The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 26th day of July, 2021 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 Hanna and Schu.

**Secretary’s Note:** Mr. Hanna was present for the meeting via Zoom; however, to comply with Open Meetings Law requirements, if he was attending via Zoom, he needed to provide the location where he would be attending the meeting. Since his location was not published on the agenda, he is considered absent for the meeting and was not eligible to vote.

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

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proof of Publication and Proof of Posting Upon County of Steuben Local Law Tentatively No. Three for the Year 2021, Waiving the Residency Requirement for Steuben County Deputy Sheriffs. Chairman Van Etten opened the floor for comments by members of the public. There being none, he declared the public hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proof of Publication and Proof of Posting Upon County of Steuben Local Law Tentatively No. Four for the Year 2021, Waiving the Residency Requirement for Steuben County Peace Officers. Chairman Van Etten opened the floor for comments by members of the public. There being none, he declared the public hearing closed.

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. Swackhamer, seconded by Mrs. Ferratella and duly carried.**

Mrs. Scotchmer stated if any of the Legislators are interested in attending the NYSAC Conference in September to please let her know. Additionally, due to the NYSAC Conference, the Public Safety & Corrections Committee and Public Works Committee meetings will be held on Tuesday, September 7, 2021, and the Administration and Finance Committee meetings will be held on Wednesday, September 8, 2021.

**RESOLUTION NO. 127-21**

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

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

Pursuant to Section 2.07 of the Steuben County Charter.
RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of applications for correction of real property taxes levied on the parcels contained in Schedule "A"; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to make the proper tax adjustment, and/or refund, with respect to the parcels contained in Schedule "A", as set forth in the approved applications, copies of which shall be forwarded to the taxpayer and collecting authority; and

RESOLVED, that certified copies of this resolution contained in Schedule “A” shall be forwarded to the Director of the Steuben County Real Property Tax Service Agency and the Steuben County Commissioner of Finance, together with the approved applications executed in duplicate by the Chairman of the County Legislature, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District.

SCHEDULE “A”

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Parcel No.</th>
<th>Name</th>
<th>Municipality</th>
<th>Tax Yr(s)</th>
<th>Disposition</th>
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<tbody>
<tr>
<td>A-1</td>
<td>113.12-01-024.000</td>
<td>McRae, David J &amp; Mary Ann</td>
<td>Avoca Village</td>
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<td>Correction of Village Tax</td>
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<td>A-2</td>
<td>299.18-02-038.000</td>
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<td>Corning Town</td>
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<td>Tax Certiorari - Court Ordered Reduction in Assessed Value</td>
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<td>Tax Certiorari - Court Ordered Reduction in Assessed Value</td>
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<td>2021</td>
<td>Tax Certiorari - Court Ordered Reduction in Assessed Value</td>
</tr>
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</table>

Vote: Roll Call – Adopted.

RESOLUTION NO. 128-21


RECEIVING AND ACCEPTING THE JULY 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:

June 21, 2021
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $1,944, which represents the April 2021 surcharge payment for Steuben County. Referred to: Finance Committee; Administration Committees; and Tammy Hurd-Harvey, Commissioner of Finance.

Corning Incorporated – Re: Notice of application (Sullivan Park Science & Technology Center, SRBC Pending Numbers: 2021-064, 2021-065, 2021-066, Town of Erwin, Steuben County) with the Susquehanna River Basin Commission (SRBC) for groundwater withdrawals and consumption use. Referred to: A.I.P. Committee; and Matt Sousa, Planning Director.
June 24, 2021
NYS Department of Transportation – Re: Notification of the recently processed 1st quarter payment under the SFY 2021 Statewide Mass Transportation Operating Assistance (STOA) program. Referred to: Matt Sousa, Planning Director and filed with Brenda Scotchmer, Clerk of the Legislature.

June 28, 2021
NYS Homeland Security and Emergency Services – Re: Notification of being awarded $169,118 under the NYS 20-21 Public Safety Answering Points Operations Grant (PSAP) program. Referred to: Public Safety & Corrections Committee; and Timothy Marshall, Emergency Services Director.

June 29, 2021
The ARTS Council of the Southern Finger Lakes – Re: 2022 Budget request in the amount of $36,700. Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Matt Sousa, Planning Director.

June 30, 2021
Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the BLW Properties LLC proposed financial assistance is scheduled for Tuesday, July 13, 2021 at 10:00am at the agency’s office located at 7234 Route 54 North, Bath, New York. Referred to: A.I.P. Committee; and Matt Sousa, Planning Director.

July 1, 2021
Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Canisteo Solar I, LLC proposed financial assistance is scheduled for Wednesday, July 14, 2021 at 11:00am at the Hornellsville Town Hall located at 4 Park Ave, Arkport, New York. Referred to: A.I.P. Committee; and Matt Sousa, Planning Director.

Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Thurston Ridge Solar, LLC proposed financial assistance is scheduled for Thursday, July 15, 2021 at 10:00am at the Thurston Town Hall located at 7578 County Route 333, Campbell, New York. Referred to: A.I.P. Committee; and Matt Sousa, Planning Director.

July 6, 2021
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,899, which represents the May 2021 surcharge payment for Steuben County. Referred to: Finance Committee; Administration Committees; and Tammy Hurd-Harvey, Commissioner of Finance.

July 8, 2021
Cornell Cooperative Extension – Re: 2022 Budget Request in the amount of $409,000. Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Matt Sousa, Planning Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 129-21

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

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2021, WAIVING THE RESIDENCY REQUIREMENT FOR STEUBEN COUNTY DEPUTY SHERIFFS.

Pursuant to Steuben County Charter Section 2.07(5).
WHEREAS, on June 28, 2021, the Steuben County Legislature was presented with Local Law Tentatively No. Three for the Year 2021, Waiving the Residency Requirement for Steuben County Deputy Sheriffs, and this Legislature by resolution, preliminarily adopted said Local Law on June 28, 2021, making the final adoption of said Local Law subject to a Public Hearing to be held on July 26, 2021; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on July 26, 2021, at 10:00 a.m., and all persons having appeared in person or via Zoom and given the opportunity to be heard, and the Clerk of this Legislature having filed proof of publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, it is hereby presented to each member of this Steuben County Legislature, Local Law Tentatively No. Three for the Year 2021, Waiving the Residency Requirement for Steuben County Deputy Sheriffs.

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

A Local Law, Waiving the Residency Requirement for Steuben County Deputy Sheriffs.

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

SECTION 1.  INTENT

It is the intent of this Local Law to waive the residency requirement for the position of Steuben County Deputy Sheriff to allow said individuals to reside in either Steuben County or a county contiguous to Steuben County.

SECTION 2.  QUALIFICATIONS OF OFFICE

A. In the County of Steuben, no provision of law, New York State or otherwise, requiring a person to be a resident of the political subdivision or municipal corporation of the State for which he/she shall be chosen or within which his/her official functions are required to be exercised, shall prevent a person from holding the Office of Deputy Sheriff for the County of Steuben, provided that such person resides in the State of New York and in a county contiguous to the County of Steuben.

As allowed or provided under the Civil Service Law of the State of New York, preference in appointment may be given by the Steuben County Personnel Office and the appointing officer to those candidates who reside in Steuben County.

B. A Deputy Sheriff who ceases to be a resident of New York State, Steuben County, or a county contiguous to Steuben County shall be deemed to have resigned his or her employment and vacated the position.

SECTION 3.  PUBLIC OFFICERS LAW - SUPERSEDED AND/OR AMENDED.

This Local Law is intended to supersede and/or amend the provision of Public Officers Law Section 3(1), concerning residency requirements for local officers as the same concerns or effects the Office of Deputy Sheriff in Steuben County.

The provision of Section 3 of the Public Officers Law requiring a person to be a resident of the political subdivision for which he or she is chosen shall not prevent a person from holding the Office of Deputy Sheriff of the County of Steuben provided that such person resides in the County of Steuben or a contiguous county to the County of Steuben provided the county is within the State of New York.
SECTION 4. SEVERABILITY

If any section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof that can be given effect without the invalid provision, but shall be confined in its operation to the section thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE

This Local Law shall take effect immediately and upon filing in the Office of the Secretary of State.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on July 26, 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 has caused a notice of said Public Hearing to be posted at the Courthouse in the municipality of Bath, Corning City Hall, and the DMV office in Hornell, had said notice published for one insertion in the two official newspapers of the County, and caused such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Three for the Year 2021, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Steuben County Clerk, and one certified copy in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

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

Mr. Mullen stated I would have preferred to have left Steuben County as the County of residence, but I think this is a reasonable compromise and I will vote in favor of it.

Vote: Roll Call – Adopted. Yes – 7476; No – 1135; Abstained – 0; Absent – 1261
(No: Legislators Maio and Ryan; Absent: Legislators Hanna and Schu)

RESOLUTION NO. 130-21


FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2021, WAIVING THE RESIDENCY REQUIREMENT FOR STEUBEN COUNTY PEACE OFFICERS.

Pursuant to Steuben County Charter Section 2.07(5).

WHEREAS, on June 28, 2021, the Steuben County Legislature was presented with Local Law Tentatively No. Four for the Year 2021, Waiving the Residency Requirement for Steuben County Peace Officers, and this Legislature by resolution, preliminarily adopted said Local Law on June 28, 2021, making the final adoption of said Local Law subject to a Public Hearing to be held on July 26, 2021; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on July 26, 2021, at 10:00 a.m., and all persons having
NOW THEREFORE, BE IT

RESOLVED, it is hereby presented to each member of this Steuben County Legislature, Local Law Tentatively No. Four for the Year 2021, Waiving the Residency Requirement for Steuben County Peace Officers.

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

A Local Law, Waiving the Residency Requirement for Steuben County Peace Officers.

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

SECTION 1. INTENT

It is the intent of this Local Law to waive the residency requirement for the position of Steuben County Peace Officer (Corrections Officer) to allow said individuals to reside in either Steuben County or a county contiguous to Steuben County.

SECTION 2. QUALIFICATIONS OF OFFICE

A. In the County of Steuben, no provision of law, New York State or otherwise, requiring a person to be a resident of the political subdivision or municipal corporation of the State for which he/she shall be chosen or within which his/her official functions are required to be exercised, shall prevent a person from holding the position of Peace Officer (Corrections Officer) for the County of Steuben, provided that such person resides in the State of New York and in a county contiguous to the County of Steuben.

As allowed or provided under the Civil Service Law of the State of New York, preference in appointment may be given by the Steuben County Personnel Office and the appointing officer to those candidates who reside in Steuben County.

B. A Peace Officer (Corrections Officer) who ceases to be a resident of New York State, Steuben County, or a county contiguous to Steuben County shall be deemed to have resigned his or her employment and vacated the position.

SECTION 3. PUBLIC OFFICERS LAW - SUPERSEDED AND/OR AMENDED.

This Local Law is intended to supersede and/or amend the provision of Public Officers Law Section 3(1), concerning residency requirements for local officers as the same concerns or effects the position of Peace Officer (Corrections Officer) in Steuben County.

The provision of Section 3 of the Public Officers Law requiring a person to be a resident of the political subdivision for which he or she is chosen shall not prevent a person from holding the position of Peace Officer of the County of Steuben provided that such person resides in the County of Steuben or a contiguous county to the County of Steuben provided the county is within the State of New York.

SECTION 4. SEVERABILITY

If any section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof that can be given effect without the invalid
provision, but shall be confined in its operation to the section thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE

This Local Law shall take effect immediately and upon filing in the Office of the Secretary of State.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on July 26, 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 has caused a notice of said Public Hearing to be posted at the Courthouse in the municipality of Bath, Corning City Hall, and the DMV office in Hornell, had said notice published for one insertion in the two official newspapers of the County, and caused such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben Local Law Tentatively No. Four for the Year 2021, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Steuben County Clerk, and one certified copy in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

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

Mr. Nichols asked does this include Corrections Officers? Mr. Wheeler replied yes and those designated as Peace Officers. Chairman Van Etten asked does this also include School Resource Officers (SRO’s)? Ms. Prossick replied yes.

Vote: Roll Call – Adopted. Yes – 8016; No – 593; Abstained – 0; Absent – 1261
(No: Legislator Ryan; Absent: Legislators Hanna and Schu)

RESOLUTION NO. 131-21

Introduced by C. Ferratella. Seconded by H. Lando.

AUTHORIZING THE ADJUSTMENT OF PUBLIC HEALTH AND NURSING SERVICES SCHEDULE OF FEES.

Pursuant to Section 606 of the New York State Public Health Law.

WHEREAS, each municipality shall establish a schedule of fees for Public Health services provided by the municipality and shall make every reasonable effort to collect such fees; and

WHEREAS, by establishing customary charges above reasonable costs, all third party revenue will be maximized; and

WHEREAS, the Human Services, Health and Education Committee has approved the following rates:
NOW THEREFORE, BE IT

RESOLVED, the Director of Public Health & Nursing Services is hereby granted authorization to adjust the customary charges for services rendered and that these rates will become effective August 1, 2021; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance and the Steuben County Public Health Director.

Vote: Roll Call – Adopted.

RESOLUTION NO 132-21

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

AWARDING THE CONSTRUCTION SERVICES CONTRACT FOR THE COHOCTON HIGHWAY SHOP RECONSTRUCTION PROJECT.

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

WHEREAS, the Steuben County Purchasing Department received bids for construction services on July 22, 2021; and

WHEREAS, the Public Works Department has reviewed the bids and made the recommendation to the Public Works Committee to award the contract as noted:

General Construction – Kuehne Construction Company of Penn Yan NY - $485,450.00

WHEREAS, the Public Works Committee has determined that the Cohocton Highway Shop Reconstruction capital project has sufficient funds to cover the cost of this project.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature authorizes the award of the Cohocton Highway Shop Reconstruction Services Contract as follows:

General Construction – Kuehne Construction Company of Penn Yan NY - $485,450.00

AND BE IT FURTHER RESOLVED, the County Manager is hereby authorized and directed to execute all necessary contracts, amendments and change orders as approved by the Legislature; and be it further

RESOLVED, change orders shall be authorized with limits consistent with the Administrative Code, provided the funding is available in the Cohocton Highway Shop Reconstruction Capital Project, as follows:

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<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Care Visit</td>
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<td>Lead Blood Test</td>
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<td>Tuberculosis Test</td>
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<td>Immunizations:</td>
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<td>Meningococcal</td>
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<td>Influenza (Quadrivalent)</td>
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<td>Heplisav-B</td>
<td>$140.00</td>
</tr>
<tr>
<td>Mumps/Measles/Rubella (MMR)</td>
<td>$105.00</td>
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</table>
RESOLUTION NO. 133-21

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

ACCEPTING AND APPROPRIATING ADDITIONAL CHIPS FUNDING.

WHEREAS, in 2020 the County only received partial CHIPs funding from New York State due to the COVID pandemic; and

WHEREAS, New York State rolled over the balance of 2020 funds withheld and appropriated additional CHIPs funding for 2021; and

WHEREAS, the County of Steuben’s additional CHIPs allocation is $221,344.91; and

WHEREAS, the Public Works and Finance Committees have recommended a portion of the additional CHIPs funding be appropriated to the Rebuild Cohocton Shop Capital Project.

NOW THEREFORE, BE IT RESOLVED, the Commissioner of Finance is hereby authorized to accept the additional CHIPs funding of $221,344.91 to the revenue account for CHIPs D999901 4350100 and appropriate $34,809.71 to Permanent Improvements Capital Projects D 511200 5250000 and $186,535.20 to Rebuild Cohocton Shop Capital Project HS0601 5250000; and be it further

RESOLVED, the Commissioner of Public Works is hereby authorized and directed to execute all necessary documents or agreements relative to the additional CHIPs funding; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 134-21

Introduced by G. Swackhamer. Seconded by T. Ryan.


WHEREAS, the Waneta/Lamoka Lakes’ Protection District has a reserved fund balance of $10,798.91; and
WHEREAS, the District has incurred estimated unforeseen testing and treatment costs in excess of the current 2021 budgeted expenditure budget of approximately $10,798.91.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized to appropriate said reserved fund balance to the Waneta/Lamoka Lakes’ Protection District expenditure budget line: 874200-5430410 – Treatment Fees; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 135-21

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

APPROVING THE 2022 WORKERS’ COMPENSATION BUDGET.

Pursuant to Article 5 of the Workers’ Compensation Law of the State of New York.

WHEREAS, an estimate of the cost is to be filed with this County Legislature on or before August 15, 2021 for the Budget Year 2022.

NOW THEREFORE, BE IT

RESOLVED, that the estimated cost (Budget for 2022), a copy of which is attached hereto, as presented by the Administrator of the Steuben County Self-Insurance Workers’ Compensation Plan and by the Administration Committee is received, adopted and ordered to be incorporated into the 2022 Steuben County Budget; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Steuben County Commissioner of Finance and the Administrator of the Steuben County Self-Insurance Workers’ Compensation Plan.

STEUBEN COUNTY SELF-INSURANCE PLAN
ANNUAL ESTIMATE OF EXPENSES
FISCAL YEAR BEGINNING JANUARY 1, 2022

Your Committee on Workers’ Compensation Insurance respectfully submits the annual estimate of expenses for the Steuben County Self-Insurance Plan for the fiscal year beginning January 1, 2022 and ending December 31, 2022, pursuant to Section 67, Paragraph 1 of the Workers’ Compensation Law.

APPROPRIATED BUDGET FOR 2022
STEUBEN COUNTY SELF-INSURANCE PLAN
ANNUAL ESTIMATE OF EXPENSES
FISCAL YEAR BEGINNING JANUARY 1, 2022

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<tr>
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<th>2022 BUDGET</th>
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</table>
Chairman Van Etten stated I appreciate the work that the Risk Manager and his office have been doing. We have been headed in the right direction for a number of years now.

Vote: Roll Call – Adopted.

RESOLUTION NO. 136-21

Introduced by R. Lattimer. Seconded by H. Lando.

APPROVING THE 2022 WORKERS’ COMPENSATION TABLE OF APPORTIONMENT.

Pursuant to Article 5 of the Workers' Compensation Law of the State of New York.

WHEREAS, on July 13, 2021 the Administration Committee of this Steuben County Legislature had filed and approved the estimated cost for Fiscal Year 2022 of the Steuben County Self-Insurance Workers' Compensation Plan; and
WHEREAS, the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan based on the number of members and the estimated cost for the year 2022, has caused a Table of Apportionment to be developed.

NOW THEREFORE, BE IT

RESOLVED, that the Table of Apportionment for the participating members of the Steuben County Self-Insurance Plan for Workers’ Compensation for the year 2022 is hereby received and adopted and filed herewith; and be it further

RESOLVED, this resolution together with said Table of Apportionment shall serve as due and proper notice of their liability to the plan for the year 2022; and be it further

RESOLVED, that the Administrator of the Self-Insurance Plan shall notify all participating members of their share; and be it further

RESOLVED, that any participating member shall pay its share directly to the Steuben County Finance Department not later than June 1, 2022; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Steuben County Commissioner of Finance, Director of the Steuben County Real Property Tax Service Agency, and 38 certified copies to the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan for distribution to the Town/Village Clerks of the participating members.
## TABLE OF APPORTIONMENT

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<td>DANSVILLE</td>
<td>I</td>
<td>$21,811</td>
<td>$20,917</td>
</tr>
<tr>
<td>FREMONT</td>
<td>I</td>
<td>$17,583</td>
<td>$18,462</td>
</tr>
<tr>
<td>GREENWOOD</td>
<td>I</td>
<td>$21,650</td>
<td>$19,956</td>
</tr>
<tr>
<td>HARTSVILLE</td>
<td>I</td>
<td>$7,526</td>
<td>$7,902</td>
</tr>
<tr>
<td>HORNBY</td>
<td>I</td>
<td>$24,038</td>
<td>$25,240</td>
</tr>
<tr>
<td>HORNELLSVILLE</td>
<td>I</td>
<td>$34,146</td>
<td>$35,853</td>
</tr>
<tr>
<td>HOWARD</td>
<td>I</td>
<td>$36,019</td>
<td>$34,963</td>
</tr>
<tr>
<td>JASPER</td>
<td>I</td>
<td>$25,000</td>
<td>$26,186</td>
</tr>
<tr>
<td>LINDLEY</td>
<td>I</td>
<td>$28,656</td>
<td>$30,089</td>
</tr>
<tr>
<td>PRATTSTHURGH</td>
<td>I</td>
<td>$37,606</td>
<td>$39,486</td>
</tr>
<tr>
<td>PULTENEY</td>
<td>I</td>
<td>$34,340</td>
<td>$33,227</td>
</tr>
<tr>
<td>THURSTON</td>
<td>I</td>
<td>$27,203</td>
<td>$24,483</td>
</tr>
<tr>
<td>TROUSBURG</td>
<td>I</td>
<td>$26,304</td>
<td>$27,619</td>
</tr>
<tr>
<td>TUSCARORA</td>
<td>I</td>
<td>$18,227</td>
<td>$19,138</td>
</tr>
<tr>
<td>URBANA</td>
<td>I</td>
<td>$29,500</td>
<td>$29,500</td>
</tr>
<tr>
<td>WAYLAND</td>
<td>I</td>
<td>$20,000</td>
<td>$20,000</td>
</tr>
<tr>
<td>WEST UNION</td>
<td>I</td>
<td>$13,309</td>
<td>$13,974</td>
</tr>
<tr>
<td>WHEELER</td>
<td>I</td>
<td>$27,265</td>
<td>$24,539</td>
</tr>
<tr>
<td>WOODHULL</td>
<td>I</td>
<td>$27,271</td>
<td>$28,635</td>
</tr>
<tr>
<td><strong>TOWNS TOTAL</strong></td>
<td></td>
<td><strong>$2,197,006</strong></td>
<td><strong>$2,005,468</strong></td>
</tr>
</tbody>
</table>

| ADDISON             | I     | $33,406     | $30,065     |
| ARKPORT             | I     | $11,612     | $10,451     |
| AVOCA               | I     | $12,618     | $13,249     |
| BATH                | I     | $168,000    | $168,000    |
| CANISTEO            | I     | $45,404     | $44,509     |
| COHOCTON            | I     | $12,793     | $12,489     |
| HAMMONDSPORT        | I     | $10,980     | $10,980     |
| NORTH HORNELL       | I     | $12,543     | $13,170     |
| PAINTED POST        | I     | $51,643     | $51,643     |
| SAVONA              | I     | $15,500     | $15,500     |
| WAYLAND             | I     | $14,476     | $14,476     |
| **VILLAGES TOTAL**  |       | **$388,975** | **$384,532** |
| HORNELL CITY        | I     | $160,000    | $160,000    |
| **GRAND TOTAL**     |       | **$2,745,981** | **$2,550,000** |
RESOLUTION NO. 137-21

Introduced by R. Lattimer and G. Swackhamer. Seconded by J. Malter.

AUTHORIZING A CONTINGENT FUND TRANSFER FOR A CONTRACT WITH THE BONADIO GROUP.

WHEREAS, the County Manager has been authorized to execute a contract with the Bonadio Group; and

WHEREAS, this contract is not to exceed $20,000; and

WHEREAS, the Bonadio Group will provide auditing services of various processes in multiple areas of County operations; and

WHEREAS, the Administration and Finance Committees have recommended a transfer from the contingent fund for this purpose.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer $20,000 from the Contingent Fund (199000-5449900) to County Manager-Consultants-Professionals (123000-5421100); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 138-21

Introduced by R. Lattimer and G. Swackhamer. Seconded by K. Fitzpatrick.

AUTHORIZING A CONTINGENT FUND TRANSFER FOR A CONTRACT WITH THE BURKE GROUP.

WHEREAS, the County Manager has been authorized to execute a contract with the Burke Group; and

WHEREAS, this contract is not to exceed $20,000; and

WHEREAS, Burke Group will be conducting a study on the CSEA salary grid; and

WHEREAS, the Administration and Finance Committees have recommended a transfer from the contingent fund for this purpose.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer $20,000 from the Contingent Fund (199000-5449900) to County Manager-Consultants-Professionals (123000-5421100); and be it further

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

Vote: Roll Call – Adopted.
RESOLUTION NO. 139-21

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

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH THE BONADIO GROUP.

WHEREAS, Steuben County is a covered entity under HIPAA regulations; and

WHEREAS, as a covered entity the County is required to conduct an audit to ensure compliance with HIPAA rules; and

WHEREAS, the Bonadio Group has extensive experience dealing with local governments and can provide these services; and

WHEREAS, the Administration Committee has recommended approval of this contract.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to enter into a contract with The Bonadio Group in the amount not to exceed $26,000 for these purposes; and be it further

RESOLVED, this contract is subject to approval by the County Attorney; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 140-21

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

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH THE BURKE GROUP.

WHEREAS, the Steuben County Legislature is interested in conducting a salary survey of the main group of the CSEA union to ensure pay equity with comparable public sector employers in New York State; and

WHEREAS, Burke Group has extensive experience dealing with local governments and can provide these services; and

WHEREAS, the Administration Committee has recommended approval of this contract.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to enter into a contract with Burke Group in the amount not to exceed $20,000 for these purposes; and be it further

RESOLVED, this contract is subject to approval by the County Attorney; and be it further
RESOLVED, certified copies of this resolution shall be sent to the County Manager, Personnel Officer, Commissioner of Finance, and the County Attorney.

Vote: Roll Call – Adopted.

RESOLUTION NO. 141-21

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

AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A LEASE AGREEMENT WITH MOBILETECH COMMUNICATIONS CORPORATION.

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

WHEREAS, the County operates a Communications Tower at property located at 4239 Travis Hill Road, Town of Canisteo, Tax Map: 254.00-01-004.00 also known as the Travis Hill Tower Site; and

WHEREAS, the County has extra space on the tower that is not needed for County purposes; and

WHEREAS, Mobiletech Communications Corp. has desire to lease space to maintain radio equipment on the County’s Travis Hill Communications Tower; and

WHEREAS, the County will agree to lease Mobiletech Communications access to this property for the purpose of maintaining existing Radio Communications Equipment at this location; and

WHEREAS, Mobiletech Communications will complete all work at this location at no cost to the County of Steuben.

NOW THEREFORE, BE IT

RESOLVED, this Legislature hereby authorizes the Director of Public Safety to sign the said lease agreement; and be it further

RESOLVED, the lease agreement will be approved prior to acceptance by the County Attorney; and be it

RESOLVED, that a certified copy of this resolution shall be forwarded to Timothy D. Marshall, Director of Public Safety; and Mr. Ray Pfeiffer, Mobiletech Communications Corp. 2365 Fire Hall Road, Canandaigua, NY 14424.

Mr. Swackhamer asked are they paying us for using the tower? Mr. Wheeler replied yes. Mr. Marshall explained in the agreement they pay us $300.00 per month and they have been paying us. This resolution just authorizes me to work with the Law Department to formalize an agreement. Mr. Swackhamer asked is this the average price of what is paid for a lease? Mr. Marshall replied pretty much; the prices vary but I think this is a fair price. We acquired this site off of taxes and the company was already on the site. We realized there was not an agreement in place, so this is just formalizing the agreement they have been on and paying for all along.

Vote: Roll Call – Adopted.
RESOLUTION NO. 142-21

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

AUTHORIZING AN AGREEMENT WITH DELTA ENGINEERS, ARCHITECTS AND LAND SURVEYORS FOR PROFESSIONAL CIVIL/STRUCTURAL ENGINEERING CONSULTANT SERVICES.

WHEREAS, the Department of Public Works no longer employs a professional engineer (PE) due to retirement; and

WHEREAS, an employment search for a (PE) has not resulted in finding a replacement Bridge Engineer; and

WHEREAS, the Department of Public Works is in need of structural engineering services; and

WHEREAS, an RFP was issued by the County for structural engineering services; and

WHEREAS, Delta Engineers, Architects and Land Surveyors submitted a response to the RFP and was awarded by the Department of Public Works to provide the services.

NOW THEREFORE, BE IT

RESOLVED, this Legislature hereby awards the RFP to Delta Engineers, Architects and Land Surveyors; and be it further

RESOLVED, this Legislature hereby authorizes the Commissioner of Public Works to enter into an agreement with Delta Engineers, Architects, and Land Surveyors DPC, 860 Hooper Road, Endwell, New York 13760 for structural engineering services for the period of July 2021 – December, 31, 2021; and be it further

RESOLVED, the County Attorney shall approve said contract prior to execution; 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. 143-21

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

APPROVING A ROAD USE AND REPAIR AGREEMENT FOR THE EIGHT POINT WIND PROJECT.

WHEREAS, Eight Point Wind, LLC is building wind turbines for the Eight Point Wind Project in the County, in particular the Towns of Greenwood and West Union; and

WHEREAS, the wind turbine construction involves substantial hauling and heavy vehicle traffic to construction sites and staging areas; and

WHEREAS, such hauling and traffic must occur upon and over County Roads and Rights-of-Way, thereby subjecting them to damage and degradation more rapidly than anticipated periods of probable usefulness would dictate; and

WHEREAS, the Developer has agreed to compensate the County in respect to the damage and degradation caused by the hauling and traffic utilized in the wind turbine construction; and
WHEREAS, the Developer and County have developed a Road Use and Repair Agreement to establish the foregoing principles and bind the parties thereto.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized to execute Road Use and Repair Agreements relative to the Eight Point Wind Project with Eight Point Wind, LLC; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 144-21

Introduced by C. Ferratella. Seconded by K. Fitzpatrick.

ACCEPTING GRANT FUNDING FOR MEDICATION ASSISTED TREATMENT.

WHEREAS, the Research Foundation for Mental Hygiene has made $33,063 of Medication Assisted Treatment (MAT) grant funding available to the Steuben County Office of Community Services to provide medication assisted treatment for individuals with opioid dependence; and

WHEREAS, this grant funding authorizes expenditures for MAT up to $33,063 for April 1, 2021, through September 29, 2021.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby approves the acceptance of $33,063 from the Research Foundation for Mental Hygiene; and be it further

RESOLVED, the Director of Community Services is authorized to enter into a contract with the Research Foundation for Mental Hygiene in order to receive grant funding to provide medication assisted treatment services; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 145-21

Introduced by R. Lattimer and G. Swackhamer. Seconded by S. Maio.

ACCEPTING THE WOODLANDS COMMUNITY DEVELOPMENT BLOCK GRANT AND APPROPRIATING THE FUNDS.

WHEREAS, in June 2021 Steuben County was awarded a Community Development Block Grant (CDBG) in the amount of $998,796.00 to install electrical upgrades and paving improvements at the Woodlands Community, Hornellsville, NY; and

WHEREAS, the New York State Office of Community Renewal has assigned the grant Project No. 1115PR85-20.
NOW THEREFORE, BE IT

RESOLVED, this Legislature hereby accepts said grant; and be it further

RESOLVED, that the Commissioner of Finance shall appropriate said funds as follows:

<table>
<thead>
<tr>
<th>Revenue</th>
<th>$998,796.00 CDBG funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expense</td>
<td>$29,000.00 Administration</td>
</tr>
<tr>
<td></td>
<td>$52,591.00 Engineering</td>
</tr>
<tr>
<td></td>
<td>$917,205.00 Construction/Renovation</td>
</tr>
</tbody>
</table>

and be it further

RESOLVED, the Planning Director is hereby authorized to sign any and all agreements with the State of New York, third party subcontractors, and any vendors for the purposes of fulfilling the grant requirements; and be it further

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

Vote: Roll Call – Adopted. Yes – 8160; No – 0; Abstained – 451; Absent – 0
      (Abstained: Legislator Swackhamer due to owning property in the development; Absent: Legislators Hanna and Schu)

RESOLUTION NO. 146-21

Introduced by R. Lattimer. Seconded by H. Lando.

APPROVING THE SUBMISSION OF A CLIMATE SMART COMMUNITIES GRANT APPLICATION THROUGH THE CONSOLIDATED FUNDING APPLICATION PROCESS.

WHEREAS, Steuben County desires to complete a comprehensive planning process and bike/pedestrian master plan to address the current issues facing the county, including climate adaptation and mitigation strategies such as a reduction in greenhouse gas emissions and complete vulnerability assessment; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) is offering grant funding through the Climate Smart Communities (CSC) Program for projects that advance the work of municipalities in addressing climate change, including grant awards of up to $100,000 for Climate Smart Land Use Planning projects; and

WHEREAS, CSC grant funding is available through the New York State Consolidated Funding Application (CFA) and requires a local match equal to 50 percent of the total eligible project cost, which may be met with a combination of in-kind and cash contributions; and

WHEREAS, the desired comprehensive planning process is estimated to cost $100,000 which may be funded locally and matched in conjunction with a cash match of $15,000 from Southern Tier Central Regional Planning and Development Board (STC) against a proposed award amount of $100,000 from CSC.

NOW THEREFORE, BE IT

RESOLVED, this Legislature hereby authorizes the planning director to act on its behalf in submittal of an application through the Consolidated Funding Application for $100,000 for a Steuben County Economic Growth and Environmental Connectivity Analysis; and be it further
RESOLVED, contingent upon this Legislature approving funding of the county-wide comprehensive planning process, the County commits to matching $100,000 for the additional project components listed in the work plan of the submitted application; and be it further

RESOLVED, the County Planning Director is hereby authorized to sign all appropriate and necessary documents to implement said grant, and be it further; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 147-21

Introduced by J. Malter and R. Lattimer. Seconded by C. Ferratella.

AUTHORIZING THE RECLASSIFICATION OF ONE (1) BUILDING MAINTENANCE MECHANIC, GRADE IX TO HEAD BUILDING MAINTENANCE MECHANIC, GRADE X WITHIN THE SHERIFF’S OFFICE.

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

WHEREAS, this Building Maintenance Mechanic position in the Sheriff’s Office is needed to perform Head Building Maintenance Mechanic duties; and

WHEREAS, the Head Building Maintenance Mechanic will have added duties in direct supervision exercised over the activities of a number of workers, including at least one skilled Building Maintenance Mechanic, who perform maintenance and repair jobs of both a skilled and semi-skilled nature; and

WHEREAS, a Head Building Maintenance Mechanic position more appropriately performs these duties; and

WHEREAS, the Personnel Officer, Public Safety & Corrections Committee, and the Administration Committee have reviewed said position within the Sheriff’s Office that requires a job title change and have approved the recommended change.

NOW THEREFORE, BE IT

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

One (1) Building Maintenance Mechanic, Grade IX ($32,227 - $45,498), to
One (1) Head Building Maintenance Mechanic Position, Grade X, ($33,749 - $47,644).

AND BE IT FURTHER RESOLVED, that 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 Sheriff.

Vote: Roll Call – Adopted.
RESOLUTION NO. 148-21


AUTHORIZING THE RECLASSIFICATION OF ONE (1) MAINTENANCE PERSON, GRADE VII TO BUILDING MAINTENANCE MECHANIC, GRADE IX WITHIN THE SHERIFF’S OFFICE.

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

WHEREAS, this Maintenance Person position in the Sheriff’s Office is needed to perform Building Maintenance Mechanic duties; and

WHEREAS, the Building Maintenance Mechanic will have added duties involving responsibility for the performance of skilled building repair and maintenance tasks, as well as additional duties applicable to the trade; and

WHEREAS, a Building Maintenance Mechanic position more appropriately performs these duties; and

WHEREAS, the Personnel Officer, Public Safety & Corrections Committee, and the Administration Committee have reviewed said position within the Sheriff’s Office that requires a job title change and have approved the recommended change.

NOW THEREFORE, BE IT

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

One (1) Maintenance Person, Grade VII ($29,643 - $41,852), to

AND BE IT FURTHER RESOLVED, that 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 Sheriff.

Chairman Van Etten asked why didn’t we just upgrade the Grade VII to a Grade X? Mr. Wheeler replied these are two different people and we are reclassifying the position. Mr. Alderman explained this was for two different people and this was how we kept it straight for each individual.

Vote: Roll Call – Adopted.

RESOLUTION NO. 149-21

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

AMENDING THE MANAGEMENT SALARY PLAN RELATIVE TO THE DIRECTOR OF PUBLIC SAFETY.

WHEREAS, in accordance with the Management Salary Plan, adjustments are anticipated from time to time; and

WHEREAS, the Steuben County Legislature has adopted Local Law No. Three for the Year 2021, Establishing the Position of Director of Public Safety; and
WHEREAS, the Public Safety and Corrections Committee, Administration Committee, County Manager and Personnel Officer have recommended the Director of Public Safety be assigned to Grade K of the Management Salary Plan.

NOW THEREFORE, BE IT

RESOLVED, the following position is hereby added to the Management Salary Plan:

Director Public Safety Grade K ($76,502 - $119,683)

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

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 150-21

Introduced by R. Lattimer. 
Seconded by H. Lando.

CONFIRMING THE APPOINTMENT OF THE DIRECTOR OF PUBLIC SAFETY.

Pursuant to Sections 12.01 and 12.07 of the Steuben County Charter.

WHEREAS, Timothy Marshall of Bath, New York, has been appointed by the County Manager as the Director of Public Safety in accordance with the Management Salary Plan in Grade K; and

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

NOW THEREFORE, BE IT

RESOLVED, the appointment of Timothy Marshall of Bath, New York, as the Director of Public Safety effective July 26, 2021, is hereby confirmed by the Steuben County Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, County Manager and the Personnel Officer.

Chairman Van Etten congratulated Mr. Marshall and stated this was a long time coming.

Vote: Roll Call – Adopted.

RESOLUTION NO 151-21

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

APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING RESOLUTION AS REQUIRED BY THE NEW YORK STATE COMPTROLLER.

WHEREAS, the New York State and Local Employees’ Retirement System adopted 2 NYCRR §315.4, a regulation on retirement reporting for elected and appointed officials which became effective August 12, 2009; and
WHEREAS, the regulation requires an expanded record of work activities, a more detailed resolution and specific time frames within which requirements must be completed.

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben hereby establishes the following standard work days for the listed titles and will report the officials to the New York State and Local Employees’ Retirement System based on their record of activities:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>STANDARD WORKDAY (HRS/DAY)</th>
<th>NAME</th>
<th>TIER 1 MEMBER</th>
<th>CURRENT TERM BEGINS/ENDS</th>
<th>ROA Result</th>
<th>ROA Not Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appointed Officials</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistant Public Defender, PT</td>
<td>6.0</td>
<td>Calvin Weaver</td>
<td></td>
<td>12/14/20-12/31/23</td>
<td>21.67</td>
<td></td>
</tr>
</tbody>
</table>

AND BE IT FURTHER RESOLVED, elected and appointed officials who are not members of the State Retirement System are not subject to the provisions of this law; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Finance Commissioner, the Personnel Officer and the New York State Comptroller following 30 days of public posting.

Vote: Roll Call – Adopted. Yes – 7563; No – 1048; Abstained – 0; Absent – 1261
(No: Legislators Mullen and Van Caeseele; Absent: Legislators Hanna and Schu)

RESOLUTION NO. 152-21

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

APPROVING A MEMORANDUM OF AGREEMENT WITH THE DEPUTIES ASSOCIATION RELATIVE TO RESIDENCY REQUIREMENTS FOR EMPLOYMENT.

WHEREAS, both the County of Steuben and the Deputies Association desire to memorialize and implement a change to the current CBA; and

WHEREAS, both the County of Steuben and the Deputies Association believe it is in the best interests to ratify this Memorandum of Agreement; and

WHEREAS, the Steuben County Manager, the Steuben County Sheriff, and the Steuben County Personnel Officer have reviewed and recommended the proposed changes; and

WHEREAS, the Deputies Association has accepted this Amendment.

NOW THEREFORE, BE IT

RESOLVED, the proposed changes in the current contract contained in the Proposed Memorandum of Agreement between Steuben County and the Deputies Association of the County of Steuben are hereby approved; and be it further

RESOLVED, the changes will become effective following the signing of the attached Memorandum; and be it further

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Legislative Meeting
Monday, July 26, 2021
RESOLVED, certified copies of this resolution shall be forwarded to the County Manager; County Attorney; Personnel Officer; Commissioner of Finance; and Matthew Sorge, Unit President Steuben County Deputies Association.

MEMORANDUM OF AGREEMENT
TO COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE COUNTY OF STEUBEN AND

THIS AMENDMENT to the Collective Bargaining Agreement (hereinafter referred to as “CBA”), by and between:

THE COUNTY OF STEUBEN
3 E. PULTENEY SQUARE
BATH, NEW YORK 14810

And

THE DEPUTIES ASSOCIATION
OF THE COUNTY OF STEUBEN

WHEREAS, both the County of Steuben and the Deputies Association desire to memorialize and implement a change to the current CBA; and

WHEREAS, both the County of Steuben and the Deputies Association believe it is in the best interests to ratify this Memorandum of Agreement; and

WHEREAS, the County of Steuben adopted the changes set forth herein by Resolution ________ dated ________________, 2021; and

WHEREAS, the CBA effective January 1, 2017 to December 31, 2020 allows, per Article XXXI, Amendments to the CBA in writing.

NOW, THEREFORE, the parties agree to this Memorandum of Agreement for the purpose of modifying the CBA as follows:

Section 1. The above recitals are true and accurate and are incorporated herein.

Section 2. CBA shall be amended as follows:

All Deputies who reside in a contiguous county must be within 5 miles of the Steuben County border and remain in the State of New York. Deputies will not be in service while traveling between their residence and the Steuben County border.

Section 3. All other terms and conditions in the CBA shall remain in full force and effect.

Section 4. Should any part, term or provision of this Memorandum of Agreement be by the Courts decided to be illegal or in conflict with any law of the State, the validity of the remaining portions or provisions shall not be affected thereby.
Section 5. This agreement shall be effective _______________________________.

IN WITNESS WHEREOF, the parties have caused this agreement to be signed by their duly authorized representatives on this ____ day of ______________, 2021.

Attest:
COUNTY OF STEUBEN

_________________________  ____________________________
Scott J. Van Etten            Brenda K. Scotchmer
Chairman, Legislature        Witness: Clerk of the Legislature

James Allard
Steuben County Sheriff

Attest:
UNION

_________________________  ____________________________
President                  Labor Relations Specialist

Vote: Roll Call – Adopted.

RESOLUTION NO. 153-21

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

CONSENTING TO THE PROPOSED PILOT AGREEMENT AND PILOT PAYMENT DISTRIBUTION TO BE PROVIDED BY THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY IN CONNECTION WITH THE EIGHT POINT WIND PROJECT.

WHEREAS, EIGHT POINT WIND LLC, for itself or on behalf of an entity to be formed by it or on its behalf (collectively, the "Company"), has submitted an application (the "Application") to the Steuben County Industrial Development Agency (the "Agency") requesting the Agency's assistance with a certain project (the "Project"), consisting of: (i) the acquisition by the Agency of leasehold, easement or other interest in multiple parcels (or portions thereof) of land located in the Towns Greenwood, Hartsville, Hornellsville, and West Union, Steuben County, New York (the "Land"), (ii) the construction, installation and operation on the Land of between 25 wind turbines – with a generating capacity of 101.8 MW – together with the associated collection lines (below grade and overhead), access roads, meteorological towers, substation and an operation and maintenance (O&M) building (the "Improvements"), and (iii) the acquisition and installation by the Company in and around the Improvements of certain items of equipment and other tangible personal property to undertake the Project (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility"); and
WHEREAS, in connection with the Application, and in furtherance of the Project's positive financial impact within the County of Steuben (the "County"), the Company has requested the Agency’s consideration for a payment-in-lieu-of-tax agreement ("PILOT Agreement") that would provide twenty (20) years of real property tax exemption relating to the Improvements and a PILOT payment structure as follows: (i) initial fixed annual PILOT payment of $5,300.00 per Megawatt ("MW") of production capacity for the Project (the "Base PILOT Payment"), which would escalate two percent (2%) per year, compounded; and (ii) requirement to pay all taxes associated with the value of the Land upon which the Project is situated, as assessed prior to the acquisition of the Land and construction and installation of the Project (the "Land PILOT Payments", such Land PILOT Payments to be distributed by the Agency to the Affected Tax Jurisdictions (as defined hereafter) pro-rata based upon each respective annual tax rate); and

WHEREAS, in connection with the application and furtherance of the project’s positive impact within the County of Steuben (the “County”), the company has requested the Agency’s consideration for a payment-in-lieu-of-tax agreement ("PILOT Agreement") that would provide twenty (20) years of real property tax exemption relating to the distribution systems being built to support the project and a PILOT payment structure which would fix the assessed value at a rate of $24,950,000 for the life of the benefit period and which provides an initial benefit of 50% of the assessed value which will decline by 2.5% a year through twenty (20) years; and

WHEREAS, the Agency and the Company have further requested the School District's consent to a PILOT distribution structure (the "PILOT Distribution") whereby the Agency would distribute the Base PILOT Payments received from the Company in connection with the Project among Steuben County, the Town of Greenwood, Town of Hartsville, Town of Hornellsville, Town of West Union, the Canisteo Greenwood School District, and the Whitesville School District (collectively, the "Affected Tax Jurisdictions"), based upon a negotiated formula; and

WHEREAS, the Agency and the Company have requested the consent of the Town to the PILOT Distribution pursuant to and in accordance with General Municipal Law Section 858(15), and in reliance upon the same, anticipate entering into certain project development agreements and memorializing the terms of the PILOT Agreement.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby approves the following:

Section 1. The County hereby consents to and approves the PILOT Distribution and PILOT Agreement, and authorizes and directs the Agency to undertake the PILOT Distribution pursuant to the terms of the PILOT Agreement.

Section 2. The Chair of the Legislature (or other authorized representative) is hereby authorized to execute and deliver a consent certificate (the "Certificate"), such Certificate to be delivered to the Agency as evidence of the County's consent to undertake the PILOT Distribution.

Section 3. This Resolution shall take effect immediately.

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Steuben County Industrial Development Agency, Commissioner of Finance and the Real Property Tax Service Director.

Vote: Roll Call – Adopted.

RESOLUTION NO. 154-21

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

MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO SUPPORT A.3130 AND S.1836, TO REINSTATE THE STATE OFFICE OF THE ADVOCATE FOR PEOPLE WITH DISABILITIES.
WHEREAS, the New York State Assembly and the New York State Senate overwhelmingly passed bills A.3130/S.1836 to reinstate the Office of the Advocate for People with Disabilities; and

WHEREAS, the Office of the Advocate was originally established by Governor Mario Cuomo through Executive Order 26 to provide a formal voice within state government for New Yorkers with disabilities; and

WHEREAS, the office of the Advocate helped develop policies to ensure the State meet the access needs of people with disabilities; and

WHEREAS, the Office of the Advocate served as the State’s coordinator for the implementation of Section 504 of the Federal Rehabilitation Act of 1973; and

WHEREAS, when Governor Andrew Cuomo assumed office, the Governor continued Executive Order 26, but the advocacy function in state government did not survive; and

WHEREAS, there is no state agency charged with meeting the needs of the Disability Community as a constituency and large segments of the Disability Community are left without a state agency addressing their needs and representing their interests in state government; and

WHEREAS, the Office of Advocate for People with Disabilities as proposed by A.3130 and S.1836, addresses that problem. The Office of the Advocate will serve as the State’s coordinator for the implementation of the Americans with Disabilities Act, coordinate state activities to ensure that state programs do not discriminate against and are accessible to persons with disabilities, and ensure that such programs provide services to individuals with disabilities in the most integrated setting appropriate; and

WHEREAS, the Office of the Advocate for People with Disabilities will represent the interests of the Disability community in State government by reviewing proposed legislation and regulations to determine their impact on persons with disabilities.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature calls upon Governor Andrew M. Cuomo to sign A.3130/S.1836 reinstating the Office of the Advocate for People with Disabilities into law immediately; 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; Honorable Phil Steck, New York State Assemblyman, 627 Legislative Office Building, Albany, NY 12248; Honorable James Skoufis, New York State Senator, 815 Legislative Office Building, Albany, NY 12247; Brooke Harris, President, Inter-County Association of Western New York, c/o Allegany County Legislature, 7 Court Street, Belmont, NY 14813-1084; and New York State Association of Counties, 515 Broadway, Suite 402, Albany, NY 12207.

Vote: Acclamation – Adopted.
RESOLUTION NO. 155-21

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

URGING GOVERNOR CUOMO TO VETO S255/A903 AMENDING NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW (ECL) SECTION 23-305 BY ADDING SUBDIVISION 15 WHICH WILL PROHIBIT THE USE OF BRINE FROM WELLS, POOLS OR FIELDS ON HIGHWAYS.

WHEREAS, the New York State Senate (S355) and the New York State Assembly (A903) have both passed legislation amending Section 23-0305 of the ECL by adding a new subdivision numbered 15; and

WHEREAS, subdivision 15, as passed, states:

The Department shall prohibit the use of drilling fluids, brine, and flow back water from wells, pools or fields on any highway, as defined in subdivision fourteen of section two of the transportation law, for any purpose, including but not limited to use for de-icing, dust suppression or any other use; and

WHEREAS, Section 15, as written, will prevent Local Governments from using brine which is a State regulated, cost effective means of maintaining its’ roads for safer travel during colder temperatures and for dust control; and

WHEREAS, as written, the law will prohibit brine from being used that is not flow back; and

WHEREAS, as written the amendment to ECL Section 23-305 is overbroad and would cause an increase in municipalities’ local costs in keeping their roads safe for winter passage and for dust control.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby request Governor Andrew Cuomo to veto the Legislation as drafted; 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.

Mr. Nichols commented it will be tough on the towns if this goes through.

Vote: Acclamation – Adopted.

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

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

Motion to Adjourn made by Mr. Malter, seconded by Ms. Fitzpatrick and duly carried.