuation changed? Ms. Prossick replied usually the settlement is termed forward and the default is three years after you file. This is different as it is a closed gas well. Mr. Swackhamer stated this is the second time. Ms. Prossick replied it was presented earlier and the appraisal came in higher than what was authorized. This is for that additional appraisal fee. Mr. Van Etten commented a couple of years ago this came up with the natural gas transmission pump station and the town assessed the equipment, building and the land. Ms. Prossick explained the station was still at some functioning level at that time and now it is closed and this should be the final time.

Vote:  Roll Call – Adopted.

RESOLUTION NO. 073-21

Introduced by J. Malter.  

Seconded by G. Roush.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION.

Pursuant to NY GML §119-O

WHEREAS, Steuben County has a County-wide Communications System to support emergency response; and
WHEREAS, the County of Steuben operates a Communications Tower at property located at 4151 West Road, Town of Corning, known as the Quackenbush Tower Site; and

WHEREAS, New York State Department of Transportation (NYSDOT) has requested permission to place radio equipment on a County’s Communications Tower; and

WHEREAS, the County’s Communications Tower Site has available space and capabilities to provide these services to NYSDOT; and

WHEREAS, New York State Department of Transportation will complete all work at this location at no cost to the County of Steuben.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature authorizes the County Manager to enter into an Inter-Municipal Agreement with NYSDOT; and be it further

RESOLVED, the Inter-municipal agreement will be approved prior to acceptance by the County Law Department; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Timothy D. Marshall, Director of the Office of Emergency Services; Robert S. Terry, Radio/Wireless Engineer, New York State Department of Transportation, 50 Wolf Road/POD 5-3, Albany, NY 12232.

Vote: Roll Call – Adopted.

RESOLUTION NO. 074-21

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

AUTHORIZING THE RECLASSIFICATION OF ONE ASSISTANT DISTRICT ATTORNEY POSITION, GRADE H TO A SENIOR ASSISTANT DISTRICT ATTORNEY POSITION, GRADE I.

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

WHEREAS, the current Assistant District Attorney position in the Office of the District Attorney is needed to perform Senior Assistant District Attorney duties such as supervisory duties as well as additional duties applicable to the trade; and

WHEREAS, a Senior Assistant District Attorney position more appropriately performs these duties; and

WHEREAS, the Personnel Officer, the Public Safety and Corrections Committee, and the Administration Committee have reviewed said position within the Office of the District Attorney that requires a job title change and have approved the recommended change.

NOW THEREFORE, BE IT

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

One (1) Assistant District Attorney Position, Grade H ($57,491 - $89,898), to
One (1) Senior Assistant District Attorney Position, Grade I, ($63,232 - $98,883).
AND BE IT FURTHER RESOLVED, the 2021 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance, Personnel Officer, and the District Attorney.

Vote: Roll Call – Adopted. Yes – 9330; No – 542
(No: Legislator Maio)

RESOLUTION NO. 075-21

Introduced by C. Ferratella and B. Schu. Seconded by F. Potter.

AUTHORIZING THE RECLASSIFICATION OF ONE PUBLIC HEALTH COORDINATOR POSITION, GRADE XVI TO A DEPUTY PUBLIC HEALTH DIRECTOR POSITION, GRADE J.

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

WHEREAS, this Public Health Coordinator position in the Department of Public Health & Nursing Services will perform Deputy Public Health Director duties; and

WHEREAS, this Deputy Public Health Director will have added supervisory duties as well as additional duties applicable to the trade; and

WHEREAS, a Deputy Public Health Director position more appropriately performs these duties; and

WHEREAS, the Personnel Officer, the Human Services, Health & Education Committee, and the Administration Committee have reviewed said position within the Department of Public Health & Nursing Services that requires a job title change and have approved the recommended change.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in the Department of Public Health & Nursing Services is hereby reclassified as follows:


AND BE IT FURTHER RESOLVED, the 2021 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

Mr. Maio asked why is it going from a Roman numeral to a letter? Mr. Wheeler stated the Roman numeral is the grading for the Union and the letter is the grading for management.

Mr. Mullen asked how does the salary range compare to other deputy positions? Mr. Wheeler replied it is a little higher, but it is in line with a deputy in a department where it may be hard to recruit. We are ideally looking for someone with a nursing or medical background. The goal is to utilize this position to
supervise the nursing staff. We have recruited for a Nursing Supervisor position for a long time. Due to that function, the pay is a little higher.

Vote: Roll Call – Adopted.

RESOLUTION NO. 076-21

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

AUTHORIZING THE RECLASSIFICATION OF ONE VACANT SENIOR TYPIST POSITION, GRADE VI TO A SENIOR ACCOUNT CLERK TYPIST POSITION, GRADE X, IN THE OFFICE OF THE RISK MANAGER.

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

WHEREAS, after review of the current Senior Typist position in the Risk Management Office it was found the position needs to perform Senior Account Clerk Typist duties; and

WHEREAS, this Senior Account Clerk Typist will have added duties of performing account clerical procedures and methods, and will be responsible for maintaining financial accounts and records in addition to clerical duties; and

WHEREAS, a Senior Account Clerk Typist position more appropriately performs these duties; and

WHEREAS, the Personnel Officer and the Administration Committee have reviewed said position within the Risk Management Office that requires a job title change and have approved the recommended change.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in the Risk Management Office is hereby reclassified as follows:

One (1) Vacant Senior Typist Position, Grade VI ($28,442 - $40,151), to
One (1) Senior Account Clerk Typist Position, Grade X, ($33,749 - $47,644).

AND BE IT FURTHER RESOLVED, the 2021 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance, Personnel Officer, and the Risk Manager.

Vote: Roll Call – Adopted.

RESOLUTION NO. 077-21

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

AMENDING THE MANAGEMENT SALARY PLAN RELATIVE TO THE DEPUTY DIRECTOR POSITION WITHIN THE OFFICE OF EMERGENCY SERVICES.

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

WHEREAS, in accordance with the Management Salary Plan, adjustments are anticipated from time to time; and
WHEREAS, a re-evaluation has been completed and approved by the Personnel Officer, County Manager and Administration Committee; and

WHEREAS, the salary grade of the Deputy Director, Office of Emergency Services was recommended to be changed.

NOW THEREFORE, BE IT

RESOLVED, the following change be and the same hereby is authorized and directed:

Deputy Director, Office of Emergency Services Grade G to Grade H

AND BE IT FURTHER RESOLVED, this resolution shall be effective immediately upon adoption; and be it further

RESOLVED, the Management Salary Plan shall be amended to reflect this change; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 078-21

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

WAIVING THE ESTABLISHED TIP FEES FOR ROADSIDE CLEANUP WEEKS FOR LOCAL MUNICIPALITIES.

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

WHEREAS, the County operates a mixed municipal solid waste landfill in the Town of Bath; and

WHEREAS, the County recognizes that the Cities, Villages and Towns collect garbage and tires along the streets and roadways in an effort to keep their communities clean; and

WHEREAS, the current tip fees at the landfill are $44.00/ton for garbage, bulk loads; $200.00/ton for passenger vehicle tires up to 20” and $300.00/ton for large truck and tractor tires; and

WHEREAS, the Public Works Committee desires to assist these local municipalities by waiving the posted tip fees for the disposal of 20 tons of garbage and 10 tons of tires for a two (2) week period each year; and

WHEREAS, the waiver is for road side debris that is collected during routine maintenance activities; and

WHEREAS, the Public Works Committee has directed the Commissioner of Public Works to establish guidelines for participation in the Roadside Cleanup Weeks.

NOW THEREFORE, BE IT

RESOLVED, the Legislature does hereby authorize the Commissioner of Public Works to waive posted tip fees for the disposal of garbage, bulk loads and tires and forward the guidelines for the Roadside Cleanup Weeks to all Cities, Villages and Towns; and be it further
RESOLUTION NO. 079-21


FILLING A VACANCY ON THE STEUBEN COUNTY TRAFFIC SAFETY BOARD.

Pursuant to Section 12.20 of the Steuben County Charter and Article 43 of the Vehicle and Traffic Law.

WHEREAS, a vacancy currently exists on the Steuben County Traffic Safety Board.

WHEREAS, the Steuben County Manager endorses the appointment of Kyle Amidon, Canisteo Village Police Chief to fill the unexpired term of Chad Mullen, Bath Village Police Chief through December 31, 2021.

NOW THEREFORE, BE IT

RESOLVED, that Kyle Amidon, Canisteo Village Police Chief, be and the same hereby is appointed to the Steuben County Traffic Safety Board through December 31, 2021; and be it further

RESOLVED, said member shall serve without compensation except for reasonable and necessary expenses, upon submission of a County voucher with receipts attached, incurred in the performance of their duties on the Steuben County Traffic Safety Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Kyle Amidon, Canisteo Village Police Chief, 8 Green Street, Canisteo, NY 14823; the County Auditor and the Governor’s Traffic Safety Committee, Swan Street Building, Empire State Plaza, Albany, NY 12228.

Vote: Acclamation – Adopted.

RESOLUTION NO. 080-21

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

MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO SUPPORT ALLOCATING UNRESTRICTED RESOURCES TO LOCAL HEALTH DEPARTMENTS TO FORTIFY THE PROVISION OF CORE PUBLIC HEALTH SERVICES AND PREPARE FOR IMPLEMENTATION OF EXPANDED PUBLIC HEALTH MANDATES.

WHEREAS, local health departments are New York State's partners and operational extensions, working in the forefront of communities, addressing public health issues and serving as the first line of defense against all public health crises by protecting communities and residents; and

WHEREAS, activities led by the 58 local health departments are paramount to our collective ability to achieve Prevention Agenda goals, address health disparities, improve health outcomes and ensure community safety and stability; and

WHEREAS, Directors and Commissioners of Public Health are health strategists within their respective counties, with the unparalleled expertise needed to apply knowledge, bridge competency gaps, lead multi-sector health improvements, and identify vulnerable populations; and
WHEREAS, un- and under-funded public health mandates continue to emerge routinely, including monitoring of contaminants in drinking water, registration of cooling towers, lowering of the elevated blood lead level in children (EBLL), and, most recently, all activities related to the COVID-19 response; and

WHEREAS, the state aid share for core public health services has not kept up with growing public health needs, nor has it supported the implementation of new and expanded state mandates, has not received an increase in core public health aid in more than six years, nor have they received adequate compensation needed to respond to emerging health issues; and

WHEREAS, during the 2020-2021 State Budget Session, New York State became the epicenter of a global pandemic that has required a surge in and restructuring of the existing public health and health care infrastructure to ensure control of the virus and equitable distribution of COVID-19 vaccines; and

WHEREAS, New York State has legalized regulated cannabis, which will lead to increased response including education, surveillance, public awareness, and oversight by local health departments; and

WHEREAS, the public health workforce employed within local health departments are first responders, working at the forefront of communities during times of need and when emerging health issues occur, such as COVID-19 response; and

WHEREAS, State Budget appropriations for public health spending has been reduced year after year, and new funding streams for emergency response activities are frequently accompanied with stringent federal spending or supplanting restrictions, which impacts how funds can be utilized and reduces flexibility to respond to local community needs; and

WHEREAS, as demonstrated during the COVID-19 response, the public health workforce is central to New York State's public health infrastructure yet is dwindling due to public-sector budget restraints, competition, a surplus of workers who are approaching retirement, the inability to recruit new workers in all areas throughout the state -- all of which culminate in significant workforce retention challenges; and

WHEREAS, New York State does not allow local health departments to recover any of its necessary fringe expenses for local health department personnel under Article 6, therefore creating a barrier to hiring new staff; and

WHEREAS, a thorough assessment of the full fiscal implications of any new policy is crucial if the state desires to maintain the promise made to local taxpayers through the 2 percent state property tax cap and if the state wishes to deliver on new public health promises that they want to implement through state statute and regulations; and

WHEREAS, now, more than ever, is the time for a call to action to evaluate and allocate the resources that are truly needed to further expand public health and safety infrastructure in New York State, further demonstrating the State's commitment to pass progressive public health policy and thereby protect the residents of New York State.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature joins the New York State Association of Counties (NYSAC) and the New York State Association of County Health Officials (NYSACHO) in calling upon the Governor and New York State Legislature to provide resources, flexibility and support to local health departments within County and New York City Governments by:

1. Allocating unrestricted, flexible funding to local health departments so they have the resources needed to respond to threats like COVID-19;
2. Restoring Article 6 reimbursement to New York City at 36%, the same rate as the rest of the state;
3. Extending the Imminent Threat to Public Health declaration as we continue to respond to COVID-19 beyond December 31, 2020;
4. Securing the restoration of the 20% withholding that New York State is making on all state reimbursements;
5. Providing 100% reimbursement for the first full year of any new and/or significantly expanded public health mandates emerging from law, rule or regulation;

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the 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 Robert G. Ortt, Senate Minority Leader, Capitol Building Room 315, 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; Brooke Harris, President, Inter-County Association of Western New York, c/o Allegany County Legislature, 7 Court Street, Belmont, NY 14813-1084; New York State Association of Counties, 515 Broadway, Suite 402, Albany, NY 12207; and the Steuben County Public Health Director.

Mr. Mullen asked are we requesting State money to expand the department or to fill mandates that the State is already putting place? Mrs. Smith replied this is just a request for currently existing programs and mandates that they continue to be funded. This is not to further the expansion of the department, but expanding funding for those services that we currently provide.

Mr. Maio stated this was for the response to COVID and then it includes cannabis; how was that added to the resolution? Mr. Wheeler replied this resolution was taken from NYSAC. I believe in the development of this resolution during the virtual NYSAC conference, a deal was struck regarding cannabis and they theorized there would be more impetus on Public Health for education and outreach.

Mrs. Smith stated Mr. Wheeler is correct about why the language for cannabis. The thought is with the legalization that there would be Public Health responsibilities around it and the language was included as essentially an unfunded mandate.

Motion to strike the 7th Whereas made by Mr. Maio. Motion fails due to lack of a second.

Vote: Acclamation – Adopted.

RESOLUTION NO. 081-21

Introduced by C. Ferratella. Seconded by J. Malter.

MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO RESTORE STATE FUNDING TO LOCAL HEALTH DEPARTMENTS FOR RABIES HUMAN POST-EXPOSURE PROPHYLAXIS.

WHEREAS, rabies is a deadly zoonotic disease, with a 99.9% fatality rate in humans if left untreated; and

WHEREAS, rabies post-exposure prophylaxis should be authorized and provided as soon as possible after exposure to an animal that is known to be rabid or is a high-suspect for rabies; and

WHEREAS, New York State Public Health Law Section 2145 states that the county health authority is responsible for the services and expenses necessary for the suppression of human rabies; and
WHEREAS, these activities include assuring that individuals exposed to rabies receive treatment at no cost and providing mandatory quarterly free rabies clinics for cats, dogs, and domesticated ferrets; and

WHEREAS, the 2021-22 Executive Budget proposal eliminates state funding that supported costs for authorized rabies treatment not covered by third party insurance; and

WHEREAS, rabies expenses can be unpredictable from year to year, based on the number of exposures; and

WHEREAS, a single large exposure, such as at a children's camp, or exposures in populations with higher numbers of uninsured individuals can quickly exhaust local budgets for rabies treatment; and

WHEREAS, the fatality risk of an untreated rabies exposure means that costs must be covered to assure treatment; and

WHEREAS, third party insurers should be required to cover treatment for rabies exposure; and

WHEREAS, current statute requires both county health authority and insurer approval of treatment; and

WHEREAS, county health authority assessment and approval of post-exposure treatment for rabies should suffice for insurers to reimburse for these expenses without further approval; and

WHEREAS, hospital rates for treatment vary significantly, exceeding third party reimbursement rates and placing the burden of the unreimbursed balance on both individuals receiving treatment and localities.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature calls upon the Governor and New York State Legislature to restore funding for rabies program expenses to prior year levels; and be it further

RESOLVED, the Steuben County Legislature urges the Governor and New York State Legislature to enact reforms to current public health law to reduce local and state taxpayer costs by increasing maximization of third-party insurance payments for post exposure rabies treatment; and be it further

RESOLVED, the Governor and New York State Legislature are additionally encouraged to enact reforms to current public health law to require health care providers to accept rates for reimbursement for rabies treatment set by the State Commissioner of Health; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the 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 Robert G. Ortt, Senate Minority Leader, Capitol Building Room 315, 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; Brooke Harris, President, Inter-County Association of Western New York, c/o Allegany County Legislature, 7 Court Street, Belmont, NY 14813-1084; New York State Association of Counties, 515 Broadway, Suite 402, Albany, NY 12207; and the Steuben County Public Health Director.

Vote: Acclamation – Adopted.
MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO EXPAND VACCINATION ACCESS AND REPORTING FOR NEW YORKERS.

WHEREAS, local health departments are New York State's partners and operational extensions, working in the forefront of communities, addressing public health issues and serving as the first line of defense against all public health crises by protecting communities and residents, including COVID-19; and

WHEREAS, New York State does not require the reporting of all adult immunizations administered without consent of the person receiving the vaccine; and

WHEREAS, it is challenging to adequately strategize around adult vaccination coverage and reduce disease burden because of a lack of complete vaccination records for adults; and

WHEREAS, enabling decision support through the Citywide Immunization Registry and New York State Immunization Information System (NYSIIS) facilitating targeted outreach to neighborhoods and groups that have low uptake would help ensure equitable access throughout New York City and statewide; and

WHEREAS, New York State has some of the most restrictive pharmacist vaccination laws in the country, and

WHEREAS, allowing pharmacists to administer all ACIP-recommended vaccines would improve vaccine coverage in the city and the state for critical vaccines, such as COVID-19, hepatitis A, mumps, meningitis, pertussis, and measles; and

WHEREAS, pharmacists are convenient and trusted community providers who can improve vaccine access, particularly for underserved populations who do not have a primary care provider.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature calls upon the Governor and New York State Legislature to pass legislation that would:

• Codify recent Governor Executive Orders and amend NYS Public Health Law §2168 to require health care providers, registered professional nurses, and pharmacists to report to NYS Department of Health, or, for health care providers located in New York City, NYC Department of Health, all adult immunizations administered without consent of the person receiving the vaccine; and

• Expand pharmacist authority to permanently allow pharmacists to administer all immunizations recommended by the Centers for Disease Control Advisory Committee on immunization Practices (ACIP) to adults 18 years of age and older; and

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the 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 Robert G. Ortt, Senate Minority Leader, Capitol Building Room 315, 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
Mrs. Lando stated, I am not in favor of this resolution as I don’t believe we should mandate for young children going to daycare having to have a flu vaccine.

Motion removing the third and fourth bullets under the first Resolved requiring young children attending daycare to have the flu vaccine made by Mr. Mullen. Seconded by Mr. Horton for discussion. Motion carries with Mr. Maio opposed.

Vote: Acclamation – Adopted.

RESOLUTION NO. 083-21

Introduced by R. Lattimer. Seconded by K. Fitzpatrick.

SUPPORTING THE FINGER LAKES NATIONAL HERITAGE AREA DESIGNATION.

WHEREAS, the Finger Lakes form a unique and diverse region in Upstate New York and encompasses a patchwork of cultures and history, as well as spectacular natural, scenic and recreational resources that reflect a unique contribution to the collective American identity; and

WHEREAS, the Finger Lakes is distinguished by eleven pristine lakes formed over 19,000 years ago at the end of the “Ice Age” that have, over the years, been Native American hunting grounds and villages, rich agricultural lands that inspired settlement, villages and small towns, a world renowned wine industry, which have together formed a unique and distinctive landscape; and

WHEREAS, the Congress of the United States has the authority to designate National Heritage Areas that encompasses a region where natural, cultural, historic and recreational resources combine to form a cohesive, nationally distinctive landscape shaped by geography and cultural traditions; and

WHEREAS, the Finger Lakes National Heritage Area Feasibility Study was authorized by the John D. Dingell, Jr. Conservation, Management and Recreation Act of 2019, which directed the Secretary of the Interior to evaluate the natural, historic, cultural, educational, and recreational resources of the Finger Lakes; and

WHEREAS, the legislation identified the following counties to be considered as part of the study: Cayuga, Chemung, Cortland, Livingston, Monroe, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, and Yates; and

WHEREAS, Steuben County is within the Finger Lakes Tourism Region, as designated by New York State legislation and the National Heritage Area study area and has a plethora of natural, cultural, historic, agricultural and recreational resources pertinent to the study; and

WHEREAS, the Finger Lakes Tourism Alliance has worked since 2014 with regional and area civic organizations, local jurisdictions and local government, business community and numerous other stakeholders and non-profit groups in submitting the original request to the National Park Service which resulted in the Feasibility Study in 2021, and continues to work with the National Park Service to gather input from the public regarding the creation of a national heritage area in the Finger Lakes; and
NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby supports the Finger Lakes National Heritage Area designation and the inclusion of all fourteen counties including Cayuga, Chemung, Cortland, Livingston, Monroe, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, and Yates counties in the National Heritage Area and supports the Finger Lakes Tourism Alliance in their current and future leadership role in administering the National Heritage Area; and be it further

RESOLVED certified copies of this resolution shall be forwarded to the Honorable Charles E. Schumer, United States Senator, 322 Hart Senate Office Building, Washington, D.C. 20510-3202; Honorable Kirsten Gillibrand, United States Senator, Kenneth B. Keating Federal Building, 100 State Street, Room 4195, Rochester, NY 14614; Honorable Thomas Reed, United States Congressman, 2263 Rayburn House Office Building, Washington, D.C. 20515; 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; Brooke Harris, President, Inter-County Association of Western New York, c/o Allegany County Legislature, 7 Court Street, Belmont, NY 14813-1084; Shawn Benge, Deputy Director of Operations, National Park Service, 1849 C Street NW, Washington, D.C. 20240; Bert Frost, Regional Director, National Park Service, 601 Riverfront Drive, Omaha, NE 68102-4226; Cindy Kimble, President, Finger Lakes Tourism Alliance, 309 Lake Street, Penn Yan, NY 14527 and Kevin Costello, President, Corning and the Southern Finger Lakes, 1 W. Market Street, Suite 201, Corning, NY 14830.

Ms. Lattimer explained from the presentation there will be no restrictions and there is no downside to this. We want to support this designation for economic development.

**Vote:** Acclamation – Adopted.

Mr. Swackhamer asked will there be any land use or building permit restrictions with this? Mr. Van Etten replied no. I had asked that same question at the AIP meeting. My concern was that it would be similar to the restrictions under the National Heritage Register and there will be nothing like that.

Ms. Lattimer explained from the presentation there will be no restrictions and there is no downside to this. We want to support this designation for economic development.

Mr. Van Etten asked what is the status of the limitations the State has in place in regard to meetings and will those be lifted? Mr. Wheeler replied the Executive Order allowing for remote meetings is still being continued through May 6th.

Mr. Van Etten asked what about the status of DMV? Mr. Wheeler replied I do not know a date on that, but the State continues to extend it and we are required to do appointments online.

Mr. Horton asked with meetings, if it is not mandatory to do them by Zoom, could we open the meetings back up? Ms. Prossick explained Zoom is not allowed normally. There is still a cap on how many people can be in a room. The Executive Order extends the right to use Zoom. Mr. Swackhamer asked does being vaccinated change the limit on the number of people in person? Mr. Wheeler replied not at this moment. Mr. Van Etten commented having the ability to Zoom the meetings is good for the department heads as they can monitor the meeting, answer questions and provide information remotely. Mr. Wheeler stated without the Executive Order you would have to publish all of the locations where individuals are viewing the meeting. Mr. Van Etten stated after it is no longer required we should still have remote access to allow people to monitor the meetings.

Ms. Fitzpatrick stated she was contacted by a member of a title corporation who is doing research in the County Clerk’s Office and they are requesting full access to the building. My question is what is holding up allowing that access considering the amount of real property and mortgage tax collection we do? Mr. Wheeler explained the title search area is a small room, but if people can remain six feet apart and wear masks and you can ensure that, we may be able to. He stated that he has been talking with the County
Clerk about this. Ms. Fitzpatrick asked when an abstractor is working at a workstation or sitting down then they don’t have to have a mask. What if they are working at a stand-up desk? Mr. Wheeler stated it is due to the size of the room as it is much smaller than the room we are in today. For absolute safety that is when we would say the safest thing is to wear a mask as another layer of protection. If there are only one or two people in the room, then that is a different story. Ms. Prossick stated there is a lot of moving around in that room. Mr. Van Etten commented at some point the masks will go away. Ms. Fitzpatrick stated some people are saying why bother to get vaccinated if we still have to wear masks and socially distance.

**Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7§ 105.1.E. Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law and Article 7§ 105.1.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. Horton, seconded by Mr. Potter and duly carried.**

**Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Horton, seconded by Mr. Van Caeseele and duly carried.**

**Motion Ratifying the Agreement with the CSEA Main Unit Approving a 1.25 Percent COLA for its Members made by Mr. Horton. Seconded by Mr. Van Caeseele. Roll Call Vote: Adopted. Yes – 9330. Absent – 542 (Absent – Mrs. Lando)**

**Motion to Adjourn made by Mr. Malter, seconded by Mr. Schu and duly carried.**