REGULAR MEETING
Morning Session
Monday, May 24, 2021
Legislative Chambers

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, in Bath, NY, on Monday, the 24th day of May, 2021, and was called to order by the Chairman of the Legislature, Scott J. Van Etten.

Roll Call and all members were present.

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

The Clerk of the Legislature read the following Memoriam:

IN MEMORIAM

The death of our former colleague, William “Bill” A. Peoples, Jr. who passed away on May 11, 2021, is acknowledged by this Legislature with deep sadness.

Bill was born on September 25, 1946 in Wellsboro, Pennsylvania to William and Laura (Hall) Peoples. He was a 1966 graduate of Addison Central School and served in the U.S. Army during Vietnam from 1966 to 1968. He married Marilyn Peoples (Aumick) on January 18, 1969.

Bill has operated the Peoples Farm in Addison since 1970; “semi” retiring after selling his cows in 2008 although he still continued to enjoy crop farming. He was the embodiment of service to ones community as he dedicated his life in service in many capacities to local boards and committees that made a difference in our community. He served as Steuben County Legislator from 2012 – 2015 serving as a member on the Agriculture, Industry & Planning and Public Works Committees; was a member of the Cornell Cooperative Extension Board of Directors and a member of the Steuben County Soil & Water Conservation District Board of Directors. Additionally, Bill served as Treasurer for the New York Association of Conservation Districts for 6 years, the GST BOCES Board for 10 years, and the Addison Central School Board for 30 continuous years; serving as President for several years.

Bill served with honor and distinction, and represented the Legislature with dignity and professionalism throughout his 4 years of service. He will also be fondly remembered as a member of the Legislature. He was a dedicated public servant who was generous to his community with his time, talent and support. He will be sadly missed by all who knew him.

The members of this Steuben County Legislature respectfully move that the above “Memoriam” be spread upon the minutes of this meeting and the Clerk of the Legislature shall forward a copy of this Memoriam to his wife Marilyn and his children, Melissa and William J., as an expression of the sympathy felt by this Legislature on the passing of their loved one.

Adopted by rising silent affirmation.

Chairman Van Etten reminded the Legislature that the Legislative Flower Fund is used for these purposes. He asked for donations as the Flower Fund is getting low.

Chairman Van Etten opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.
The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proof of Publication and Proof of Posting upon Local Law Tentatively No. One for the Year 2021, Establishing the position of Director of Public Safety. Chairman Van Etten opened the floor for comments by members of the public. There being none, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proof of Publication and Proof of Posting upon Local Law Tentatively No. Two for the Year 2021, Authorizing 12 and 13 Year Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of a Licensed Adult. Chairman Van Etten opened for floor for comments by members of the public. There being none, he declared the Public Hearing closed.

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

Mr. Mullen stated I have distributed a letter and I am hoping that you will consider doing something similar in the upcoming month urging the State not to tighten down on day camps and gatherings for young children.

Mr. Mullen announced that today he brought in his son, Micah, who is celebrating his 11th birthday. He stated that Micah is an avid follower of county government.

Mrs. Lando announced today Senator O’Mara will be holding a press conference about mask wearing for children in daycare.

RESOLUTION NO. 084-21

Introduced by G. Swackhamer. Seconded by A. Mullen.

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, it being hereby determined that there is no practical method to enforce the collection of delinquent tax liens against the parcel(s) contained in Schedule “B”, the Commissioner of Finance is authorized to cancel the unpaid taxes against the property(ies) set forth in Schedule “B”, pursuant to Real Property Tax Law §558, as approved by the Steuben County Finance Committee on January 8, 2019; and be it further

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

SCHEDULE “A”

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Vote: Roll Call – Adopted.

RESOLUTION NO. 085-21

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

 RECEIVING AND ACCEPTING THE MAY 24, 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:

April 9, 2021
NYS Board on Electric Generation Siting and the Environment – Re: Notice of evidentiary hearing and the ruling schedule for the Eight Point Wind, LLC (Case#16-F-0062) Project.  Referred to: AIP Committee; and Matt Sousa, Planning Director.
April 14, 2021
Environmental Design & Research – Re: Notification of an open house (in-person) on the Prattsburgh Wind Farm Project is scheduled for Wednesday, May 5, 2021 (1st session @ 4:30pm, 2nd session @ 5:30pm) at the Hatch Hose Company Fire Station. Referred to: AIP Committee; and Matt Sousa, Planning Director.

April 19, 2021
NYS Homeland Security and Emergency Services – Re: Notification of being awarded $50,000 under the FY2019 Cyber Security Grant Program. Referred to: Administration Committee; and Robert Wolverton, Information Technology Director.

April 20, 2021
NYS Public Service Commission – Re: Ruling requiring additional information and directing further notice for the Canisteo Wind Energy LLC Project (Case#19-T-0041). Referred to: A.I.P. Committee; and Matt Sousa, Planning Director.

April 21, 2021
Steuben County Conference & Visitors Bureau – Re: 1st quarter data report for the period of January 1, 2021 through April 30, 2021. Referred to: Steuben County Legislature; and Jack Wheeler, County Manager.

April 28, 2021
City of Hornell Industrial Development Agency – Re: Notice of public hearing regarding the City of Hornell Industrial Development Agency and ALSTOM Transportation Inc. proposed financial assistance is scheduled for Tuesday, May 18, 2021 at 10:00am at 40 Main Street, Hornell, New York. Referred to: A.I.P. Committee; and Matt Sousa, Planning Director.

April 29, 2021
Southeast Steuben County Library – Re: Request to consider appointing AKua Lezli Hope as the Poet Laureate for Steuben County. Referred to: Steuben County Legislature.

May 3, 2021
NYS Department of Environmental Conservation – Re: Notice of complete application for the CRNG-CALE Anode Upgrade Project (DEC ID#8-9908-00216/00001). Referred to: A.I.P. Committee; and Matt Sousa, Planning Director.

May 7, 2021
NYS Public Service Commission – Re: Ruling modifying the deadline for filing additional information and providing further notice for the Canisteo Wind Energy LLC Project (Case#19-T-0041). Referred to: A.I.P. Committee; and Matt Sousa, Planning Director.

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $8,133, which represents the 1st quarter payment ($6,359) along with the March 2021 surcharge payment ($1,774) for Steuben County. Referred to: Administration and Finance Committees; and Tammy Hurd-Harvey, Commissioner of Finance.

May 10, 2021
NYS Office of Parks, Recreation and Historic Preservation – Re: Notification of the Rockland Silk Mill located at 18 North Main Street in Hornell, NY 14843 will be considered at the NYS Board for Historic Preservation meeting held on June 10, 2021 to be considered for the nomination to the National and State Registers of Historic Places. Referred to: A.I.P. Committee; and Emily Simms, County Historian.

May 13, 2021
Read and Laniado, LLP – Re: Amendment petition for the Eight Point Wind, LLC (Case#16-F-0062) Project. Referred to: AIP Committee; and Matt Sousa, Planning Director.

Vote:  Acclamation – Adopted.
RESOLUTION NO. 086-21

Introduced by J. Malter. Seconded by A. Mullen.

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

Pursuant to Steuben County Charter Sections 2.07(7) and 13.05.

WHEREAS, on April 26, 2021, the Steuben County Legislature was presented with Local Law Tentatively No. One for the Year 2021, Amending the Steuben County Charter, Establishing the Position of Director of Public Safety, and this Legislature by resolution, preliminarily adopted said Local Law on April 26, 2021, making the final adoption of said Local Law subject to a Public Hearing to be held on May 24, 2021, and also subject to a permissive referendum; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on May 24, 2021, at 10:00 a.m., and all persons having appeared via Zoom and given the opportunity to be heard, and the Clerk of this Legislature having filed proof of publication and posting of the Notice of Public Hearing and requirement for a permissive referendum.

NOW THEREFORE, BE IT

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

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

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

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

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

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

Section 12.01 911 Department; Director of Public Safety

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

Section 12.07 Office of Emergency Services; Director of Public Safety

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

SECTION 3. EFFECTIVE DATE: The within Local Law shall be effective immediately upon adoption.

BE IT FURTHER RESOLVED, within twenty (20) days after such Local Law is adopted the Clerk of this Legislature of the County of Steuben shall cause a copy of the Local Law to be published in the two officially designated county newspapers, the Leader of Corning, New York and the Evening Tribune of Hornell, New York, together with notice that said Local Law is subject to a permissive referendum of the qualified electors of Steuben County by the filing of a petition within forty-five (45) days from the date of the final adoption of the Local Law with the Clerk of this Legislature demanding such referendum, which petition must be signed by qualified electors of the County registered to vote therein at the last preceding election, in number equal to at least ten per centum (10%) of the total number cast for Governor at the last gubernatorial election in the County; and be it further

RESOLVED, within five (5) days after the expiration of the time for the filing of petitions for a permissive referendum of said Local Law, the Clerk of the Legislature shall cause one (1) certified copy thereof to be filed in the office of the Steuben County Clerk, and one (1) certified copy in the office of the Secretary of State of the State of New York, and the said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 087-21

Introduced by B. Schu. Seconded by T. Ryan.

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

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

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

NOW THEREFORE, BE IT

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

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

A Local Law, authorizing 12 and 13 year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of a licensed adult.
Be it enacted by the Legislature of the County of Steuben as follows:

Section 1. Legislative Intent

The intent of this Local Law is to authorize Steuben County to permit 12 and 13 year old individuals to participate in the new and safe hunting opportunities in accordance with Environmental Conservation Law § 11-0935. The enacted 2021-2022 New York State Budget, includes a pilot program, allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2023 if a county authorizes such action within their municipality. Steuben County is passing this local law as hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

Section 2. Pilot Program Authorization

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

Section 3. State Requirements to Adhere Once Authorized

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

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

Section 4. Local Law Filing Requirements

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

Section 5. Severability

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

Section 6. Effective Date

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on May 24, 2021 at 10:00 A.M. in the Steuben County Legislative Chambers, 3rd Floor of the Annex Building in the Village of Bath, New York; and be it further

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

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

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

Chairman Van Etten stated this is an excellent opportunity for youth hunters and I am glad that we are doing this now so that it will be included in the State’s DEC booklet.

Mr. Potter asked does this require a permissive referendum? Ms. Prossick replied no.

Vote: Roll Call – Adopted.

Chairman Van Etten informed the Legislature he was holding agenda item #5 over until the end of the meeting following executive session.

RESOLUTION NO. 088-21

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

AUTHORIZING A PUBLIC HEARING ON LAND SUBMITTED FOR INCLUSION IN CERTIFIED AGRICULTURAL DISTRICTS DURING THE 2021 ANNUAL THIRTY-DAY PERIOD.

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 will be forwarded to the Steuben County Agriculture and Farmland Protection Board for their review; and
WHEREAS, the Steuben County Agriculture and Farmland Protection Board will review the matter and will submit a report to this Legislature.

NOW THEREFORE, BE IT

RESOLVED, in accordance with Section 303-b of the Agriculture and Markets Law of the State of New York, a Public Hearing on this matter shall be held by this County Legislature on the 28th day of June, 2021, at 10:00 a.m.; and be it further

RESOLVED, the Clerk of this Legislature shall cause a Notice of said Public Hearing to be published and mailed in accordance with Section 303-b of the Agriculture and Markets Law; and be it further

RESOLVED, should social distancing requirements and the Governor’s Executive Orders prevent the public’s attendance at said hearing on June 28, 2021, the hearing shall be held in such a manner that written comments may be submitted by the public; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 089-21

Introduced by B. Schu and G. Swackhamer. Seconded by R. Lattimer.

AUTHORIZING DISTRIBUTION OF THE SEMI-ANNUAL MORTGAGE TAX RECEIPTS.

Pursuant to Section 261 of the Tax Law of the State of New York:

RESOLVED, that the apportionment of tax on mortgages in the County of Steuben collected by the County Clerk from the 1st day of October, 2020 to the 31st day of March 2021, pursuant to provisions of Section 261 of the Tax Law, as made by the County Clerk be and the same hereby is ratified and confirmed, and the statement of such apportionment in compliance with the provisions of said Law, filed with the Commissioner of Finance of this County, is hereby and in all things ratified and confirmed and such statement shall be to the said Commissioner a sufficient Warrant for the payment by her of the various sums as apportioned for the various purposes as designed by Law; and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to the Steuben County Commissioner of Finance, the Steuben County Real Property Tax Service Agency, and the Steuben County Clerk:

MORTGAGE TAX APPORTIONMENT

The amount of money in your hands on March 31, 2021, which was received by you from the County Clerk as taxes paid to her upon the real property mortgages filed in her office since October 1, 2020, the date of the last apportionment, and which must be distributed to the various tax districts of the County of Steuben, pursuant to Section 261 of the Tax Law, is the sum of $814,503.97.

You are therefore commanded to pay the various towns and cities the amount placed opposite the name of said towns and cities and pay over to the various village officers the amount hereinafter stated to be the distributive amounts due said districts for village purposes, as follows:
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<th>TOWN &amp; CITIES</th>
<th>TOWN/CITY</th>
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<tr>
<td>98426 HORNELLSVILLE</td>
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<tr>
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<td>HAMMONDSPORT</td>
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<td>WAYLAND</td>
<td>25,071.67</td>
<td>4,590.25</td>
<td>29,661.92</td>
<td></td>
</tr>
</tbody>
</table>
Foregoing shall be your sufficient warrant for the payment of said sums as above directed.

DATED at Bath, New York: May ___, 2021

STEUBEN COUNTY LEGISLATURE

______________________________
By: Scott J. VanEtten, Chairman

I, Brenda K. Scotchmer, Clerk of the County Legislature of Steuben County, DO HEREBY CERTIFY that the foregoing apportionment of Mortgage Tax, pursuant to Law, is correct.

DATED: May ____, 2021

______________________________
Brenda K. Scotchmer, Clerk of the Legislature

**Vote**: Roll Call – Adopted.

**RESOLUTION NO. 090-21**

Introduced by C. Ferratella and G. Swackhamer. Seconded by H. Lando.

**ACCEPTING AND APPROPRIATING UNMET NEEDS FUNDING.**

**WHEREAS**, Steuben County Office for the Aging is administering funds relative to the unmet needs of its aging population; and

**WHEREAS**, these awards are to be used for services to support the needs of older Steuben County residents; and

**WHEREAS**, the Steuben County Office for the Aging has been awarded an Unmet Needs grant in the amount of $47,179; 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 needs of older persons.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized and directed to accept $47,179 as revenue and appropriate the amount in the 2021-2022 Office for the Aging budget as follows:

**EXPENDITURES:**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>677600</td>
<td>5440780</td>
<td>$10,000</td>
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<tr>
<td>677700</td>
<td>5434630</td>
<td>$17,179</td>
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<tr>
<td>677700</td>
<td>5440122</td>
<td>$20,000</td>
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**REVENUE:**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>677600</td>
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<td>$10,000</td>
</tr>
<tr>
<td>677700</td>
<td>43772810</td>
<td>$37,179</td>
</tr>
</tbody>
</table>
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.

**Vote:** Roll Call – Adopted.

RESOLUTION NO. 091-21

Introduced by C. Ferratella and G. Swackhamer. Seconded by K. Fitzpatrick.

**ACCEPTING AND APPROPRIATING CONSOLIDATED APPROPRIATIONS ACT FUNDS.**

WHEREAS, Steuben County Office for the Aging is administering funds relative to the needs of older persons; and

WHEREAS, these awards are to be used for supporting the needs of older Steuben County residents; and

WHEREAS, the Steuben County Office for the Aging has been awarded a Consolidated Appropriations Act grant in the amount of $48,986 under HDC5; 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 nutritional needs of older persons.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to accept $48,986 as revenue and appropriate the amount in the 2021-2022 Office for the Aging budget as follows:

**EXPENDITURES:**
- 677400 5434661               $8,986
- 677400 5440524               $40,000

**REVENUE:**
- 677400 44772834              $48,986

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.

**Vote:** Roll Call – Adopted.

RESOLUTION NO. 092-21


**AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT PAVE NY FUNDING.**

WHEREAS, in 2020 the County received partial funding from the State’s Pave NY funding; and

WHEREAS, the State will rollover the balance of 2020 funds; and

WHEREAS, the State appropriated additional 2021 funds from Pave NY funding; and

WHEREAS, the following funds are available:
- 2020 PAVE NY Funds $202,230.01
- 2021 PAVE NY Funds $1,516,725.10

Legislative Meeting
Monday, May 24, 2021
WHEREAS, the Public Works and Finance Committees recommend accepting and appropriating the funds to various capital projects.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized and directed to execute all necessary documents to accept this funding; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to accept and appropriate the $1,718,955.11 of additional Pave NY funding to the following capital projects:

<table>
<thead>
<tr>
<th>CR Project Number</th>
<th>CR Number</th>
<th>CR Name</th>
<th>Mileage</th>
<th>Funding Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 251 113</td>
<td>R006-21</td>
<td>CR 6 Avoca</td>
<td>6.6 miles</td>
<td>$1,145,041.00</td>
</tr>
<tr>
<td>5 251 114</td>
<td>R028-21</td>
<td>CR 28 Hartsville</td>
<td>3.1 miles</td>
<td>$569,999.71</td>
</tr>
<tr>
<td>5 251 115</td>
<td>R007-21</td>
<td>CR 7 Prattsburgh</td>
<td>7.4 miles</td>
<td>$810,000.00</td>
</tr>
<tr>
<td>5 251 116</td>
<td>R030-21</td>
<td>CR 30 Canisteo</td>
<td>1.4 miles</td>
<td>$165,000.00</td>
</tr>
<tr>
<td>5 251 117</td>
<td>R057-21</td>
<td>CR 57 Fremont</td>
<td>2.7 miles</td>
<td>$295,000.00</td>
</tr>
<tr>
<td>5 251 118</td>
<td>R058-21</td>
<td>CR 58 Hornell/Fremont</td>
<td>2.1 miles</td>
<td>$175,000.00</td>
</tr>
<tr>
<td>5 251 119</td>
<td>R098-21</td>
<td>CR 98 West Union</td>
<td>1.3 miles</td>
<td>$200,000.00</td>
</tr>
<tr>
<td>5 251 120</td>
<td>R099-21</td>
<td>CR 99 Woodhull</td>
<td>6.0 miles</td>
<td>$675,000.00</td>
</tr>
</tbody>
</table>

$4,035,040.71

Add $ to Existing Projects, Permanent Improvements, D 511200 – Capital Projects 5 250 000

<table>
<thead>
<tr>
<th>CR Project Number</th>
<th>CR Number</th>
<th>CR Name</th>
<th>Funding Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR 100</td>
<td>D 511200</td>
<td>5 251 100</td>
<td>$30,000.00</td>
</tr>
<tr>
<td>CR 117</td>
<td>D 511200</td>
<td>5 251 101</td>
<td>$15,000.00</td>
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<tr>
<td>CR 109</td>
<td>D 511200</td>
<td>5 251 102</td>
<td>$75,000.00</td>
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<tr>
<td>CR 129</td>
<td>D 511200</td>
<td>5 251 103</td>
<td>$25,000.00</td>
</tr>
<tr>
<td>CR 45</td>
<td>D 511200</td>
<td>5 251 104</td>
<td>$40,000.00</td>
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<tr>
<td>CR 5</td>
<td>D 511200</td>
<td>5 251 105</td>
<td>$215,000.00</td>
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<tr>
<td>CR 48</td>
<td>D 511200</td>
<td>5 251 106</td>
<td>$45,000.00</td>
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<tr>
<td>CR 78</td>
<td>D 511200</td>
<td>5 251 107</td>
<td>$50,000.00</td>
</tr>
<tr>
<td>CR 46</td>
<td>D 511200</td>
<td>5 251 108</td>
<td>$40,000.00</td>
</tr>
<tr>
<td>CR 94</td>
<td>D 511200</td>
<td>5 251 109</td>
<td>$365,000.00</td>
</tr>
<tr>
<td>CR 115</td>
<td>D 511200</td>
<td>5 251 110</td>
<td>$65,000.00</td>
</tr>
<tr>
<td>CR 10</td>
<td>D 511200</td>
<td>5 251 111</td>
<td>$50,000.00</td>
</tr>
<tr>
<td>CR 18</td>
<td>D 511200</td>
<td>5 251 112</td>
<td>$150,000.00</td>
</tr>
</tbody>
</table>

$1,030,000.00

Add Chip Seal Projects, 34 miles, D 511000 5 460 100 $310,000.00

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 093-21

Introduced by R. Nichols and G. Swackhamer.              Secended by P. Van Caeseele.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT EXTREME WINTER RECOVERY FUNDING.
WHEREAS, in 2020 the County received partial funding from the State’s Extreme Winter Recovery funding; and

WHEREAS, the State will rollover the balance of 2020 funds; and

WHEREAS, the State appropriated additional 2021 funds from Extreme Winter Recovery funding; and

WHEREAS, the following funds are available:

- 2020 Extreme Winter Recovery $128,513.78
- 2021 Extreme Winter Recovery $988,567.50

WHEREAS, the Public Works and Finance Committees recommend accepting and appropriating the funds to various capital projects.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized and directed to execute all necessary documents to accept this funding; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to accept and appropriate the $1,117,081.28 of additional Extreme Winter Recovery funding to the following capital projects:

- Add New Road Projects, Permanent Improvements D 511200 – Capital Projects 5 250 000
  - 5 251 113 R006-21 CR 6 Avoca 6.6 miles $1,145,041.00
  - 5 251 114 R028-21 CR 28 Hartsville 3.1 miles $569,999.71
  - 5 251 115 R007-21 CR 7 Prattsburgh 7.4 miles $810,000.00
  - 5 251 116 R030-21 CR 30 Canisteo 1.4 miles $165,000.00
  - 5 251 117 R057-21 CR 57 Fremont 2.7 miles $295,000.00
  - 5 251 118 R058-21 CR 58 Hornell/Fremont 2.1 miles $175,000.00
  - 5 251 119 R098-21 CR 98 West Union 1.3 miles $200,000.00
  - 5 251 120 R099-21 CR 99 Woodhull 6.0 miles $675,000.00

  $4,035,040.71

- Add $ to Existing Projects, Permanent Improvements, D 511200 – Capital Projects 5 250 000
  - CR 100 D 511200 5 251 100 $ 300,000.00
  - CR 117 D 511200 5 251 101 $ 150,000.00
  - CR 109 D 511200 5 251 102 $ 75,000.00
  - CR 129 D 511200 5 251 103 $ 25,000.00
  - CR 45 D 511200 5 251 104 $ 40,000.00
  - CR 5 D 511200 5 251 105 $ 215,000.00
  - CR 48 D 511200 5 251 106 $ 45,000.00
  - CR 78 D 511200 5 251 107 $ 50,000.00
  - CR 46 D 511200 5 251 108 $ 40,000.00
  - CR 94 D 511200 5 251 109 $ 365,000.00
  - CR 115 D 511200 5 251 110 $ 65,000.00
  - CR 10 D 511200 5 251 111 $ 50,000.00
  - CR 18 D 511200 5 251 112 $ 150,000.00

  $1,030,000.00

- Add Chip Seal Projects, 34 miles, D 511000 5 460 100

  $310,000.00
AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance and the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 094-21

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

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT CHIPS FUNDING.

WHEREAS, in 2020 the County received partial funding from the State’s CHIPS funding; and

WHEREAS, the State will rollover the balance of 2020 funds; and

WHEREAS, the State appropriated additional 2021 funds from CHIPS funding; and

WHEREAS, the following funds are available:

- 2020 CHIPS $664,472.71
- 2021 CHIPS $1,874,531.61

WHEREAS, the Public Works and Finance Committees recommend accepting and appropriating the funds to various capital projects; and

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized and directed to execute all necessary documents to accept this funding; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to accept and appropriate the $2,539,004.32 of additional CHIPS funding to the following capital projects; and be it further

| Add New Road Projects, Permanent Improvements D 511200 – Capital Projects 5 250 000 |
|---------------------------------|---------------------|---------------------|---------------------|
| 5 251 113                       | R006-21             | CR 6 Avoca          | 6.6 miles           |
| 5 251 114                       | R028-21             | CR 28 Hartsville    | 3.1 miles           |
| 5 251 115                       | R007-21             | CR 7 Prattsburgh    | 7.4 miles           |
| 5 251 116                       | R030-21             | CR 30 Canisteo      | 1.4 miles           |
| 5 251 117                       | R057-21             | CR 57 Fremont       | 2.7 miles           |
| 5 251 118                       | R058-21             | CR 58 Hornell/Fremont | 2.1 miles        |
| 5 251 119                       | R098-21             | CR 98 West Union    | 1.3 miles           |
| 5 251 120                       | R099-21             | CR 99 Woodhull      | 6.0 miles           |

| $4,035,040.71 |

| Add $ to Existing Projects, Permanent Improvements, D 511200 – Capital Projects 5 250 000 |
|---------------------------------|---------------------|---------------------|---------------------|
| CR 100                          | D 511200           | 5 251 100           | $ 30,000.00         |
| CR 117                          | D 511200           | 5 251 101           | $ 15,000.00         |
| CR 109                          | D 511200           | 5 251 102           | $ 75,000.00         |
| CR 129                          | D 511200           | 5 251 103           | $ 25,000.00         |
| CR 45                           | D 511200           | 5 251 104           | $ 40,000.00         |
| CR 5                            | D 511200           | 5 251 105           | $ 215,000.00        |
| CR 48                           | D 511200           | 5 251 106           | $ 45,000.00         |
| CR 78                           | D 511200           | 5 251 107           | $ 50,000.00         |
CR 46  D 511200  5 251 108  $ 40,000.00
CR 94  D 511200  5 251 109  $ 365,000.00
CR 115 D 511200  5 251 110  $ 65,000.00
CR 10  D 511200  5 251 111  $ 50,000.00
CR 18  D 511200  5 251 112  $ 15,000.00

$1,030,000.00

☐ Add Chip Seal Projects, 34 miles, D 511000 5 460 100  $310,000.00

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 095-21

Introduced by J. Malter and G. Swackhamer.  Seconded by C. Ferratella.

ACCEPTING THE STOP-DWI CRACKDOWN GRANT.

WHEREAS, the NYS STOP DWI Foundation is awarding the Sheriff’s Office an additional $3,000; and

WHEREAS, these funds will be used for increased Crackdown enforcement.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to accept an additional $3,000 and appropriate said funds to 331100-43389000 G28CKD21 Other Public Safety; and be it further

RESOLVED, the Commissioner of Finance is authorized to appropriate said expenses to 331100-51900337 G28CKD21; 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.

AMENDED

RESOLUTION NO. 096-21

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

ACCEPTING THE FY 2019 CYBER SECURITY GRANT.

WHEREAS, the Information Technology Department has received a grant from New York State Division of Homeland Security and Emergency Services (DHSES) for grant #T182194; and

WHEREAS, the funding for this initiative is provided by the U. S. Department of Homeland Security’s (DHS) State Homeland Security grant Program (SHSP) and is administrated by the New York State Division of Homeland Security and Emergency Services, for use by counties to implement and enhance cyber security hardware, software and training; and

WHEREAS, the grant reimbursement is 100 percent to the County with no match from the County; and
WHEREAS, the County’s portion of the FY 2019 Cyber Security Grant Program is $50,000; and

WHEREAS, the FY 2019 Cyber Security Grant Program application, lists the recommendation for purchasing of and training for a Security Information and Event Management System (SIEM) which will greatly enhance the County’s cyber security posture; and

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to accept the FY 2019 Cyber Security Grant #T182194; and be it further

RESOLVED, the Commissioner of Finance shall appropriate these funds to Capital Project 1680H1 and be it further

RESOLVED, that the County Manager is hereby authorized to execute all documents for receipt of grant #T182194; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance, County Manager and Director of Information Technology.

Motion amending the second resolved to read “the Commissioner of Finance shall appropriate these funds to Capital Project 1680H and be it further” made by Mr. Van Caeseele, seconded by Mr. Potter and duly carried.

Vote: Roll Call – Adopted.

RESOLUTION NO. 097-21

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

AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO CLOSE SEVERAL COMPLETED CAPITAL PROJECT ACCOUNTS AND TRANSFER FUNDS TO VARIOUS OTHER CAPITAL PROJECTS AND OPERATING ACCOUNTS.

WHEREAS, there are several capital projects which have been completed and have remaining balances; and

WHEREAS, sound accounting practices necessitate closing these completed capital projects; and

WHEREAS, the Finance Committee has approved transferring the remaining balances to other necessary and continuing capital projects.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature, duly convened, does hereby close the following Capital Project accounts and authorizes the transfer of any then remaining project balances as indicated:
AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance.

**Vote:** Roll Call – Adopted.

**AMENDED**

RESOLUTION NO. 098-21

Introduced by B. Schu. Seconded by H. Lando.

AUTHORIZING THE REAL PROPERTY TAX SERVICE AGENCY TO ENTER INTO A CONTRACT FOR TAX BILL PRINTING AND MAILING SERVICES.

WHEREAS, it is in the best interests of Steuben County to contract with an outside agency to provide tax bill printing and mailing services; and

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

<table>
<thead>
<tr>
<th>Project to Close</th>
<th>Close Project To:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1610H1 SECURITY SYSTEMS</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
</tr>
<tr>
<td>3641H5 RND 2 INTEROPERABLE GRANT</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
</tr>
<tr>
<td>1165H1 DA ANNEX OFFICE</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
</tr>
<tr>
<td>7110H1 BIRDSEYE HOLLOW UPGRADE</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
</tr>
<tr>
<td>7110H2 BOYDS CORNERS UPGRADE</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
</tr>
<tr>
<td>7110H3 HORNBY PARK UPGRADE</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
</tr>
<tr>
<td>7110H4 KANAKADEA PARK UPGRADE</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
</tr>
<tr>
<td>5112HA CR122 STORM DRAINAGE PIPE</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
</tr>
<tr>
<td>7510H1 DIGITIZATION SCHOOL RECOR</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
</tr>
<tr>
<td>1710H2 FIRE ALARM SYSTEM</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
</tr>
<tr>
<td>3150H8 CARD ACCESS SYSTEM</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
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<tr>
<td>3150H9 REPLACE CONTROL SYSTEMS</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
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<tr>
<td>3150HA JAIL OFFICE REMODELING</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
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<tr>
<td>5630H4 ACCELERATED TRANSIT 15</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
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<tr>
<td>HB0115 SALLY PORT DOORS R&amp;M</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
</tr>
<tr>
<td>HB0206 COURTHOUSE STEEL ROOFS</td>
<td>General Fund Unassigned Fund Balance via Interfund Transfers</td>
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<tr>
<td>3640H1 EMERGENCY MGMT OFFICE</td>
<td>3640H3 BURN BUILDING UPGRADES</td>
</tr>
<tr>
<td>3641H1 RADIO MAINT SHOP &amp; EQUIP</td>
<td>3640H3 BURN BUILDING UPGRADES</td>
</tr>
<tr>
<td>HB0101 RELOCATE COUNTY OFFICES</td>
<td>HB0122 COB BATHROOM RENOVATIONS</td>
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<td>HB0102 OFFICE FURNISHINGS</td>
<td>HB0122 COB BATHROOM RENOVATIONS</td>
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<td>HB0105 OFFICE RENOVATIONS</td>
<td>HB0122 COB BATHROOM RENOVATIONS</td>
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<tr>
<td>HB0106 2ND FLOOR VENTILATION</td>
<td>HB0122 COB BATHROOM RENOVATIONS</td>
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<td>HB0107 SEAL/STRIP-COB</td>
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<td>HB0207 COURTHOUSE PILLAR R&amp;M</td>
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<td>3020H3 E-911 OPERATING CENTER</td>
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<td>3020H5 911 PHONE SYSTEM REPLMNT</td>
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<td>HS0301 CAMERON MILLS-ENV STUDY</td>
<td>HS9900 HIGHWAY SHOP RENOVATIONS</td>
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<td>1410H1 BOOK RESTORATION</td>
<td>HB0303 RECORDS DIGITIZATION</td>
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<td>1410H2 IMAGING SYSTEM</td>
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NOW THEREFORE, BE IT

RESOLVED, the Director of the Steuben County Real Property Tax Service Agency is hereby authorized and directed to enter into a contract for tax bill printing and mailing services with Cathedral Corporation in an amount not to exceed $50,000.00 and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency.

Motion amending the first resolved to read “...enter into a contract for tax bill printing and mailing services with Cathedral Corporation in an amount not to exceed $50,000...” made by Mr. Maio, seconded by Mr. Mullen and duly carried.

Vote: Roll Call – Adopted.

RESOLUTION NO. 099-21

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

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH INTIVITY FOR COURT ROOM SEATING.

WHEREAS, the County has finished Phase 1 of the Court Renovation Project and has begun construction work on Phase 2; and

WHEREAS, the County has entered into contracts to perform construction services within the County Office Building; and

WHEREAS, the County has recently deemed it necessary to replace the existing court room seating; and

WHEREAS, the contract with Intivity is for the purchase of 110 chairs in the amount of $73,919.00 or $671.99 per chair; and

WHEREAS, this contract does not include the cost of installation for these seats nor does it include the cost to remove the existing seating; and

WHEREAS, the Ad Hoc Office Space Committee authorized the County Manager to enter into this contract on May 11th, 2021.

NOW THEREFORE, BE IT

RESOLVED, the total amount of the contract is not to exceed $73,919.00; and be it further

RESOLVED, the County Manager is hereby authorized to enter into the contract with Intivity and sign all necessary documents; and be it further

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

Mr. Mullen commented you all know my disdain for expensive chairs. Are we getting rid of the existing chairs? Mr. Wheeler explained this is the replacement of the assembly seating which is bolted to the floor. Mr. Mullen commented I didn’t think they were in bad shape. Mr. Maio commented some of the arms are coming off and not all of them are bolted to the floor.
Ms. Lattimer stated this was discussed at the Ad Hoc Committee that if we don’t do it now, we would have to do it within five years. Mr. Wheeler explained any fixed piece of furniture we pay for and any furniture that is moveable is paid for by Office of Court Administration.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 100-21**

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

**AUTHORIZING THE RECLASSIFICATION OF ONE (1) DEPUTY SHERIFF POSITION, GRADE XI TO ONE (1) CRIMINAL INVESTIGATOR POSITION, GRADE XIII, WITHIN THE SHERIFF’S OFFICE.**

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

WHEREAS, this Deputy Sheriff position in the Sheriff’s Office will perform Criminal Investigator duties; and

WHEREAS, this Criminal Investigator will have added responsibilities for investigating crimes and violation of law as well as additional duties applicable to the trade; and

WHEREAS, a Criminal Investigator position more appropriately performs these duties; and

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

NOW THEREFORE, BE IT

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

One (1) Deputy Sheriff Position #1560-08, Grade 11, ($38,825 - $61,383), to One (1) Criminal Investigator Position, Grade 13, ($67,917).

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

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

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 101-21**

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

**AUTHORIZING THE RECLASSIFICATION OF ONE (1) CAD SPECIALIST POSITION GRADE X, TO ONE (1) SENIOR ENGINEERING AIDE, GRADE XIV, WITHIN THE DEPARTMENT OF PUBLIC WORKS.**

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

WHEREAS, this CAD Specialist position in the Department of Public Works will perform Senior Engineering Aide duties; and
WHEREAS, this Senior Engineering Aide will have added responsibilities for solutions of engineering problems and the preparation of related records and reports, as well as additional duties applicable to the trade; and

WHEREAS, a Senior Engineering Aide position more appropriately performs these duties; and

WHEREAS, the Personnel Officer, the Public Works Committee, and the Administration Committee have reviewed said position within the Department of Public Works that requires a job title change and have approved the recommended change.

NOW THEREFORE, BE IT

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

One (1) CAD Specialist Position, Grade X, ($33,749 - $47,644), to
One (1) Senior Engineering Aide Position, Grade XIV, ($39,861 - $56,274).

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

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 102-21

Introduced by R. Nichols. Seconded by P. Van Caeseele.

APPROVING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (FSEIS) 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, the public comments received through February 8, 2021 were incorporated in the preparation of the Final Supplemental Environmental Impact Statement (FEIS); and

WHEREAS, the Findings Statement will be prepared for Legislative review.

NOW THEREFORE, BE IT

RESOLVED, this Legislature, acting as Lead Agency, has thoroughly reviewed the Final Supplemental Environmental Impact Statement (FSEIS) for the proposed action and has determined it to be complete and adequate with respect to its scope and content for the purpose of public review and comment; 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 Final Supplemental Environmental Impact Statement (FSEIS) to involved and interested parties, as well as the public, for review, 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, this Legislature authorizes and directs the Commissioner of Public Works and/or Assistant Commissioner – Landfill to publish a Notice in the Environmental Notice Bulletin (ENB) stating the availability of the Final Supplemental Environmental Impact Statement (FSEIS); and be it further

RESOLVED, this Legislature authorizes the Commissioner of Public Works and/or Assistant Commissioner – Landfill to draft the Findings Statement; 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. 103-21

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

FILLING A VACANCY ON THE STEUBEN COUNTY LAND BANK CORPORATION, A NEW YORK LAND BANK.

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

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

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

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

WHEREAS, a vacancy currently exists.

NOW THEREFORE, BE IT

RESOLVED, the following individual, as recommended by the Chairman of the Legislature, is hereby appointed a member of the Steuben County Land Corporation to fill said vacancy commencing May 24, 2021 and expiring December 31, 2021:

1. Mark L. Ryckman, Corning City Manager, Municipal Representative
   (filling the unexpired term of Jennifer Miller)

AND BE IT FURTHER RESOLVED, the member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Steuben County Land Bank Corporation; and be it further

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

Mrs. Lando asked will the City Manager be sent notification of his appointment? Chairman Van Etten replied yes.

Vote: Acclamation – Adopted.

Chairman Van Etten asked for a status update on building access. Mr. Wheeler stated the State Courts are open. We received notice last week that the Executive Order banning DMV walk-ins has been rescinded. All of our offices are open to walk-ins. We have sent out a memo and have put up signage that if people are fully vaccinated they can choose to wear a mask or not. With the DMV, they had booked appointments through June 14th and we will honor those. A press release is being sent and we will be urging people to complete their forms as much as they can before coming in.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7§ 105.1.D. Discussions Regarding Proposed, Pending or Current Litigation, Article 7§ 105.1.F. The Medical, Financial, Credit or Employment History of a Particular Person or Corporation, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person or Corporation and Article 7§ 105.1.H. The Proposed Acquisition, Sale or Lease of Real Property or the Proposed Acquisition of Securities, or Sale or Exchange of Securities Held by Such Public Body, but only when Publicity would Substantially Affect the Value thereof made by Mr. Ryan. Seconded by Mr. Schu. Motion carries. (Ms. Lattimer and Mr. Maio opposed)

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Maio. Motion carries. (Mr. Nichols, Mr. Malter and Mr. Swackhamer opposed)

Discussion regarding agenda item #5 – Waiving residency for Deputy Sheriffs and Peace Officers:

Mr. Malter stated my concern is that the Sheriff says that we have 15 – 18 Corrections Officers living outside of the County and apparently the law is so ambiguous that we don’t know if it is legal or not. I am more concerned about that than I am these Deputies.

Mrs. Ferratella asked do we track people who when they were originally hired lived in the County and then move out of County? Mr. Alderman stated it would come through our office as a change of address
if they were to move. With the CO’s that is not something that we have looked at in the past, but we have with the Deputies. When this individual submitted his new address, that is what prompted this.

Mr. Malter commented Finance gets the W-4 forms; why don’t they notify Personnel of the change of address? Mr. Wheeler replied Finance doesn’t use the same system as Personnel. Once we have the new ERP, they will be under one system, but we can fix that.

Chairman Van Etten stated the Local Law says Deputy Sheriffs and Peace Officers. Is it meant to cover CO’s? Mr. Wheeler replied yes. Most of the other counties’ local laws had both. Ms. Prossick explained peace officer covers people that work security, SRO’s, etc.

Mr. Malter stated we are taking taxpayer money and funding another county by allowing individuals to move outside of the County and that is where my concern comes in.

Mr. Van Caeseele stated if we approve the local law, would CO’s living outside the County now be grandfathered in? Mr. Wheeler replied it would apply to current and future CO’s.

Mr. Malter asked would we be ratifying the local law allowing future CO’s and Deputy Sheriffs to live outside the County without exemption? Mr. Wheeler replied you would be allowing them to live in a contiguous county.

Mr. Maio commented I am ambivalent about this, but I would like to see the limitations in place before we pass the local law. Ms. Prossick stated today is the presenting and you would have one month for due diligence. Mr. Maio stated I want all the parts in place before it would be adopted.

Ms. Fitzpatrick stated the only issue right now is whether we feel it is acceptable for Deputy Sheriffs and CO’s to live outside of the County and we are being presented with a local law for consideration and we are gathering information for that to make a decision. This gives us an opportunity to discuss this with other individuals about whether we would have labor issues, etc.

Mr. Mullen stated that is not the only thing on the table. The issue is an operational issue or what happens if we don’t pass it. With Deputy Sheriff’s and CO’s currently living outside of the County, that should not have been approved period. This may end up affecting our operations.

Mr. Nichols commented I think this should be separated into one local law for the Deputy Sheriffs and one local law the CO’s. That will give us an opportunity to look at the operations. We may want to separate it as it gives us flexibility.

Mr. Mullen asked if we have that many CO’s living outside of the County, are they all within a short distance? Mr. Alderman stated the CO’s do not have a County vehicle.

Mr. Maio asked does this local law apply to full-time or part-time? Mr. Wheeler replied it applies to all of them.

Mr. Ryan asked do most of the other counties allow their CO’s to live in Steuben and then travel to work? Ms. Prossick replied it varies. Mr. Ryan stated we are supporting other counties tax dollars.

Mrs. Scotchmer commented I looked on the Department of State website and there are 15 counties in the entire State that allow this and the closest in our area is Cayuga. Ontario County passed a local law specifically stating that they are required to live in their County.

Mr. Van Caeseele stated my struggle is we have a law that doesn’t allow it, but we are allowing it. There are currently 18 CO’s that are living out of county. Either they don’t or they do.
Chairman Van Etten stated normally this is handled in a proactive process, but because of recruitment issues they expanded the pool. What was handed to us last week was reactionary as we had an employee “illegally” living outside of the County. It sounds like the information has morphed into one deputy temporarily being allowed, but then purchased property outside of the County.

Mr. Potter commented the law doesn’t preclude anyone who works in the County from purchasing land outside of the County. Mr. Wheeler stated we are talking about residency and from a legal standpoint, they are taking County vehicles outside of the county to their personal property. Ms. Prossick commented in this particular case the individual owned property outside of the County and then turned in paperwork showing an out of County address and that is what started this.

Mr. Maio asked if we vote to accept the presentation, can this be referred back to Public Safety & Corrections? It needs way more vetting.

Motion withdrawing the presenting local law relative to residency requirements for Deputy Sheriffs and directing the County Manager, the Law Department and the Clerk of the Legislature to separate the local law into two; one for Deputy Sheriffs and one for Corrections’ Officers made by Mr. Nichols, seconded by Mr. Van Caeseele and duly carried.

Ms. Lattimer commented the individual that was given temporary permission needs to take action and get back into the County which will clarify Mr. Alderman’s position with regard to certifying payroll. That needs to happen.

Mr. Wheeler stated we will have Finance pull all of the out of County addresses that we have.

Mr. Hanna was excused from the meeting.

Mrs. Ferratella asked with regard to the May 11, 2021, Special Legislative meeting, was there an action items list that was going to be done and sent out? Ms. Prossick replied that was sent to the Sheriff the next day and I will send that out to the Legislators.

Motion to adjourn made by Mrs. Lando, seconded by Mr. Van Caeseele and duly carried.