The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 28th day of June, 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 Potter and Roush.

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

Chairman Van Etten asked Christopher Baldwin to come forward. Mr. Baldwin is an employee in the Department of Community Services. He presented him with a Certificate of Appreciation and a pin in recognition of his 20 years of service to Steuben County.

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

Ms. Muller stated it is certainly good to be back in person and I am here this morning representing the County’s Task Force, Prevent Child Abuse Steuben. I am happy to say this is the 27th consecutive year the task force has continued in its mission promoting the prevention of child abuse through awareness and educational campaigns. For that, it is important to recognize Bill Caudill, Director of the Youth Bureau, for facing the challenges head on and continuing this important work in collaboration with multiple county and community partners throughout the pandemic. While last year most of the work was done remotely and sometimes delayed, the important thing to remember is it continued.

Ms. Muller stated one of the delays I’d like to tell you about is the 2020 recognition. As we waited, sometimes not so patiently, Bill and I presented the 2020 recognition to Catholic Charities team, Healthy Families, directed by Jill Smith. We presented the recognition remotely in the fall and while not necessarily in the same format or tradition, the recognition went a long way in supporting the team and improving staff morale. The impact of this award made the staff and their work feel valued. So once again, thank you Bill for your dedication and for keeping the Task Force and its activities moving forward to benefit the children and families we collectively serve.

Ms. Muller stated as always, thank you to this Board and Mr. Wheeler for your ongoing support. It is my pleasure and my honor, on behalf of the Task Force, to recognize the 2021 recipient. She stated that the recipient of the award is not here this morning, so she asked Ashley Swan, a dedicated employee of our department for the past 10 years, who anonymously made the nomination, to join her at the podium. Thank you for your service and for being a part of this event this morning. Ashley will be accepting this year’s award on behalf of the recipient.

Ms. Muller stated the Task Force received multiple nominations and this year, the Crystal City Police Benevolent Foundation stood out. Founded October 21, 1976, the Association donates funding and time back to the community in line with their mission to promote goodwill of the public while providing support to organizations that will benefit the citizens. The Association has made numerous donations since their inception, many of which continue on an annual basis. To name only a few, the Association supports: Prevention Child Abuse Steuben including events such as Spring Family Fling, the Color Walk and Strong Kids Safe Kids; Shop with a Cop which is taking kids in need out shopping for Christmas gifts for their family; Family Services Society and their many programs serving kids and families; childhood cancer research through Alex’s...
Lemonade Stand; Cops for Kids with Cancer; Believe in Youth Bowl-A-Rama. She stated the Association also supports the domestic violence shelter, they help those who have become homeless resulting from fires, they support families with unexpected significant medical issues and numerous memorials, tournaments and organizations...far too many to list here. They take support to the next level and the benefits are felt across communities. Their efforts clearly go above and beyond to support and benefit our community members. Ms. Muller stated I would like to personally thank you for your service. It does take a community to serve and protect...your part does make a difference. On behalf of Prevent Child Abuse Steuben, it is again my honor to present the 2021 Child Abuse Prevention Recognition to the Crystal City Police Benevolent Association.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proof of Publication, Posting and Mailing relative to land submitted for inclusion in certified Agricultural Districts during the 2021 annual thirty-day review period, to consider recommendations of the Agricultural and Farmland Protection Board, and proposed modifications of said agricultural district. Chairman Van Etten opened the floor for public comment. There being none, he declared the public hearing closed.

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

Chairman Van Etten stated he would like to take time to talk about the new meeting rules regarding when you are in attendance or via Zoom. Mrs. Scotchmer explained that while Mr. Roush is in attendance via Zoom, he is unable to vote because pursuant to Open Meetings Law we have to publish his location on the agenda if he is attending by teleconference. We do not have to publish the address in the paper, just on the agenda or meeting notice. For committee and Legislative meetings, you will need to let us know before we post the agenda if you will be attending via teleconference. Chairman Van Etten asked if we do that, then we can attend remotely and vote? Mrs. Scotchmer replied yes and if someone shows up on your doorstep, you have to let them attend. Chairman Van Etten stated there was also a discussion about committee meetings and if we expect department heads to attend in-person or remotely. I personally think it is more effective for them to be able to attend remotely. That will be left up to the chairs of the committees to determine how they want to handle that. Mr. Maio asked now that we are back to meeting in person, what is the attire? Chairman Van Etten replied business casual.

RESOLUTION NO. 104-21

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>
</tr>
</thead>
<tbody>
<tr>
<td>A-1</td>
<td>318.18-03-065.000</td>
<td>Keller, George</td>
<td>South Corning Village</td>
<td>2021</td>
<td>Correction of A/V</td>
</tr>
<tr>
<td>A-2</td>
<td>042.16-01-020.000</td>
<td>B&amp;B Enterprises</td>
<td>Cohocton Village</td>
<td>2021</td>
<td>Correction of special district units</td>
</tr>
<tr>
<td>A-3</td>
<td>332.17-02-021.000</td>
<td>Steuben County Land Bank</td>
<td>Addison Village</td>
<td>2020</td>
<td>Correction of Village Relevy</td>
</tr>
<tr>
<td>A-4</td>
<td>332.17-02-021.000</td>
<td>Steuben County Land Bank</td>
<td>Addison Village</td>
<td>2021</td>
<td>Correction of Village Relevy</td>
</tr>
<tr>
<td>A-5</td>
<td>332.17-02-021.000</td>
<td>Steuben County Land Bank</td>
<td>Addison Village</td>
<td>2021</td>
<td>Correction of Village Relevy</td>
</tr>
<tr>
<td>A-6</td>
<td>349.12-01-050.000</td>
<td>Steuben County Land Bank</td>
<td>Addison Village</td>
<td>2021</td>
<td>Correction of Village Tax</td>
</tr>
</tbody>
</table>

Vote:  Roll Call – Adopted. Yes – 8524; Absent – 1348.

RESOLUTION NO. 105-21

Introduced by S. Van Etten.  Seconded by R. Lattimer.

RECEIVING AND ACCEPTING THE JUNE 28, 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:

May 13, 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.

May 20, 2021
NYS Board on Electric Generation Siting and the Environment – Re: Notice of meeting scheduled for Wednesday, May 26, 2021 at 10:00am on the Eight Point Wind, LLC (Case#16-F-0062) Project. Referred to: AIP Committee; and Matt Sousa, Planning Director.

May 24, 2021
Steuben County Industrial Development Agency – Re: Notice of public hearing (teleconference) regarding the Eight Point Wind LLC proposed financial assistance is scheduled for Monday, June 7, 2021 at 5:00pm 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.
RESOLUTION NO. 106-21

Presented by B. Schu. Seconded by K. Fitzpatrick.

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

WHEREAS, the Steuben County Legislature finds that in order to assure an adequate pool of qualified applicants for the position of Deputy Sheriff within the Steuben County Sheriff’s Office; and

WHEREAS, in order to retain such applicants, if hired, it is necessary and advisable that individuals holding said position of Deputy Sheriff within the County of Steuben be permitted to reside either within Steuben County or any county contiguous to Steuben County.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Three for the Year 2021, Waiving Residency Requirements 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, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on July 26, 2021, at 10:00 A.M. in the Steuben County Legislative Chambers, Annex Building, 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 Sheriff and the Personnel Officer.

Mrs. Lando stated the way the resolution is written it talks about contiguous counties, but then the memo we received talks about five miles? Chairman Van Etten replied five miles within an adjacent county. Mr. Wheeler explained you were provided a draft of an MOA/MOU that if you pass this resolution that would essentially be the agreement. All of those other residency waiver local laws other counties passed talk about contiguous counties, and the MOA/MOU would be an add on.

Mrs. Lando asked will priority be given to Steuben County residents? Mr. Wheeler replied yes and that is addressed in Section 2.

Mr. Maio asked what section of Public Officers Law are we overriding by this? Ms. Prossick replied Section 3 itself; the Deputy Sheriffs are separate.

Vote:  Acclamation – Adopted.  No – 1645; Absent – 1348.
(No: Legislators Hanna and Ryan; Absent: Legislators Potter and Roush)
RESOLUTION NO. 107-21

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

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

WHEREAS, the Steuben County Legislature finds that in order to assure an adequate pool of qualified applicants for the position of Peace Officer (Corrections Officer) within the Steuben County Sheriff’s Office; and

WHEREAS, in order to retain such applicants, if hired, it is necessary and advisable that individuals holding said position of Peace Officer within the County of Steuben be permitted to reside either within Steuben County or any county contiguous to Steuben County.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Four for the Year 2021, Waiving Residency Requirements 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, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on July 26, 2021, at 10:00 A.M. in the Steuben County Legislative Chambers, Annex Building, 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 Sheriff and the Personnel Officer.

Chairman Van Etten commented this is similar to the previous except it is for Corrections Officers, School Resource Officers and Court Security.

Vote: Acclamation – Adopted. No – 593; Absent: 1348.
(No: Legislator Ryan; Absent: Legislators Potter and Roush)

RESOLUTION NO. 108-21

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

ACCEPTING A BULLET-PROOF VEST MATCHING GRANT FROM THE BUREAU OF JUSTICE ASSISTANCE.

WHEREAS, the Bureau of Justice Assistance is awarding a matching grant to Steuben County in the amount of $8,780; and

WHEREAS, it is required that these funds be used to purchase bullet-proof vests.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to accept $8,780 in revenue to Account No. 311006-44389310-G28BPV22, and appropriate said expenses from 311006-5473100–G28BPV22 in the amount of $17,560 for the purchase of bullet-proof vests; and be it further

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

Vote: Roll Call – Adopted.
RESOLUTION NO. 109-21

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

AUTHORIZING THE SHERIFF TO ACCEPT A DONATION FROM BRINKS USA.

WHEREAS, Brinks USA has offered to donate a 1998 International Truck, valued at $3,500.00, to the Sheriff’s Office; and

WHEREAS, the Sheriff’s Office can use said truck as an armored rescue vehicle for deployment at scenes where portable cover is needed.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff is hereby authorized and directed to accept the donation of a 1998 International Truck, valued at $3,500.00; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 110-21

Introduced by G. Swackhamer. Seconded by K. Fitzpatrick.

ACCEPTING AMERICAN RESCUE PLAN ACT OF 2021 FUNDS.

WHEREAS, Congress has adopted the “American Rescue Plan Act of 2021” (“ARPA”); and

WHEREAS, “ARPA” provides for financial assistance for state and local governments for eligible expenses authorized by the Act; and

WHEREAS, Steuben County is eligible to receive $18,526,253.00 to be distributed in equal parts, half in 2021 and the remaining half in 2022; and

WHEREAS, the United States Department of the Treasury has issued interim guidance on how the County can utilize the funding, with funds having to be obligated by the end of 2024 and spent by the end of 2026; and

WHEREAS, the Finance Committee authorized the Commissioner of Finance to accept these funds on June 8th, 2021.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature authorizes the Commissioner of Finance to execute any and all applications and assurances necessary to apply for and receive said American Rescue Plan Act of 2021 funds; and be it further

RESOLVED, the Steuben County Legislature will identify the need for the funds and will pass subsequent resolutions committing to certain expenditures under the Act; 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. 111-21

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

AUTHORIZING A CONTINGENT FUND TRANSFER.

WHEREAS, the County Manager has been authorized to execute a contract with CPS HR Consulting; and

WHEREAS, this contract is not to exceed $18,000; and

WHEREAS, CPS HR Consulting will provide analysis concerning an employee engagement survey; and

WHEREAS, the Finance Committee authorized the Commissioner of Finance to transfer these funds on June 8, 2021.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer $18,000 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. 112-21

Introduced by G. Swackhamer. Seconded by K. Fitzpatrick.

Pursuant to Section 2.07 of the Steuben County Charter, Article 5 of the County Law of the State of New York and Article 2 of the General Municipal Law.

WHEREAS, upon review of the County’s Investment policy, it was determined it was in the best interest to amend the current policy; and

WHEREAS, the Finance Committee reviewed and approved on June 8, 2021, revisions to the Investment Policy of the County of Steuben.

NOW THEREFORE, BE IT

RESOLVED, that the Investment Policy reviewed and revised on the date recited above, be filed with the Clerk of the Legislature, and the same hereby is, adopted by this Legislature, as follows:
COUNTY OF STEUBEN
INVESTMENT POLICY

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on the County’s behalf or on behalf of any other entity or individual for whom the County has fiduciary responsibility. Such moneys and/or other resources are hereinafter referred to as "investments."

OBJECTIVES

The primary objectives of the County of Steuben investment activities are, in priority order,

To conform with all applicable federal, state, and other legal requirements (legal);

To adequately safeguard the principal (safety);

To provide sufficient liquidity to meet all operating requirements (liquidity); and

To obtain a reasonable rate of return (yield).

II. DELEGATION OF AUTHORITY

The County of Steuben's responsibility for the administration of the investment program is delegated to the Commissioner of Finance, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on records incorporating description and amounts of investments, transaction dates, and other relevant information and to direct and supervise the activities of subordinate employees.

III. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Steuben to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudent discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or impair their ability to make impartial investment decisions.

IV. DIVERSIFICATION

It is the policy of the County of Steuben to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling. The Finance Committee of the County Legislature shall have approval authority over designation of various depository financial institutions and establishment of appropriate limitations on the amount or percentage of investments for each such depository. The authorized financial institutions and limitations are designated in Appendix A to this policy. It is anticipated that Appendix A will be reviewed and revised from time to time, and such revisions may be ratified by the Finance Committee separately from or together with the entire Investment Policy.

V. INTERNAL CONTROLS

It is the policy of the County of Steuben for all moneys collected by any officer or employee of the government to transfer either the funds or the notice of deposit of said funds to the Commissioner of Finance within five (5) days of receipt, or within the time period specified in law, whichever is shorter. In many cases the time period is 24 hours, but funds should be deposited as soon as possible after receipt.
The Commissioner of Finance is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, are managed in compliance with applicable laws and regulations, that transactions are executed in accordance with management’s authorization, and that transactions are properly recorded.

VI. AUTHORIZED DEPOSITORY AND INVESTMENT INSTITUTIONS AND DEALERS

The Commissioner of Finance may deposit County of Steuben funds in accordance with the provisions of General Municipal Law, Article 2, §11 and the requirements as set forth by the New York State Comptroller.

All financial institutions with which the County conducts business shall be credit worthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with the County. The Commissioner of Finance shall evaluate the financial position of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

VII. SAFEKEEPING AND COLLATERALIZATION

All County of Steuben deposits and investments in banks or trust companies that exceed the amounts insured under the provisions of the Federal Deposit Insurance Act (FDIC), including pursuant to a Deposit Placement Program in accordance with law, shall be secured in accordance with the provisions of General Municipal Law, Article 2, §10 and the requirements as set forth by the New York State Comptroller. Further guidance is recited in the Model Investment Policy issued by the New York State Comptroller’s Office. Permissible means of securing deposits and investments consist of any one, or combination, of the following, subject to statutory requirements:

1. A pledge of “eligible securities” with an aggregate “market value” (as provided by the GML, Section 10) that is at least equal to the aggregate amount of deposits by the officers. See Appendix B of this policy for a listing of “eligible securities.”

2. An “eligible surety bond” payable to the County for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.

3. An “eligible letter of credit,” payable to the County as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An “eligible letter of credit” shall be an irrevocable letter of credit issued in favor of the (unit of government), for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company’s commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.

4. An “irrevocable letter of credit” issued in favor of the County by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 130 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

Eligible securities used for collateralizing deposits made by officers of Steuben County shall be held by the depository or a third party bank or trust company subject to security and custodial agreements. A schedule of the types of eligible securities authorized by statute is included in Appendix B.

The security agreement shall provide that eligible securities are being pledged to secure the County’s deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities held may be sold, presented for payment, substituted or released and the events of default which will enable the County to exercise its rights against the pledged securities.
In the event that the securities are not registered or inscribed in the name of the County, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Steuben or its custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a Federal Reserve Bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the County in the securities as set forth in the security agreement.

The custodial agreement shall provide that pledged securities will be held by the custodial bank or trust company, or agent of and custodian for the County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with, or become part of the backing for, any other deposit or other bank liabilities. The agreement shall also describe how the custodian shall confirm the receipt, substitution or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the County with a perfected security interest in the eligible securities and to otherwise secure the local government’s interest in the collateral, and may contain other provisions that the governing board deems necessary.

VIII. PERMITTED INVESTMENTS

As provided by General Municipal Law, §11, the County of Steuben authorizes the Commissioner of Finance to invest moneys not required for immediate expenditure for terms not to exceed projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York.
- Through a Deposit Placement Program, certificates of deposit and/or Money Market Deposit Account (MMDA) in one or more “banking institutions”, as defined in Banking Law Section 9-r;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State of New York other than the Steuben County.

All investment obligations shall be payable or redeemable at the option of the County within such time as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the County within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections VIII herein.

Except as may otherwise be provided in a contract with bondholders or note holders, any moneys of the County authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the County within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested. Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

IX. PURCHASE OF INVESTMENTS

The Commissioner of Finance is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the County, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the Commissioner of Finance. All such transactions shall be confirmed in writing to the County of Steuben by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 19(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the County of Steuben, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government’s perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the County with a perfected interest in the securities.

The Commissioner of Finance can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 19(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

X. COURIER SERVICE

The Commissioner of Finance may, subject to the approval of the Finance Committee by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the County of Steuben and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service.

The County may agree with the depository bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the County in transporting items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the Department of Financial Services or other federal or State authority.

An authorized depository institution of the County may provide “armored car” service for the periodic collection of cash and negotiable items held at various County offices. The cost is subject to negotiation between the County and the depository institution providing the service.
# Appendix A

## Authorized Banking and Investment Entities

<table>
<thead>
<tr>
<th>Entity</th>
<th>Maximum Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank of America</td>
<td>45%</td>
</tr>
<tr>
<td>Five Star Bank</td>
<td>45%</td>
</tr>
<tr>
<td>C&amp;N Bank</td>
<td>45%</td>
</tr>
<tr>
<td>Steuben Trust Company</td>
<td>45%</td>
</tr>
<tr>
<td>Community Bank, NA</td>
<td>45%</td>
</tr>
<tr>
<td>Chemung Canal Trust</td>
<td>45%</td>
</tr>
<tr>
<td>M&amp;T Bank &amp; Trust</td>
<td>45%</td>
</tr>
<tr>
<td>J.P. Morgan Chase</td>
<td>45%</td>
</tr>
<tr>
<td>Key Bank, N.A.</td>
<td>45%</td>
</tr>
<tr>
<td>HSBC</td>
<td>45%</td>
</tr>
<tr>
<td>Cooperative Liquid Assets Securities</td>
<td>10%</td>
</tr>
<tr>
<td>Morgan-Stanley/Dean Witter</td>
<td>10%</td>
</tr>
<tr>
<td>Eligible Securities</td>
<td>For purposes of determining aggregate “market value,” eligible securities shall be valued at these percentages of “market value”:</td>
</tr>
<tr>
<td>---------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.</td>
<td>100%</td>
</tr>
<tr>
<td>(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank and the African Development Bank.</td>
<td>100%</td>
</tr>
<tr>
<td>(iii) Obligations partially insured or guaranteed by any agency of the United States of America at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.</td>
<td>100%</td>
</tr>
<tr>
<td>(iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.</td>
<td>100%</td>
</tr>
<tr>
<td>(v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.</td>
<td>100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.</td>
</tr>
<tr>
<td>(vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.</td>
<td>These bonds deleted by County Legislature amendment January 25, 2016 when policy reviewed &amp; approved.</td>
</tr>
<tr>
<td>(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.</td>
<td>100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.</td>
</tr>
<tr>
<td>(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.</td>
<td>80%</td>
</tr>
<tr>
<td>(ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934 as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.</td>
<td>70%</td>
</tr>
<tr>
<td>(x) Commercial paper and bankers’ acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.</td>
<td>80%</td>
</tr>
<tr>
<td>(xi) Zero-coupon obligations of the United States government marketed as “Treasury STRIPS.”</td>
<td>80%</td>
</tr>
</tbody>
</table>
Chairman Van Etten commented on page 5 where it outlines the percentages it is difficult to read with the strikethrough from 35 to 45 percent. Mrs. Hurd-Harvey replied it should be 45 percent.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 113-21**

Introduced by J. Malter. Secended by G. Swackhamer.

RESCINDING RESOLUTION NO. 100-98 AND PLACING THE APPROVAL PROCESS OF THE ANNUAL STOP-DWI PLAN AND BUDGET UNDER THE AUTHORITY OF THE STEUBEN COUNTY LEGISLATURE.

WHEREAS, the Steuben County Legislature adopted Resolution No. 100-98 which abolished the STOP-DWI Advisory Committee and directed all future STOP-DWI Plans and Budgets to be presented to and approved by the Traffic Safety Board; and

WHEREAS, the Public Safety and Corrections Committee has determined that in order to ensure consistency in the County's approval process of the STOP-DWI Plan and Budget, Resolution No. 100-98 should be rescinded and, in accordance with Vehicle and Traffic Law §1197 3. (b), they should be presented to and approved by the Steuben County Legislature following review by the Public Safety and Corrections Committee.

**NOW THEREFORE, BE IT**

RESOLVED, Resolution No. 100-98 is hereby rescinded and the STOP-DWI Coordinator is directed to present the STOP-DWI Plan and Budget annually to the Public Safety and Corrections Committee for review and forwarding to the full Legislature; and be it further

RESOLVED, the Steuben County Legislature shall formally approve the STOP-DWI Plan and Budget annually by resolution and the plan shall be signed by the Steuben County Manager prior to submission to the NYS Commissioner of Motor Vehicles; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Sheriff, County Manager and the Governor's Traffic Safety Committee, Department of Motor Vehicles, 6 Empire State Plaza, Room 410B, Albany, New York 12228.

Chairman Van Etten asked with this being rescinded will it still be approved by the Public Safety & Corrections and Finance Committees? Mr. Wheeler replied because the STOP-DWI Plan is in the budget, the Finance Committee would see it at that point. The Public Safety & Corrections Committee will approve the plan.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 114-21**

Introduced by B. Schu. Secended by T. Ryan.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH CPS HR CONSULTING.

WHEREAS, the County Legislature would like an employee engagement survey completed; and

WHEREAS, CPS HR Consulting has extensive experience dealing with local governments and can provide these services; and
WHEREAS, the Administration Committee authorized the County Manager to execute this contract on June 8, 2021.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to enter into a contract with CPS HR Consulting in the amount not to exceed $18,000; and be it further

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

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 115-21

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

AUTHORIZING THE COMMISSIONER OF FINANCE TO ENTER INTO A CONTRACT WITH THREE+ONE FOR LIQUIDITY ANALYSIS AND MANAGEMENT SERVICES.

WHEREAS, the County desires to enter into a contract for Liquidity Analysis and Management services; and

WHEREAS, upon issuing Request for Quotes (RFQ) the successful vendor at $40,625/year was Three+One; and

WHEREAS, the Finance Committee has recommended entering into an agreement with Three+One for Liquidity Analysis and Management services.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to enter into an agreement with Three+One Company, Inc. for the provision of the cashVest product for $40,625, billed quarterly at $10,156.25 per quarter; and be it further

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

RESOLVED, the Commissioner of Finance shall utilize funding within the Finance Department’s existing budget to cover any 2021 expenses and budget for subsequent obligations in next year’s budget; and be it further

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

Mr. Mullen asked what is this for? Mrs. Hurd-Harvey explained this company will do an analysis of our cash flow and will look at ways to improve our investment returns. They will data mine from our banks and look at a three to five year history. We may be able to invest longer than we usually do. Other counties have had great success. Mr. Mullen asked with as much we would have to invest, would that surpass the $40,000 we would spend on this contract? Mrs. Hurd-Harvey replied we would have a fair amount of cash as compared to other counties. The fee structure is based on the budget. Mr. Malter commented this will be analyzed after one year.

Vote: Roll Call – Adopted.
RESOLUTION NO. 116-21

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

AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ENTER INTO A CONTRACT WITH NETSMART TECHNOLOGIES FOR ELECTRONIC MEDICAL RECORD SERVICES.

WHEREAS, it is in the best interests of the Department of Community Services to contract with an outside agency to provide a comprehensive electronic medical record for the purposes of assisting, recording, billing, and maintaining delivery of mental health services; and

WHEREAS, a Request for Proposal (RFP) was issued and eight competitive bids were received for such services; and

WHEREAS, the Human Services, Health and Education Committee and Finance Committee have recommended awarding the RFP to NetSmart Technologies; and

WHEREAS, a capital project account already exists for the purchase of this software service.

NOW THEREFORE, BE IT

RESOLVED, the Director of Community Services is hereby authorized and directed to enter into a contract for an electronic medical record supporting record development, maintenance, retention, and billing with NetSmart in an amount of $228,737.51 for initial purchase with a 5-year contract in an amount not to exceed $695,880.19; and it be further

RESOLVED, initial funding will be taken from capital project 4310H2, Community Services EHR Software; and be it further

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

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

Chairman Van Etten asked is there a net change over the previous contract we had? Dr. Chapman replied yes. Currently we spend $55,000 - $60,000 annually. The contract with NetSmart will be $108,000 annually and includes updates to the software. They will also maintain the software as it is cloud based. What we have now is maintained locally.

Vote: Roll Call – Adopted.

RESOLUTION NO. 117-21

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

AUTHORIZING THE DIRECTOR OF OFFICE FOR THE AGING TO ENTER INTO CONTRACT WITH ARNOT HEALTH, INC.

WHEREAS, the threat of COVID-19 disease is a top national public health priority; and

WHEREAS, the Office for the Aging has been awarded ADRC/NWD Funds from New York State in the amount of $11,804; and

WHEREAS, the Office for the Aging has been awarded VAC-5 Funds from New York State in the amount of $14,549; and
WHEREAS, these funds will be used to comply with existing and future guidance from the New York State Office for the Aging regarding the response to the vaccine needs of aging and disabled persons related to the COVID-19 pandemic; and

WHEREAS, Arnot Health, Inc. has personnel that can be utilized for the purpose of coordinating and administering COVID-19 vaccines to the homebound population.

NOW THEREFORE, BE IT

RESOLVED, the Director of the Office for the Aging is hereby authorized to enter into a contract with Arnot Health, Inc. for the purpose of coordinating and administering COVID-19 vaccines to the homebound population, not to exceed $20,000.00; and be it further

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

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Office for the Aging and the Commissioner of Finance.

Mr. Van Etten stated when you total up the two funding amounts and subtract the $20,000 going to the Arnot Contract, there is about $6,000 left; where is that going? Mr. Wheeler replied that amount is being held for future opportunities. We do not know how many people are registered for in-home vaccines. This will allow for some other options.

Vote: Roll Call – Adopted.

RESOLUTION NO. 118-21

Introduced by B. Schu. Seconded by J. Malter.

AMENDING THE ADMINISTRATIVE CODE RELATIVE TO CONTRACTS.

WHEREAS, the County is eligible to receive funding under the American Recovery Plan Act; and

WHEREAS, in order to receive the funding all recipients are required to incorporate specific language relative to Title VI of the Civil Rights Act of 1964 into any contract or agreement subject to Title VI between the recipient and the recipient’s sub-grantees, contractors, subcontractors, successors, transferees, and assignees; and

WHEREAS, in order to incorporate this language into any County contract that is subject to Title VI, the County Contract Template in the Administrative Code needs to be amended; and

NOW THEREFORE, BE IT

RESOLVED, the Administrative Code Contract Template is hereby amended by adding the following language by way of an additional paragraph at the end of paragraph 5 “Compliance with Rules, Regulations and Laws:

“The sub-grantee, contractor, subcontractor, successor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury’s Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or
agreement). Title VI also includes protection to persons with “Limited English Proficiency” in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury’s Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this contract or agreement."

; and be it further

RESOLVED, certified copies of this Resolution shall be forwarded to the County Manager and County Attorney.
CONTRACT CHECKLIST

Please fill out completely and attach to your contract

CONTRACT DESCRIPTION:

VENDOR NAME:

VENDOR NUMBER:

VENDOR ADDRESS:

VENDOR CONTACT PERSON:

DEPARTMENT NAME:

CONTACT PERSON:

☐ APPROVED BY STANDING COMMITTEE Insert Date

☐ APPROVED BY LAW DEPARTMENT Insert Date

☐ THREE (3) ORIGINAL CONTRACTS MAILED TO VENDOR FOR SIGNATURE W/ THREE (3) RETURNED TO DEPARTMENT Insert Date Sent Insert Date Returned

☐ ONE (1) SIGNED, ORIGINAL CONTRACT FILED WITH DEPARTMENT Insert Date

☐ ONE (1) SIGNED, ORIGINAL CONTRACT FILED WITH CLERK OF THE LEGISLATURE Insert Date

☐ INSURANCE REQUIRED

☐ INSURANCE NOT REQUIRED Reason:

☐ INSURANCE WAIVED Reason

☐ CURRENT, CORRECT CERTIFICATE OF INSURANCE SENT TO RISK MANAGER FOR REVIEW Insert Date

All original contracts must be filed with the Clerk of the Legislature pursuant to Part V (D)(6)(c) and Part VII (A) of the Steuben County Administrative Code.

Additionally, all departments shall maintain a copy of each contract in their respective offices which shall be retained in accordance with the records retention policies of the County.
AGREEMENT

THIS AGREEMENT made effective the DAY day of MONTH, YEAR by and between the COUNTY OF STEUBEN, a municipal corporation organized and existing under and by virtue of the Laws of the State of New York and being one of its political subdivisions, having its principal place of business in the Village of Bath, Steuben County, State of New York, through its Department, herein after called the “County”, and Company Name, a Company Type, with an address of , hereinafter called the “Agent.”

WITNESSETH:

WHEREAS, the County has sought to procure ; and

WHEREAS, the County and Agent are desirous of entering into an agreement for said purpose, and

WHEREAS, the Agent has the knowledge, skills, and experience necessary to perform these services,

NOW THEREFORE, in consideration of the mutual promises and covenants hereinafter contained the parties agree as follows:

1. SCOPE OF WORK.

2. TERM. The term shall be

3. CONSIDERATION. Consideration shall not exceed

4. INSURANCE. The Agent agrees to maintain insurance as specified by attached Appendix “A” and shall provide the Steuben County Risk Manager with a certificate of insurance naming Steuben County as an additional insured for purposes of coverage on a direct, primary, and non-contributory basis. All certificates of insurance shall provide that County be given thirty (30) days notice of any intent to cancel coverage. Self-employed persons must carry such Worker’s Compensation coverage as directed by the Steuben County Risk Manager.

5. COMPLIANCE WITH RULES, REGULATIONS AND LAWS. It is mutually agreed that all rules, regulations and laws pertaining hereto shall be deemed to be part of this Agreement, and anything contained herein that may be in whole or in part inconsistent therewith shall be deemed to be hereby amended and modified to comply with such legislation, rules, regulations and laws, for and during such time the same shall be in effect, but at no other time. If any provision contained herein is found now or during the life of this Agreement to be null and void, in whole or in part as a matter of law, then said clause or part hereof shall be deemed to be severed and deleted from this Agreement leaving all other clauses or parts thereof in full force and effect. It is further agreed that there shall be no gap in the coverage or applicability of said remaining clauses or parts thereof.

The Agent agrees to comply with the Federal Commercial Drivers License Drug and Alcohol Testing Program requirements set forth in 49 CFR Parts 40 and 382.

In acceptance of this Agreement, the Agent covenants and certifies that he will comply in all respects with all Federal, State, County or other Municipal Law which pertains hereto regarding work on municipal contracts, matters of employment, length of hours, workers’ compensation and human rights.

The Agent offering to provide services pursuant to this contract, as a Consultant, joint venture consultant, subcontractor, attests that its performance of the services outlined in this contract has a written policy addressing sexual harassment prevention in the workplace and provides training, which
meets the New York State Department of Labor's model policy and training standards, to all employees on an annual basis.

Furthermore, by submission of this Expression of Interest procurement document, each agent and each person signing on behalf of any agent certifies, and in the case of a joint submission each party thereto certifies its own organization, under penalty of perjury, that the submitter has and has implemented a written policy addressing sexual harassment prevention training to all of its employees. Such policy shall at minimum meet the requirements of Section Two Hundred One – g of the New York State Labor Law (NYS Labor Law §201-g).

The sub-grantee, contractor, subcontractor, successor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with “Limited English Proficiency” in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this contract or agreement.

6. CONFIDENTIALITY. Information relating to individuals who may receive services pursuant to this Agreement shall be confidential and maintained and used only for the purposes intended under this Agreement, in accordance with any applicable State or Federal laws, rules and regulations. The Agent specifically covenants and certifies that it will comply in all respects with the federal Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), the HIPAA Privacy Rule and the HIPAA Security Rule with respect to the Protected Health Information (“PHI”) of clients of the County. For purposes of HIPAA, the Agent shall be referred to as a “Business Associate.” Any Agent who, as part of the work to be performed under this Agreement, will use, disclose or otherwise come into contact with PHI will be required to execute a Business Associate Agreement, which is hereby incorporated herein and made a part hereof.

7. CONFLICT OF INTERESTS. The Agent hereby stipulates and certifies that there is no member of the Steuben County Legislature or other Steuben County Officer or employee forbidden by law to be interested in the Agreement directly or indirectly, who will benefit therefrom or who is a party thereto.

8. LICENSES. The Agent hereby agrees that he will obtain, at his own expense, all licenses or permits necessary for this work, if any are necessary prior to the commencement of said work and shall be solely responsible for paying any and all fines or penalties incurred as a result of any improper or unlicensed services.

9. INDEPENDENT CONTRACTOR STATUS. The Agent covenants and agrees that he will conduct himself consistent with his status, said status being that of an independent contractor and that himself, his employees or agents will neither hold themselves out as, nor claim to be an officer or employee of the County of Steuben, for such purposes as, but not limited to, Workers’ Compensation coverage, Unemployment Insurance Benefits, Social Security, Affordable Care Act, or Retirement membership or credit. The Agent shall have exclusive responsibility for the means, manner, and methods of performing its obligations under this Agreement. For sole purposes of the HIPAA Privacy Rule, the Agent shall be considered a Business Associate.

10. HOLD HARMLESS. The Agent shall at all times defend, indemnify and hold harmless the County of Steuben and its employees from any and all claims, damages or judgments or for the defense or payment thereof, based on any claim, action or cause of action whatsoever, including any action for libel, slander, or personal injury, or any affiliated claims, by reason of any act or failure to properly act on the part of Agent and in particular as may arise from the performance under this contract. Such obligation to the County shall not be construed to
negate, abridge or reduce other rights of indemnity which would otherwise exist. This provision shall supersede any other provision in this Agreement deemed to be in conflict, unless specifically stated otherwise.

11. **SET-OFF RIGHTS.** The County shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the County’s option to withhold for the purposes of set-off any money due to the Agent under this Agreement up to any amounts due and owing to the County with regard to any contract with any County department, office or agency.

12. **AUDIT.** The Agent shall take such action, if applicable and as necessary and appropriate, to comply with the provisions of Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR 200. In any event, the Agent shall provide the County with appropriate documentation should the County wish to conduct an audit relative to the expenditure of the funds pursuant to this Agreement.

13. **RECORDS.** The Agent shall submit to County upon request such schedule of quantities and costs, progress schedules, payrolls, reports, estimates, records, and other data that the County may request concerning work performed or to be performed under this Agreement. All books and records of the Agent shall be available upon request for inspection and/or audit by the County during the time hereof and for a period of six (6) years hereafter.

14. **EXAMINATION OF BUDGET AND APPROPRIATION OF FUNDS.** It is expressly understood by and between the parties that any and all payments made pursuant to the within contract may not be in an amount in excess of the sum appropriated therefore in the Budget. The Agent specifically acknowledges his responsibility to examine the Budget to assure himself that the within contract price complies with the amount appropriated therefore. The within contract shall be unenforceable, unless approved by a roll call vote of the Steuben County Legislature, should the contract price exceed the amount appropriated for the object purpose of the contract. The contract shall be deemed executory only to the extent of money available to the County of Steuben for the performance of the terms hereof and the County of Steuben beyond monies available thereof shall incur no liability on account for the purpose thereof.

The preceding clause shall not apply to contracts for provision of services where the State of New York or the U.S. Government mandates the payment and/or amount thereof. In that event, the Department Head represents that there is a funding source sufficient to pay for services provided pursuant to the contract.

The Agent agrees that the County shall have no liability under this Contract to the Agent or to anyone else beyond funds appropriated and available for this contract.

15. **ASSIGNABILITY.** This contract may not be assigned, transferred, conveyed, sublet or disposed of without the previous consent, in writing, of the County of Steuben. To the extent assignment is granted in accordance with the terms of this paragraph, this Agreement shall be binding on the parties, their successors, heirs, and assigns.

16. **AMENDMENTS.** No waiver, modification, or amendment of this Agreement or any part thereof shall be valid unless in writing and duly executed by the parties hereto. A waiver of any breach hereof shall not prevent a forfeiture for any succeeding breach.

17. **ENTIRE AGREEMENT.** This Agreement contains the sole and entire Agreement between the parties relating to the services provided hereunder and shall supersede any and all other Agreements between the parties. Any other statements or representations made by either party are void and have no force or effect. Agreement shall be governed by the laws of the State of New York and any claims brought hereunder shall be brought in and under the jurisdiction of the State of New York.
18. **TERMINATION.** County may terminate this agreement at any time upon 30 days written notice.

19. **CORPORATE COMPLIANCE.** The Agency has received a copy of the Steuben County Corporate Compliance Plan. Additionally, the Agent has reviewed and signed the Independent Contractor / Agents / Vendors Acknowledgement Form attached hereto as Appendix B and incorporated herein.

**IN WITNESS WHEREOF,** the parties hereto have executed this Agreement the day and year first above written.

**COUNTY OF STEUBEN**

BY: ____________________________

Dated: ____________________________

**(Deputy) County Attorney**

**AGENT**

BY: ____________________________

Dated: ____________________________

**STATE OF NEW YORK**

COUNTY OF STEUBEN) ss:

On this __ day of ____________, ____ before me, the undersigned, personally appeared ____________, who being by me duly sworn, did depose and say that he/she resides in ________________, New York; that he/she is the ____________ of the County of Steuben described in and which executed the above instrument, and that he/she signed his/her name thereto by order of the Steuben County Legislature.

________________________________

Notary Public.

**STATE OF NEW YORK**

COUNTY OF STEUBEN) ss:

On the ______ day of ____________ in the year ____ before me, the undersigned, personally appeared ________, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(es), and that by his/her/their
signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

______________________________
Notary Public
Appendix A

STEUBEN COUNTY STANDARD INSURANCE REQUIREMENTS

Prior to commencement of work, delivery of services, acquisition of merchandise or equipment a Certificate of Insurance and a policy endorsement covering items A, B & C must be delivered to the County Department responsible for the agreement, and to the County Risk Manager. A Certificate of insurance may be used to show coverage only.

ITEMS:

A. Steuben County, 3 East Pulteney Square, Bath, N.Y., 14810 shall be named as an additional insured (for the purposes of coverage but not the payment of premium).

B. ACKNOWLEDGEMENT. The insurance companies providing coverage acknowledge that the named insured is entering into a contract with Steuben County in which the named insured agrees to defend, hold harmless, and indemnify the County, its officials, employees and agents against all claim resulting from work performed, material handled and services rendered. The contractual liability coverage evidenced will cover the liability assumed under the County-Contractor agreement.

C. Prior to non-renewal, cancellation or a change of coverage on this policy, at least thirty (30) days advance written notice shall be given to Steuben County Risk Manager at Steuben County Offices, 3 Pulteney Square East, Bath, N.Y. 14810

Workers’ Compensation Coverage will be required for anyone doing any kind of work for Steuben County. This includes self-employed individuals. The Steuben County Risk Manager may waive this requirement. Proof of Workers’ Compensation Coverage must be submitted on NYS Workers’ Compensation Board Approved Forms.

### MINIMUM COVERAGE AND LIMITS ARE

<table>
<thead>
<tr>
<th>TYPE OF CONTRACT</th>
<th>COVERAGES REQUIRED</th>
<th>LIMITS REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROFESSIONAL SERVICES</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PROFESSIONAL LIABILITY</td>
<td>Minimum $1,000,000</td>
</tr>
<tr>
<td></td>
<td>AUTO LIABILITY TO INCLUDE OWNED, HIRED &amp; NON OWNED</td>
<td>Minimum $1,000,000</td>
</tr>
<tr>
<td></td>
<td>WORKERS COMPENSATION</td>
<td>Statutory</td>
</tr>
<tr>
<td></td>
<td>EMPLOYERS LIABILITY</td>
<td>Statutory</td>
</tr>
<tr>
<td></td>
<td>DISABILITY BENEFITS</td>
<td>Statutory</td>
</tr>
<tr>
<td>CONSTRUCTION &amp; MAINTENANCE</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>COMPREHENSIVE GENERAL LIABILITY TO INCLUDE PREMISES &amp;</td>
<td>Minimum $1,000,000</td>
</tr>
<tr>
<td></td>
<td>OPERATIONS, PRODUCTS &amp; COMPLETED OPERATIONS, INDEPENDENT</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CONTRACTOR, CONTRACTUAL, BROAD FORM PROPERTY DAMAGE</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AUTO LIABILITY TO INCLUDE OWNED, HIRED &amp; NON OWNED</td>
<td>Minimum $1,000,000</td>
</tr>
<tr>
<td></td>
<td>WORKERS COMPENSATION</td>
<td>Statutory</td>
</tr>
<tr>
<td></td>
<td>EMPLOYERS LIABILITY</td>
<td>Statutory</td>
</tr>
<tr>
<td></td>
<td>DISABILITY BENEFITS</td>
<td>Statutory</td>
</tr>
<tr>
<td>ACQUISITION OF SUPPLIES OR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EQUIPMENT</td>
<td>COMPREHENSIVE GENERAL LIABILITY TO INCLUDE PRODUCTS &amp;</td>
<td>Minimum $1,000,000</td>
</tr>
<tr>
<td></td>
<td>OPERATIONS, CONTRACTUAL, BROAD FORM PROPERTY</td>
<td></td>
</tr>
<tr>
<td></td>
<td>WORKERS COMPENSATION</td>
<td>Statutory</td>
</tr>
<tr>
<td></td>
<td>EMPLOYERS LIABILITY</td>
<td>Statutory</td>
</tr>
<tr>
<td></td>
<td>DISABILITY BENEFITS</td>
<td>Statutory</td>
</tr>
<tr>
<td>COUNTY PROPERTY USED BY OTHERS</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>COMPREHENSIVE GENERAL LIABILITY TO INCLUDE PREMISES &amp;</td>
<td>Minimum $1,000,000</td>
</tr>
<tr>
<td></td>
<td>OPERATIONS, PRODUCTS &amp; COMPLETED OPERATIONS, INDEPENDENT</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CONTRACTOR, CONTRACTUAL, PERSONAL INJURY LIQUOR LEGAL</td>
<td></td>
</tr>
<tr>
<td></td>
<td>LIABILITY</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AUTO LIABILITY TO INCLUDE OWNED, HIRED &amp; NON OWNED</td>
<td>Minimum $1,000,000</td>
</tr>
<tr>
<td></td>
<td>WORKERS COMPENSATION</td>
<td>Statutory</td>
</tr>
<tr>
<td></td>
<td>EMPLOYERS LIABILITY</td>
<td>Statutory</td>
</tr>
<tr>
<td></td>
<td>DISABILITY BENEFITS</td>
<td>Statutory</td>
</tr>
<tr>
<td>CONCESSIONNAIRE SERVICES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LIVERY SERVICES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MUNICIPAL AGREEMENTS</td>
<td>COMPREHENSIVE GENERAL LIABILITY TO INCLUDE PREMISES &amp;</td>
<td>Minimum $1,000,000</td>
</tr>
<tr>
<td></td>
<td>OPERATIONS, PRODUCTS &amp; COMPLETED OPERATIONS, INDEPENDENT</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CONTRACTOR, CONTRACTUAL, PERSONAL INJURY LIQUOR</td>
<td></td>
</tr>
<tr>
<td></td>
<td>LIABILITY</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AUTO LIABILITY TO INCLUDE OWNED, HIRED &amp; NON OWNED</td>
<td>Minimum $1,000,000</td>
</tr>
<tr>
<td></td>
<td>WORKERS COMPENSATION</td>
<td>Statutory</td>
</tr>
<tr>
<td></td>
<td>EMPLOYERS LIABILITY</td>
<td>Statutory</td>
</tr>
<tr>
<td></td>
<td>DISABILITY BENEFITS</td>
<td>Statutory</td>
</tr>
</tbody>
</table>

Bid specifications, particular contracts, leases or agreements may require increased limits and or additional coverages. If there are questions please contact the Steuben County Risk Manager 607-664-2104.
APPENDIX B

INDEPENDENT CONTRACTOR / AGENTS / VENDORS ACKNOWLEDGEMENT FORM

Steuben County has developed a Corporate Compliance Plan (the “Plan”) that states that the County, its employees, contractors, and County Legislators will adhere to applicable federal, state and local laws and regulations and internal policies and procedures.

The Plan is a combination of policy and procedure that assists the County to monitor, detect and correct actions that are not in compliance with applicable laws or County policies and procedures.

As our Agent, we expect that you will act in compliance with the laws that are applicable to the County and in compliance with County policies and procedures that set forth the overarching principles for conducting County business with integrity based on sound ethical and legal standards.

As our Agent, we also expect you to report any suspected or potential violations of law or County policies and procedures of which you become aware by contacting the County Manager at (607) 664-2245, the Corporate Compliance Officer at (607) 664-2244, or our Corporate Compliance Hotline at (607) 664-2550.

As our Agent, we expect you to understand your role in the Plan and we expect you to review any policies and procedures that are applicable to you and your organization. You may contact the County Manager or the Corporate Compliance Officer for any questions or clarifications of your responsibilities.

As an Agent of the County of Steuben, I hereby acknowledge the following:

- I acknowledge that on behalf of myself and my organization that I have read, have had an opportunity to ask questions about and that I understand the policies and procedures of the Plan that are applicable to the services that are provided to the department.

- I understand and agree that I and all those in my organization who provide services to Steuben County must comply with the Plan and all laws, regulations, policies, procedures and other guidance applicable to the services.

- I agree on behalf of myself and my organization to fully cooperate with the implementation of the Plan, to participate in any auditing or monitoring processes and to report any instances of possible violations of law, regulations or policies that are applicable to Steuben County of which I become aware.

- I acknowledge that Steuben County maintains a hotline for the purpose of receiving notifications of possible violations of law, regulation and the Plan.

- I understand that my failure to report any concerns regarding possible violations of law, regulations or the Plan may result in corrective action, up to and including termination of my agreement with Steuben County.

- I attest on behalf of myself, my organization, and my employees, that I am not currently excluded from participation in federal or state health care programs, am not the subject of any pending exclusion proceeding, and have not been adjudicated or deemed to have committed any action that
could subject me or my organization to exclusion from government programs such as Medicare or Medicaid.

- I will notify Steuben County within three (3) business days of receipt of notice of (a) exclusion or proposed exclusion from a state or federal health care program, or (b) adjudication or other determination that I, my organization, or the organization employees, have committed any action which could lead to exclusion from a government program.

- I acknowledge that I will be responsible to make the County whole for any federal or state imposed losses that were a result of federal or state exclusions of our agency or employees.

- I acknowledge that Steuben County may terminate my contract immediately upon notice that I or my organization has been excluded from participation in a state or federal health care program or that I or my organization have been adjudicated or determined to have committed an action which could subject it to mandatory exclusion.

________________________________________
Agency Signature

________________________________________
Print name

________________________________________
Title

________________________________________
Date
Chairman Van Etten asked with the new additional paragraph it mentions Title VI also includes protections to persons with “Limited English Proficiency”. What is that? Ms. Prossick replied it is the language the Federal government gave us in order to received federal dollars. Mr. Wheeler explained we have to be able to respond in all of these things. We have an interpreter service.

**Vote:** Roll Call – Adopted.

RESOLUTION NO. 119-21

Introduced by J. Malter and B. Schu.  
Seconded by R. Nichols.

**AUTHORIZING THE RECLASSIFICATION OF ONE (1) SENIOR TYPIST POSITION, GRADE VI TO A SENIOR ACCOUNT CLERK-TYPIST POSITION, GRADE X, WITHIN THE OFFICE OF EMERGENCY SERVICES.**

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

**WHEREAS,** the current Senior Typist position in the Office of Emergency Services is needed to perform Senior Account Clerk-Typist duties; and

**WHEREAS,** the Senior Account Clerk-Typist will have the 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,** the Personnel Officer, the Public Safety and Corrections Committee, and the Administration Committee have reviewed said position within the Office of Emergency 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 Office of Emergency Services is hereby reclassified as follows:

One (1) 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, 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 Director of Public Safety.

**Vote:** Roll Call – Adopted.

RESOLUTION NO. 120-21

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

**AUTHORIZING THE RECLASSIFICATION OF ONE (1) SUPERVISING DISPATCHER POSITION, GRADE XII TO OPERATIONS MANAGER POSITION, GRADE XIII WITHIN THE E-911 DEPARTMENT.**

Pursuant to Section 204 of the County Law of the State of New York.
WHEREAS, the current Supervising Dispatcher position in the E-911 Department is needed to perform Operations Manager duties; and

WHEREAS, the Operations Manager will have added managerial responsibilities, as well as additional duties applicable to the trade; and

WHEREAS, the Personnel Officer, the Public Safety and Corrections Committee, and the Administration Committee have reviewed said position within the E-911 Department that requires a job title change and have approved the recommended change.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in the E-911 Department is hereby reclassified as follows:

One (1) Supervising Dispatcher Position, Grade XII, ($42,547 - $54,176), to
One (1) Operations Manager Position, Grade XIII, ($43,832 - $55,840).

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 Director of Public Safety.

Vote: Roll Call – Adopted.

RESOLUTION NO. 121-21

Introduced by C. Ferratella and B. Schu. Seconded by R. Lattimer.

AUTHORIZING THE RECLASSIFICATION OF ONE (1) AGING SERVICES AIDE POSITION, GRADE V TO A SOCIAL WELFARE EXAMINER POSITION, GRADE VIII, IN THE OFFICE FOR THE AGING.

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

WHEREAS, the current Aging Services Aide position in the Office for the Aging is needed to perform Social Welfare Examiner duties; and

WHEREAS, the Social Welfare Examiner will have added responsibilities of performing any or a combination of assignments in connection with determining financial eligibility, categorical classification, continued financial eligibility, as well as additional duties applicable to the trade; and

WHEREAS, the Personnel Officer, the Human Services, Health & Education Committee, and the Administration Committee have reviewed said position within the Office for the Aging 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 for the Aging is hereby reclassified as follows:

One (1) Aging Services Aide Position, Grade V, ($27,283 - $38,518), 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 Director of the Office for the Aging.

Vote: Roll Call – Adopted.

RESOLUTION NO. 122-21

Introduced by B. Schu. Seconded by R. Nichols.

MODIFYING THE MANAGEMENT SALARY PLAN RELATIVE TO THE SENIOR ACCOUNT CLERK-TYPIST POSITION IN THE RISK MANAGER’S OFFICE.

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

WHEREAS, the Legislature adopted Resolution No. 036-21 on February 22, 2021, transferring a vacant Grade VI Senior Typist position from the Personnel Office to the Risk Manager’s Office; and

WHEREAS, the Legislature adopted Resolution No. 076-21 on April 26, 2021, reclassifying the vacant Grade VI Senior Typist position to a Grade X Senior Account Clerk-Typist position; and

WHEREAS, this Senior Account Clerk-Typist position needs to be added to the Management Salary Plan; and

WHEREAS, the Personnel Officer, County Manager and Administration Committee have approved adding this position to the Management Salary Plan.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position is hereby added to the Management Salary Plan as follows:

Senior Account Clerk-Typist, Grade D ($39,270 – $61,402).

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

Mr. Swackhamer asked what is the additional cost for all of these upgrades? Mr. Wheeler replied we are well within the salary line we have due to the number of vacant positions. I would have to do an analysis for you. We review everything to make sure that we are well within budget.

Vote: Roll Call – Adopted.

RESOLUTION NO. 123-21

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

APPROVING THE ADDITION OF AGRICULTURAL LANDS TO CERTIFIED AGRICULTURAL DISTRICTS.

Pursuant to Article 25-AA, Section 303-b, of the Agriculture and Markets Law of the State of New York.
WHEREAS, the Steuben County Legislature established a required annual period from February 15 to March 17 for landowners to submit requests to add agricultural land to certified Agricultural Districts; and

WHEREAS, landowners submitted requests to add land and said requests were forwarded to the Steuben County Agriculture and Farmland Protection Board for their review; and

WHEREAS, the Steuben County Agriculture and Farmland Protection Board has reviewed the matter, found the land to be viable for agricultural production, and submitted a report to this Legislature; and

WHEREAS, inclusion of these viable agricultural lands in certified agricultural districts will serve the public interest by helping to maintain the agricultural industry of Steuben County; and

WHEREAS, the Steuben County Legislature gave legal notice of and held the required public hearing of this matter on the 28th day of June, 2021 at 10:00 a.m., and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the addition of these parcels to existing agricultural districts is considered an Unlisted Action and an Environmental Assessment Form has been completed,

NOW THEREFORE, BE IT

RESOLVED, the proposed action will not result in any significant adverse environmental impacts; and be it further

RESOLVED, the following tax parcels shall be added to Agricultural District No. 1:

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Date</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>462800</td>
<td>221.00-01-019.000</td>
<td></td>
</tr>
<tr>
<td>468200</td>
<td>364.00-01-010.100</td>
<td></td>
</tr>
<tr>
<td>468200</td>
<td>364.00-01-010.200</td>
<td></td>
</tr>
<tr>
<td>468200</td>
<td>364.00-01-017.300</td>
<td></td>
</tr>
<tr>
<td>468200</td>
<td>364.00-01-017.112</td>
<td></td>
</tr>
<tr>
<td>462800</td>
<td>257.00-01-003.111</td>
<td></td>
</tr>
<tr>
<td>462800</td>
<td>257.00-01-002.220</td>
<td></td>
</tr>
<tr>
<td>462800</td>
<td>239.00-01-001.110</td>
<td></td>
</tr>
<tr>
<td>462800</td>
<td>203.00-01-007.000</td>
<td></td>
</tr>
<tr>
<td>462800</td>
<td>202.00-01-019.100</td>
<td></td>
</tr>
<tr>
<td>462800</td>
<td>202.00-01-012.211</td>
<td></td>
</tr>
<tr>
<td>463289</td>
<td>217.00-01-016.000</td>
<td></td>
</tr>
<tr>
<td>462800</td>
<td>220.00-01-023.000</td>
<td></td>
</tr>
</tbody>
</table>

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Steuben County Planning Department; and Richard A. Ball, Commissioner, New York State Department of Agriculture and Markets, 10B Airline Drive, Albany, New York 12235.

Vote: Roll Call – Adopted.
RESOLUTION NO. 124-21

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

APPROVING THE FINDING STATEMENT RELATIVE TO THE SEQR FOR THE BATH LANDFILL EASTERN EXPANSION.

WHEREAS, the Department of Public Works proposes an expansion of the currently permitted Steuben County Bath Landfill in the Town of Bath, New York; and

WHEREAS, the Bath Landfill Eastern Expansion (“Proposed Action”) looks to expand the existing facility by 73 acres of landfill liner system, which will extend the life of the current facility by an additional 40 years; and

WHEREAS, this Proposed Action is subject to the requirements of the New York State Environmental Quality Review Act (“SEQRA”) set forth in Article 8 of the New York State Environmental Conservation Law; and

WHEREAS, based on a review of the applicable SEQRA regulations in 6 NYCRR Part 617, the Proposed Action was classified as a “Type I” action, a coordinated review process was completed, and the Steuben County Legislature declared themselves as the SEQRA Lead Agency for the Proposed Action; and

WHEREAS, this Legislature, acting as Lead Agency, has completed its review of the Full Environmental Assessment Form at its meeting on September 23, 2019, and determined that the Proposed Action may result in one or more significant adverse environmental impacts and has previously issued a resolution declaring a positive declaration and the reasons for this determination at its meeting on September 23, 2019; and

WHEREAS, this Legislature completed its review of the Final Scoping Document at its meeting on December 16, 2019 and approved the Final Scoping Document; and

WHEREAS, in accordance with the SEQRA regulations, the Draft Supplemental Environmental Impact Statement (DSEIS) was completed and issued for public review and comment on December 30, 2020; and

WHEREAS, this Legislature completed its review of the Final Supplemental Impact Statement (FEIS) and approved the Final Environmental Impact Statement (FEIS) on May 24, 2021; and

WHEREAS, this Legislature has reviewed the Findings Statement.

NOW THEREFORE, BE IT

RESOLVED, this Legislature, acting as Lead Agency, has thoroughly reviewed the Finding Statement for the proposed action and has determined it to be complete and adequate with respect to its scope and content; and be it further

RESOLVED, this Legislature authorizes and directs the Commissioner of Public Works and/or the Assistant Commissioner – Landfill to make available the Finding Statement to involved and interested parties, as well as the public, and further arranging for a copy of the document to be maintained on the County’s website to ensure it is accessible to the public; and be it further

RESOLVED, the County’s legal counsel and Commissioner of Public Works and/or Assistant Commissioner – Landfill, in conjunction with project engineering firm Barton & Loguidice, DPC, are authorized to file the appropriate SEQRA Notices and take whatever other steps are necessary to carry out this resolution; and be it further

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

Vote: Roll Call – Adopted.
RESOLUTION NO. 125-21

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

DESIGNATING THE STEUBEN COUNTY CONFERENCE & VISITORS’ BUREAU AS THE OFFICIAL TOURISM PROMOTION AGENCY FOR THE COUNTY OF STEUBEN.

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

WHEREAS, the Steuben County Agriculture, Industry & Planning Committee (AIP) in its administrative function for tourism matters is qualified to recommend the appropriate agency for official Tourism Promotion Agency (TPA) designation; and

WHEREAS, the State of New York has made available to its counties “matching funds” for the promotion of tourism; and

WHEREAS, the New York State Tourist Promotion Act requires the legislature of each county to designate a Tourism Promotion Agency as the applicant for and the recipient of such funds; and

WHEREAS, the Steuben County Conference and Visitors’ Bureau is charged with the duty to promote tourism within Steuben County.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby designates the Steuben County Conference & Visitors’ Bureau as the official Tourism Promotion Agency for the County of Steuben for the period January 1, 2021 through December 31, 2021; and be it further

RESOLVED, the President of the Steuben County Conference and Visitors’ Bureau shall report any changes that may occur in State tourism funding requirements to the Steuben County Manager; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Kevin Costello, President, Steuben County Conference and Visitors’ Bureau, Inc., 1 West Market Street, Suite 201, Corning, NY 14830.

Vote: Roll Call – Adopted.

RESOLUTION NO. 126-21

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

PRESENTATION OF NAMES OF PERSONS SELECTED FOR INDUCTION INTO THE STEUBEN COUNTY HALL OF FAME AND CONFIRMATION BY THE STEUBEN COUNTY LEGISLATURE.

WHEREAS, the Steuben County Legislature sponsors a Steuben County Hall of Fame through its Steuben County Hall of Fame Committee for the purpose of honoring those persons who have enhanced the County of Steuben and presenting an opportunity for the public to learn more about these persons; and

WHEREAS, said Steuben County Hall of Fame Committee has solicited nominations from citizens of Steuben County for the induction of three (3) persons into the Hall of Fame, selected this year; and

WHEREAS, nominations were allowed to be made by anyone; there were no limits on the number of nominations; the nominees could be living or dead; male or female; could have been born elsewhere as long as they

Legislative Meeting
Monday, June 28, 2021
enhanced the name of Steuben County; may have helped developed the County; may have been Steuben County natives who gained fame elsewhere, or those who should especially be remembered; and

WHEREAS, the Steuben County Hall of Fame Committee is authorized to be comprised of seven (7) persons representative of the people of Steuben County, has reviewed the nominations submitted and has recommended the names of three (3) persons to be inducted into said Hall of Fame this year.

NOW, THEREFORE BE IT

RESOLVED, that this Steuben County Legislature does hereby receive, approve, ratify, and confirm the selection and recommendation of the Steuben County Hall of Fame Committee for honoring and inducting into the Steuben County Hall of Fame the following named persons:

1. **Joseph and Amelia Dolson** – Dr. Joseph Seely Dolson was born in Campbell, NY, the son of Rev. Charles Williamson Dolson, on February 6, 1825. He studied at Cazenovia Seminary after his local education and taught school for a few years until commencing his medical studies. He graduated from Albany Medical College in 1848 and returned to Bath to open a practice. He was married to Amelia A. Smith, daughter of Benjamin Smith of Woodhull who was born on February 20, 1832. Soon after they were married Amelia’s interest in her husband’s profession peaked and she studied and became licensed to practice medicine. She specialized in the care of women and children. With the outbreak of the Civil War, Joseph Dolson announced he would treat the families of all who enlisted until he himself was called to duty. He enlisted in the Army in 1862 and was an assistant surgeon and was sent to a hospital in Baton Rouge, LA. After a year he had an attack of typhoid fever and returned to Bath and his medical practice. In 1865 he was elected President of the Steuben County Medical Society. His love of his country encouraged him to promote the establishment of a home for the disabled veterans and he gave personally and solicited contributions in order to open the facility. It was fitting that he became the surgeon at the facility, a position he held from 1882 to 1887. Prior to this, from 1874 – 1882 he had been Postmaster in Bath. In 1887 the husband and wife team opened a new medical office in Hornellsville. Dr. Amelia would work from this office until Dr. Joseph was released from his position as surgeon at the vetran’s home. After moving to Hornellsville he became the County Coroner. In 1888, as a highly respected member of the Republican Party, he purchased the Hornell Times newspaper. They were members of the Bath Presbyterian Church where they gave generously for a new edifice to be built. Dr. Joseph died in Bath in 1893 and Amelia died in 1906 in Rome, NY where she had been living near her sons, Charles and Edwin. Dr. Joseph and Dr. Amelia were buried in Grove Cemetery in Bath, NY.

2. **Dave Taylor Smith** – With 50 years in broadcasting and more than 30 years broadcasting local news, weather and sports in the morning for WVIN-FM, it is indisputable that anyone has more knowledge of the people, places and events in central Steuben County than Dave Taylor Smith. His program “Community Focus” provides up-to-date insights from local authorities on issues that affect their everyday lives. With his civic activity with the local Chamber of Commerce and Kiwanis, and most notably with the 25+ year old Tyrtle Beach fundraiser, it would be hard to argue anyone cares more about the welfare of the people, and children, in the area. Dave’s radio career began in October 1970 as a part-time DJ at WEHH Elmira Heights-Horseheads, followed by work at radio stations in Elmira, Corning, Buffalo, Penn Yan and North Carolina. He is also a full-time advertising representative after he gets off the air. Very much invested in the community’s welfare, he is an active member of the Bath Kiwanis Club and received the club’s highest honor, the prestigious Hixson Award, for his service to Kiwanis in 2011. He has served on the Central Steuben Chamber of Commerce Board of Directors, is a member of the Sons of the American Legion, along with being a member of the Steuben County Historical Society Board of Directors. He also has served on the Village of Bath Historic Committee, the Bath Elks. He received the Central Steuben Chamber of Commerce “Spirit Award” in 2012. When Dave received this award, Chamber President Bonnie Albee stated “he has been a quite behind-the-scenes worker in too many activities to count.” From a remote at the Home Show to a commentary for “Strut Your Mutt”, he’s always there, always smiling, always enthusiastic and upbeat. Nothing has changed in his dedication. Dave is also a big promoter of the Annual Tyrtle Beach Youth Fund Drive which he helped create in 1992 which has raised close to $740,000 for local youth organizations.

3. **John R. (Randy) Kuhl, Jr.** – John R. (Randy) Kuhl, Jr. is an American Republic politician. He is a former member of the New York State Assembly, the New York State Senate, and the United States House of
Representatives. Randy represented New York’s 29th Congressional District for two terms. Randy was born in Hammondsport, NY on April 19, 1943. He graduated from Union College in Schenectady, NY with a B.A. in Civil Engineering in 1966 and then received a Law Degree from Syracuse University, College of Law in 1969. He was admitted to the New York Bar in 1970 and the Supreme Court of the United States shortly thereafter. Randy also received an Honorary Doctorate of Human Letters from Keuka College in Keuka Park, NY. Prior to serving at the State and Federal level, Randy served as Steuben County Attorney and also served as counsel for a number of municipalities. Randy was a member of the New York State Assembly from 1981 to 1986 sitting in the 184th, 185th and 186th New York State Legislatures. In November of 1986, after the retirement of William T. Smith, he ran for Smith’s Senate seat and won. Randy was a member of the New York State Senate from 1987 to 2004, sitting in ten New York State Legislatures. He was appointed the Senate’s Assistant Majority Leader for Operations at the beginning of the 1995 legislative session and was also Chairman of the Transportation, Education, and Agriculture Committees. While serving in the State Legislature, Randy was instrumental in passing legislation that required AEDs on school premises during athletic competition. This results in many lives being saved. Randy promoted economic development in the southern Tier, with the wine industry being just one of many. He also formulated a shared services program which provided financing to municipalities throughout the Southern Tier. Randy also created an annual funding stream for all libraries, big and small, in the Southern Tier. In 2004, Randy ran for the House of Representatives seat to replace retiring Representative Amo Houghton. Randy won both the Republic primary and the general election and served two terms in Congress representing the Southern Tier and portions of Western New York. Randy has served in a number of capacities and in several charitable organizations in our area including the Boy Scouts of America where he served on the Advisory Board of the Five Rivers Council. Randy also served as President of the Regional Wood Scout Memorial Board in Hammondsport for 19 years. Randy was also active with the Keuka Lake Association.

BE IT FURTHER RESOLVED, the Agriculture, Industry and Planning Committee and the County Historian, for an on behalf of the Steuben County Legislature, shall take all necessary steps and ceremony to appropriately enroll and enshrine the names of the inductees into the Steuben County Hall of Fame; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Historian and to any other persons as may be directed by the County Historian.

Ms. Simms provided an overview of each of the nominees. Ms. Lattimer commented the County Historian will hold a recognition ceremony this fall after a Legislative Meeting; probably in September.

Vote: Roll Call – Adopted.

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