The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 25th day of January, 2021, and was called to order by the Chairman of the Legislature, Scott J. Van Etten.

Roll Call and all members were present except Legislator Malter.

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

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 the Agricultural District within the Towns of Bath, Cameron, Canisteo, Jasper, Rathbone, Trumansburg and Woodhull, New York, known as Agricultural District No. 1, to consider the recommendations of the Agricultural and Farmland Protection Board and any proposed modifications of the District. Chairman Van Etten opened the 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. Schu, seconded by Mr. Swackhamer and duly carried.

Mr. Baker stated the Legislature will be voting on the Sheriff’s Law Enforcement Reformation Plan today. He stated this will be adopted for the District Attorney investigators as well. This plan governs all law enforcement officials in the County.

Mr. Mullen commented recently the State delegated authority to the counties with respect to high school sports and I would like to have the County find a way to have sports played. It is healthier for children in this age group to compete and play sports. Chairman Van Etten asked Mr. Wheeler to provide an update. Mr. Wheeler stated we have a conference call scheduled this afternoon with the school superintendents. The stance of the schools, collectively, will dictate a lot of what happens. I will keep you posted. There are solutions; it is just a matter of working through the logistics. Chairman Van Etten commented we want to be consistent with how we do it and have the schools involved.

Mr. Ryan stated on the radio I heard something concerning; there was some delay from the Governor’s Office with regard to having individuals 65 and older getting vaccinated and now they will not be vaccinating that group and there was no backup information or an explanation of why they are not. Mr. Wheeler clarified pharmacies have been directed to vaccinate individuals 65 and older. What the State has done is directed the pharmacies to be responsible for that group. The hospitals will be responsible for vaccinating healthcare workers and the counties will be responsible for vaccinating essential workers which includes law enforcement, EMS, school teachers. If anyone vaccinates individuals outside of the priority group, you risk not receiving future vaccines. We have been spending a lot of time working through that. There is a tremendous amount of frustration out there and vaccine is in short supply. For seniors, navigating the process is just very, very difficult. The 65 and older group can get the vaccine if they can find a pharmacy that has it or if they go to the State vaccine site. The closest State vaccine site to us is in Binghamton.
Mrs. Ferratella asked what about the State fines? Mr. Wheeler replied if a hospital vaccinates outside of the priority group, they have been told they will be fined $1 million. Also, if you don’t use all of your vaccine, you can be fined. We have also been threatened with not receiving vaccines if we go outside of the priority group.

RESOLUTION NO. 001-21

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, as to the property contained in Schedule “B”, the Steuben County Commissioner of Finance is authorized and directed to cancel any unpaid taxes against the property, pursuant to Real Property Tax Law §558, as approved by the Steuben County Finance Committee on January 12, 2021; 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" 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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Resolution No. B-1
Former Owner: Frank DiCandia
Parcel No.: 144.00-02-008.110
Municipality: Town of Bath

Vote: Roll Call – Adopted. Yes – 8581, No – 0, Abstained – 597, Absent – 694
    (Abstained: Legislator Mullen abstained due to clients being listed; Absent: Legislator Malter)

RESOLUTION NO. 002-21


RECEIVING AND ACCEPTING THE JANUARY 25, 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:

December 16, 2020
NYS Office for the Aging – Re: Restored Notification of Grant awards for the Community Services for the Elderly (CSE) program, Expanded In-home Services for the Elderly Program (EISEP), and the Wellness in Nutrition (WIN) Program, for the period of April 1, 2020 through March 31, 2021. Referred to: Human Services/Health & Education Committee; and Patty Baroody, OFA Director.

NYS Division of the Budget – Re: Notification of approval of the revised Raise the Age (RTA) county plan. Referred to: Finance Committee; Kathy Muller, Commissioner of Social Services; Jennifer Prossick; County Attorney; Tammy Hurd-Harvey; Commissioner of Finance; and Jack Wheeler, County Manager.

NYS Office of Children and Family Services – Re: OCFS Fatality Report #RO-20-012. Referred to: Scott Van Etten, Legislature Chairman; and Jack Wheeler, County Manager.

Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and Contour Body Images Corp (payment in lieu of tax) agreement and RP-412-a form for property located at 117 Main Street, City of Hornell, Steuben County, NY. Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.

December 28, 2020
NYS Sheriffs’ Association – Re: The option to continue to participate in the programs negotiated by the Association or select other vendors once the agreements expire for the Jail Inmate Phone System and the Expedited Bail by Credit Card Program. Referred to: Finance and Public Safety & Corrections Committees; Jennifer Prossick, County Attorney and Sheriff Allard.

January 4, 2021
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $1,455, which represents the November 2020 surcharge payment for Steuben County. Referred to: Finance Committee; and Tammy Hurd-Harvey, Commissioner of Finance.
January 11, 2021
Nexamp Solar – Re: Notification of the intent to develop a ground-mounted, 5MW AC solar facility (Thurston Ridge Solar, LLC) at 3903 Lewis Road, Thurston, NY. Referred to: A.I.P. Committee; and Matt Sousa, Planning Director.

January 13, 2021
NYS Department of Transportation – Re: Notification of approval for the Rural Areas Operating Master Grant Agreement #C004099 in the amount of $405,020. Referred to: Matt Sousa, Planning Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 003-21

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


WHEREAS, a project for the BridgeNY (2): Bridge Replacement (BIN 3255800) CR 115 over the Canisteo River, Town of Erwin, Steuben County, PIN: 6755.33 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, the County of Steuben will design, let, and construct the Project; and

WHEREAS, the County of Steuben desires to advance the Project by making an initial commitment of 100% of the costs of the work for the Project or portions thereof.

NOW THEREFORE, BE IT

RESOLVED, this Legislature does hereby approve the Project; and be it further

RESOLVED, this Legislature does hereby authorize the County to pay in the first instance 100% of the cost of Design, Right of Way Incidental and Acquisition, Construction, and Construction Inspection & Support phase work for the Project or portions thereof, with the understanding that qualified costs are eligible for reimbursement from BridgeNY funds; and be it further

RESOLVED, an additional $3,688,375 is hereby appropriated to the previously appropriated $523,500 for a total sum of $4,211,875 that is hereby appropriated and made available to cover the cost of participation in the above phase(s) of the Project; and be it further

RESOLVED, this Legislature hereby agrees that the County shall be responsible for all costs of the Project which exceed the amount of BridgeNY funding awarded to the County of Steuben; and be it further

RESOLVED, in the event the Project costs not covered by BridgeNY funding exceed the amount appropriated above, the County shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, the County hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and be it further
RESOLVED, the County Manager is hereby authorized to execute on behalf of the County all necessary agreements, certifications or reimbursement requests for BridgeNY funds with the New York State Department of Transportation in connection with the advancement or approval of the Project and provide for the administration of the Project and the County’s first instance funding of Project costs and permanent funding of the local share of BridgeNY eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, four certified copies of this Resolution shall be forwarded to the Commissioner of Public Works to be filed with the New York State Department of Transportation by attaching them to any necessary Agreement in connection with the Project.

Vote: Roll Call – Adopted.

RESOLUTION NO. 004-21

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

AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER FUNDS FROM THE ANIMAL SAFETY COST CENTER TO THE ANIMAL CRUELTY PREVENTION CAPITAL PROJECT.

WHEREAS, a capital project exists to cover future possible costs associated with the prevention of animal cruelty; and

WHEREAS, there are unexpended funds within the 2020 Animal Safety cost center.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer the sum of $8,500.00 from the Animal Safety - Finger Lakes Humane Society budget line (352000-5440340) to the Animal Cruelty Prevention Capital Project (3520H1-5250000); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 005-21

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

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN AMENDED SALES TAX AGREEMENT WITH THE CITIES OF CORNING AND HORNELL FOR A FIVE-YEAR TERM.

WHEREAS, Section 1262(c) of the Tax Law authorizes the County to enter into an agreement with each of its Cities regarding the allocation of sales and compensating use tax revenue; and

WHEREAS, the County and Cities of Corning and Hornell entered into a Sales Tax Allocation Agreement on April 11, 2019; and

WHEREAS, the County and the Cities of Corning and Hornell agree that the April 11, 2019 Sales Tax Allocation Agreement now needs amending for clarity; and

WHEREAS, this amended agreement was tentatively approved by the Corning City Council, by the Hornell City Council and tentative approval has been received from the Office of the State Comptroller.
NOW THEREFORE, BE IT

RESOLVED, that the County Manager is authorized to execute the attached Amended Sales Tax Allocation Agreement with the Cities of Corning and Hornell to be effective March 1, 2020; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager; County Attorney; Commissioner of Finance; Mark Ryckman, Corning City Manager, 1 Nasser Civic Center Plaza, Corning, NY 14830; John Buckley, Mayor of Hornell, 82 Main Street, PO Box 627, Hornell, NY 14843; and Thomas P. DiNapoli, New York State Comptroller, 110 State Street, Albany, NY 12236.
AMENDED AGREEMENT
SALES TAX ALLOCATION
COUNTY OF STEUBEN, CITY OF CORNING, and CITY OF HORNELL

THIS AMENDED AGREEMENT made this ____ day of ____________, 2020, by and between the COUNTY OF STEUBEN, with offices at the 3 East Pulteney Square, Bath, NY 14810, the CITY OF CORNING, with offices at 500 Civic Center Plaza, Corning, NY 14830, and the CITY OF HORNELL, with offices at 82 Main Street, Hornell, NY 14843.

WITNESSETH:

WHEREAS, Steuben County, the City of Corning, and the City of Hornell entered into an AGREEMENT SALES TAX ALLOCATION, ("Agreement"), dated April 11, 2019, which commenced March 1, 2020 and ends February 28, 2025; and

WHEREAS, all parties to the original April 11, 2019 Agreement are now desirous of amending the same; and

WHEREAS, Steuben County, the City of Corning, and the City of Hornell recognize that the interests of residents in each municipality would be best served if the revenue derived from sales tax were to be stabilized and distributed in an equitable manner; and

WHEREAS, the parties hereto wish to enter into this Agreement pursuant to Subdivision (c) of Section 1262 of the Tax Law of the State of New York.

NOW, THEREFORE, IT IS AGREED TO AS FOLLOWS:

FIRST: Steuben County shall, during the term of this Agreement, impose all of the sales and use taxes authorized by section 1210(a) of the Tax Law of the State of New York, at the rate of three percent (3%) and shall set aside, pay and allocate net collections from such taxes during such term as provided in this Agreement.

SECOND: This agreement shall not apply to Steuben County’s additional one percent (1%) rate of sales and use taxes and Steuben County will continue to apply net collections from such additional rate as required by Section 1262-H of the Tax Law of the State of New York, as amended.

THIRD: The City of Corning and the City of Hornell shall each repeal their sales and use taxes authorized by section 1210 of the Tax Law, effective March 1, 2020, and they shall not reimpose any such taxes to take effect earlier than March 1, 2025.

FOURTH: Steuben County shall set aside or allocate and distribute net collections from its three percent (3%) rate of sales and use taxes as follows:

A. In each year of this Agreement Steuben County shall set aside $15,700,000 for the County and after such set aside shall then allocate and distribute the remainder of the net collections as follows: to the City of Corning, $2,200,000; to the City of Hornell, $2,150,000; and to the Towns and Villages within the County, $11,100,000.

B. If the County’s net collections in any year are insufficient to cover the allocations described in paragraph A of this section, the allocations shall each be reduced on a pro rata basis.

C. If the County’s net collections in a year exceed the allocations described in paragraph A of this section, the County shall set aside for County purposes forty nine percent (49%) of such excess; and the County shall allocate eight percent (8%) of such excess to the City of Corning, seven percent (7%) to the City of Hornell, and thirty six (36%) to the Towns and Villages in the County.
D. A Town or Village’s share of the amounts that paragraph A, B, or C of this section require the County to allocate to the Towns and Villages in the County shall be determined on the basis of the ratio which the full valuation of real property in the Town or Village bears to the aggregate full valuation of real property in all of the Towns and Villages in the County.

E. For purposes of this section, the term “year” shall mean a twelve month period commencing March first and ending the last day of the following February.

FIFTH: The term of this Agreement shall be five years commencing March 1st, 2020, and ending February 28, 2025.

SIXTH: That on or before the first day of 2024, the Steuben County Manager, the Corning City Manager, and the Hornell City Mayor and/or their representatives will meet to develop recommendations for the Steuben County Legislature and each City Council whether or not to amend, modify, or extend this Agreement for an additional term.

The County Legislature and each City Council thereafter, and prior to June 1st, 2024, shall, by resolution, notify the other bodies that it intends, at the end of the term or any extension, thereof, to terminate, amend or modify this Agreement.

SEVENTH: Within the time frames set forth herein and the statutory notice requirements in Article 29 of the Tax Law, this Agreement may be modified, terminated, or otherwise amended in the event that both City Councils and the County Legislature, by formal resolution, mutually agree to do so. Neither party may do so unilaterally. Any such modification, termination, or amendment must be reduced to writing, executed by such officers of each body as they shall respectively designate and be approved by the Office of the State Comptroller as set forth above.

EIGHTH: Notwithstanding any contrary provision of this Agreement, if the County and Cities cannot agree by May 15, 2024, and receive approval of such agreement from the State Comptroller by such date, on terms either to extend this Agreement effective March 1, 2025, or to enter into a new agreement to take effect March 1, 2025, and if either City elects, or both Cities elect, to impose sales and use taxes authorized by section 1210 of the Tax Law to take effect March 1, 2025, the Steuben County Legislature hereby agrees to waive, and does waive, pursuant to Tax Law section 1222(b), the requirements of either City to provide notice to the County of the City’s imposition of taxes on transactions taxed by the County and of the postponement of the effective date of such taxes imposed by the City, so that such City’s taxes, can take effect March 1, 2025.

NINTH: This Agreement is subject to the approval of the State Comptroller of the State of New York as set forth in section 1262(c) of the Tax Law.

IN WITNESS WHEREOF, the undersigned have set their hands this day of __________________.

COUNTY OF STEUBEN    CITY OF CORNING    CITY OF HORNELL

______________________________________________  _________________________  _________________________
Title:                                                                 Title:                                                                 Title:

Approved to form this ___ day of ____________, 20__.

______________________________________________
Jennifer K. Prossick, County Attorney, Steuben County
Mr. Mullen asked can you explain how this is different from the original agreement? Mr. Wheeler replied the renewal agreement did not include the $15.7 million share for the County that was specifically stated in the original contract. Also, the State Comptroller wanted that amount listed in the renewal agreement as it was listed in the original agreement. Both cities have approved the amendment. Mr. Mullen asked how is it projected to be different financially? Mr. Wheeler replied there is zero different. This is just listing the County share amount for the State Comptroller’s purposes.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 006-21**

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

**AUTHORIZING THE SALE OF PROPERTY IN THE TOWN OF BATH.**

Pursuant to County Law §215 and Real Property Tax Law §1166.

WHEREAS, the County acquired title to a piece of property at 7460/7458 State Route 54 in the Town of Bath, designated as tax parcel no. 144.00-02-008.110 (formerly owned by DiCandia), containing approximately 50.9 acres of land; and

WHEREAS, the County desires to separate the 50.9 acres of land into three distinct parcels, a 38.8± acre piece and a 6.5± acre piece and a 5.6± acre piece, and sell two of them individually; and

WHEREAS, the County desires to retain 1 parcel of 38.8 ± acres; and

WHEREAS, the County desires that the two (2) remaining parcels be sold at a private sale.

NOW THEREFORE, BE IT

RESOLVED, the Legislature does hereby authorize separating this 50.9± acres of land, designated as tax parcel no. 144.00-02-008.110 in the Town of Bath, into three distinct parcels of 38.8± acres and 6.5± acres and 5.6 ± acres, and selling two of them individually; and be it further

RESOLVED, the County will retain 1 parcel of 38.8 ± acres; and be it further

RESOLVED, the Legislature hereby authorizes the County Manager to enter into two (2) purchase and sale agreements for the sale of the 5.6± acre parcel for $4,000 and the 6.5± acre parcel for $6,000; and be it further

RESOLVED, that certified copies of this resolution shall be filed with the Steuben County Clerk, the Commissioner of Finance, the Director of the Real Property Tax Service Agency, and the County Attorney.

Mr. Mullen asked how did we come up with the prices for these parcels? Mrs. Hurd-Harvey replied these prices were negotiated by Mr. Donnelly with the neighbors. Ms. Prossick explained this property was taken in tax foreclosure so we can negotiate for private sale under the statute. Mr. Nichols asked what is the County going to do with the 38 acres that we are keeping? Mrs. Hurd-Harvey replied that parcel backs up to the Mt. Washington property. Mr. Wheeler commented most of it is hillside property and is not really developable land.

**Vote:** Roll Call – Adopted.
RESOLUTION NO. 007-21

Introduced by B. Schu.  Seconded by C. Ferratella.

RESCINDING RESOLUTION NO. 082-12 RELATIVE TO THE RELEVY OF PROPERTY MAINTENANCE AND DEMOLITION CHARGES.

WHEREAS, the County of Steuben adopted a policy for mitigating demolition costs in certain situations by Resolution No. 082-12 duly adopted on April 23, 2012; and

WHEREAS, the State of New York Court of Appeals in the Matter of Town of Irondequoit et al., v. County of Monroe, et al., has opined that Town Law §64 directs that demolition costs performed by towns and assessed against real property shall constitute a lien and charge on the real property on which it is levied and shall be collected in the same manner and at the same time as other town charges and should therefore be guaranteed to the towns by the County.

NOW THEREFORE, BE IT

RESOLVED, that Resolution No. 082-12 adopted by the Steuben County Legislature on April 23, 2012 is hereby rescinded in its entirety; and be it further

RESOLVED, certified copies of the resolution shall be forwarded to the Director of the Steuben County Real Property Tax Service Agency, Commissioner of Finance, and the respective Assessors within the County.

Chairman Van Etten commented this is not good for the County as it opens us up to exposure if the municipalities are aggressive in doing demolitions.

Vote: Roll Call – Adopted.

RESOLUTION NO. 008-21

Introduced by G. Swackhamer.  Seconded by F. Potter.

AMENDING THE COMMISSIONER OF FINANCE’S AUTHORIZATION TO EXECUTE A REAL PROPERTY EASEMENT WITH CANISTEO WIND ENERGY, LLC.

WHEREAS, Canisteo Wind Energy, LLC is developing a wind energy generating system project on real property in Steuben County; and

WHEREAS, on November 23, 2020, this Legislature adopted Resolution 221-20 authorizing the Commissioner of Finance to execute an easement with Canisteo Wind Energy, LLC; and

WHEREAS, Canisteo Wind Energy, LLC subsequently requested the easement be relocated from that approved in Resolution 221-20; and

WHEREAS, all other terms and conditions of the newly proposed easement remain as those previously authorized in Resolution 221-20.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to sign the amended easement agreement and other required documents with Canisteo Wind Energy, LLC; and be it further
RESOLVED, the funds received from Canisteo Wind Energy, LLC in consideration of the County entering into the Agreement shall be deposited into account HB0110-42770000 (Energy Conservation Project – Other Unclassified Revenue); and be it further

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

Mr. Mullen stated I wasn’t sure if there was more than one tax ID on this lease. If there is, I think we should have two separate agreements. He stated that he has seen the wind companies do this quite often. Ms. Prossick stated our understanding is this moved the actual easement they needed. Mrs. Hurd-Harvey stated the line will go over a part of the transfer station parcel in Hornell. We did confirm the revenues collectively and that is based on the square footage of the easement and the revenue is at the minimum of $2,000 per year. Mr. Mullen stated I was thinking it should be two different leases. They pay the minimum for each parcel if they are not at the square footage threshold. Mrs. Hurd-Harvey and Ms. Prossick stated they can certainly bring it up.

Vote:  Roll Call – Adopted.

RESOLUTION NO. 009-21


AUTHORIZING THE RECLASSIFICATION OF ONE (1) RADIO TECHNICIAN, GRADE XII, TO ONE (1) SENIOR RADIO TECHNICIAN, GRADE XIV WITHIN THE EMERGENCY MANAGEMENT OFFICE.

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

WHEREAS, this Radio Technician in the Emergency Management Office performs Senior Radio Technician duties; and

WHEREAS, this Senior Radio Technician will have added duties of performing a higher level of technical installation, maintenance, and repair methods and procedures applicable to the trade; and

WHEREAS, a Senior Radio Technician position more appropriately performs these duties; and

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

NOW THEREFORE, BE IT

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

One (1) Radio Technician Position, Grade XII ($37,020 - $52,265), to
One (1) Senior Radio Technician Position, Grade XIV, ($39,861 - $56,274).

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, certified copies of this resolution shall be forwarded to the Commissioner of Finance, Personnel Officer, and the Director of Emergency Management Office.
RESOLUTION NO. 010-21

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

WHEREAS, the New York State and Local Employees’ Retirement System adopted 2 NYCRR §315.4, a regulation on retirement reporting for elected and appointed officials which became effective August 12, 2009; and

WHEREAS, the regulation requires an expanded record of work activities, a more detailed resolution and specific time frames within which requirements must be completed.

NOW THEREFORE, BE IT

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

<table>
<thead>
<tr>
<th>TITLE</th>
<th>STANDARD WORKDAY (HRS/DAY)</th>
<th>NAME</th>
<th>TIER 1 MEMBER</th>
<th>CURRENT TERM BEGINS/ENDS</th>
<th>ROA Result</th>
<th>ROA Not Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appointed Officials</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistant District Attorney, PT</td>
<td>6.0</td>
<td>Peter J. Glanville</td>
<td></td>
<td>01/01/20-12/31/23</td>
<td>7.46</td>
<td></td>
</tr>
</tbody>
</table>

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

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 011-21

DESIGNATING THE ORGANIZATIONS INCLUDED IN THE DEFINITION OF AGENCY ACCORDING TO THE STEUBEN COUNTY ETHICS LAW.

WHEREAS, the Steuben County Legislature adopted Local Law No. Two for the Year 2020 entitled Steuben County Ethics Law; and

WHEREAS, under Section 1. Definitions – Agency, the Legislature is required by resolution to provide an initial list of agencies that are subject to the Ethics Law; and

WHEREAS, the Administration Committee of the Legislature has identified the agencies to be included in the agency definition list.

NOW THEREFORE, BE IT
RESOLVED, the following agencies are hereby included in the definition of agency as it pertains to Local Law No. Two for the Year 2020, Steuben County Ethics Law:

Steuben County Conference and Visitors’ Bureau
Steuben County Industrial Development Agency
Steuben County Land Bank Corporation
Steuben County Tobacco Asset Securitization Corporation

AND BE IT FURTHER RESOLVED, the above-named agencies, boards of directors and staff, whether paid or not, shall be subject to the Steuben County Ethics Law; and be it further

RESOLVED, any complaints or investigations of alleged violations or requests for advisory opinions pertaining to said agencies shall be handled by the Steuben County Board of Ethics in the manner set forth in said local law; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Steuben County Ethics Board; Kevin Costello, Executive Director, Steuben County Conference and Visitors’ Bureau, Inc., 1 West Market Street, Baron Steuben Building, Suite 301, Corning, NY 14830; James C. Johnson, Executive Director, Steuben County Industrial Development Agency, 7234 Route 54 N, PO Box 393, Bath, NY 14810; Christopher Brewer, Executive Director of the Steuben County Land Bank Corporation; and Jack Wheeler, President of the Steuben County Tobacco Asset Securitization Corporation.

Vote: Roll Call – Adopted.

RESOLUTION NO. 012-21

Introduced by B. Schu. Seconded by G. Swackhamer.

DESIGNATING THE TITLES, POSITIONS AND ENTITIES TO BE INCLUDED IN THE DESIGNATION OF COUNTY OFFICIAL AS IT PERTAINS TO THE STEUBEN COUNTY ETHICS LAW.

WHEREAS, the Steuben County Legislature adopted Local Law No. Two for the Year 2020 entitled Steuben County Ethics Law; and

WHEREAS, under Section 1. Definitions – County Official, the Legislature is required by resolution to provide a specific list of the positions, titles and entities which shall be particularly covered by this area of the Ethics Law; and

WHEREAS, the Administration Committee of the Legislature has identified the positions, titles and entities to be included in the County Official definition list.

NOW THEREFORE, BE IT

RESOLVED, the following positions, titles and entities are hereby included in the County Official definition as it pertains to Local Law No. Two for the Year 2020, Steuben County Ethics Law:

<table>
<thead>
<tr>
<th>Title/Position</th>
<th>Entity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director, Office for the Aging</td>
<td>Office for the Aging</td>
</tr>
<tr>
<td>County Auditor</td>
<td>Auditor</td>
</tr>
<tr>
<td>Commissioner of Elections, Democratic</td>
<td>Board of Elections</td>
</tr>
<tr>
<td>Commissioner of Elections, Republican</td>
<td>Board of Elections</td>
</tr>
<tr>
<td>Superintendent, Buildings &amp; Grounds</td>
<td>Buildings &amp; Grounds</td>
</tr>
<tr>
<td>Deputy Superintendent, Buildings &amp; Grounds</td>
<td>Buildings &amp; Grounds</td>
</tr>
<tr>
<td>Clerk of the Legislature</td>
<td>Clerk of the Legislature</td>
</tr>
</tbody>
</table>
Correction Lieutenant
Jail Physician
Nurse Practitioner
Commissioner
Deputy Commissioner (C/NC)
Director of Finance
Director of Temporary/Disability Assistance
Assistant Director of Social Services
Counsel to the Commissioner
Senior Social Services Attorney
Social Services Attorney
Administrative Officer
Director, Veterans Service Agency
Director of Weights & Measures
Youth Program Coordinator

Correction Lieutenant
Jail Physician
Nurse Practitioner
Commissioner
Deputy Commissioner (C/NC)
Director of Finance
Director of Temporary/Disability Assistance
Assistant Director of Social Services
Counsel to the Commissioner
Senior Social Services Attorney
Social Services Attorney
Administrative Officer
Director, Veterans Service Agency
Director of Weights & Measures
Youth Program Coordinator

AND BE IT FURTHER RESOLVED, as a designated County Official, the individuals appointed to the above-named position shall be subject to the annual financial disclosure requirement contained in Part B of the Steuben County Ethics Law; and be it further

RESOLVED, certified copies of this resolution shall be provided to the Chair of the Steuben County Ethics Board for distribution to the individuals appointed to the above-named positions.

Mr. Maio asked why not just put these positions in the law to begin with? Mrs. Scotchmer replied this list is fluid; we would have to change the law every time there was a position change. Chairman Van Etten asked was this done as a clarification for the State? Mrs. Scotchmer replied yes, that was one of the items that was mentioned when we had the audit. Our Ethics Law stated we had to do this. From here on out, the Chairman will promulgate the list and that designation will be based upon if we added any new positions.

Vote: Roll Call – Adopted.

RESOLUTION NO. 013-21

Introduced by B. Schu. Seconded by G. Swackhamer.

DESIGNATING THE DEPARTMENTS PRECLUDED FROM PARTICIPATING IN THE PURCHASE OF REAL OR PERSONAL PROPERTY OWNED BY THE COUNTY OF STEUBEN.

WHEREAS, the Steuben County Legislature adopted Local Law No. Two for the Year 2020 entitled Steuben County Ethics Law; and

Legislative Meeting
Monday, January 25, 2021
Amended February 22, 2021
WHEREAS, under Section 2. B. 2. Code of Ethics – Prohibited Activities, the Legislature is required by resolution to identify certain County officials who are precluded from taking part in the purchase of real or personal property owned by the County of Steuben; and

WHEREAS, the Administration Committee of the Legislature has identified the departments who should be precluded from taking part in the purchase of real or personal property owned by the County of Steuben.

NOW THEREFORE, BE IT

RESOLVED, the employees of the following departments, including their relatives, siblings, spouses or significant others, are hereby precluded from participating in the Steuben County Tax Auction and the Steuben County Surplus Equipment Auction pursuant to Steuben County Ethics Law:

Real Property Tax Auction
Clerk of the Legislature
County Legislators
County Manager
Finance Office
Law Department
Real Property Tax Service Agency

Surplus Equipment Auction
Clerk of the Legislature
County Legislators
County Manager
Finance Office
Law Department
Purchasing Department

AND BE IT FURTHER RESOLVED, pursuant to the Steuben County Ethics Law, the prohibition against bidding upon, acquiring or purchasing real or personal property either directly or through an agent, representative, attorney or other third party shall include, but not be limited to, a staff member’s relative, sibling, spouse or significant other; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the head of the above-named departments for distribution to their staff.

Vote: Roll Call – Adopted. Yes – 8616, No – 562, Abstained – 0, Absent – 694
(No: Legislator Horton; Absent: Legislator Malter)

RESOLUTION NO. 014-21

Introduced by J. Horton. Seconded by F. Potter.

ADOPTING THE STEUBEN COUNTY POLICE REFORM AND REINVENTION COLLABORATIVE PLAN.

WHEREAS, Governor Andrew M. Cuomo issued Executive Order No. 203 on June 12, 2020, requiring all local governments to adopt a Police Reform and Reinvention Collaborative Plan (“plan”) by April 1, 2021; and

WHEREAS, as part of the plan, local governments were required to perform a comprehensive review of current police force deployments, strategies, policies, procedures and practices in order to develop a plan improving the same; and

WHEREAS, the Steuben County Sheriff’s Office, in conjunction with the Cities of Corning and Hornell, Villages of Addison, Bath, Canisteo, Hammondsport, Painted Post and Wayland, and the Town of Cohocton, entered a collaborative effort to move through a county-wide process to enact police reform plans; and

WHEREAS, Corning Incorporated, which is headquartered in Steuben County, provided a resource to assist with program management and change management expertise; and

WHEREAS, stakeholders worked on the plan for several months and offered a draft form of the plan for public comment to all citizens in Steuben County, with said comments being considered prior to finalizing the plan.
NOW THEREFORE, BE IT

RESOLVED, this Legislature hereby adopts the Steuben County Police Reform and Reinvention Collaborative Plan as presented to the Public Safety and Corrections Committee on January 4, 2021; and be it further

RESOLVED, the County Manager is hereby directed to certify the plan pursuant to Executive Order No. 203 issued by Governor Andrew M. Cuomo on June 12, 2020; and be it further

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

Mr. Ryan stated I have to vote no and it is not because I believe the Sheriff has done a poor job in creating this. The Sheriff has done an admirable job. We have had dictates for reforms; dictates for the court system which has resulted in the reconstruction of the whole main level of the County Office Building, not knowing if we are getting funding. There has been a dictate to reform cash bail and now there is a dictate to reform policing. I believe in reform, but I think we have to have a reason for it and in this case, the police departments in our county have done an outstanding survey, which the survey attested to. Again, I don’t like the dictates, especially this one. If we don’t do it then the State will defund police departments and that doesn’t make sense.

Chairman Van Etten asked isn’t the fact that it doesn’t make sense enough impetus to do the plan? Mr. Ryan replied so far all of the reform plans have created some unforeseen consequences. I don’t like the idea of it.

Mrs. Lando stated I was a participant on some of the committees and I think it showed how well-run the city and the Sheriff’s departments have been for the last several years. It shows that they have done a good job and also that there is always room for improvement. This is a good plan that will not cost a lot of money and will fix the things that need to be fixed. This is a good plan for the County and for the City of Corning.

Mr. Wheeler stated as staff, we share the same concern as Mr. Ryan on mandates and edicts. One word of caution is that if the plan is not adopted, it is not just Sheriff’s revenue that we would lose; we would lose all State revenue. Mr. Ryan commented it is negative incentive to do something.

Ms. Fitzpatrick stated I share some of Mr. Ryan’s concerns and our police departments do an excellent job. Some of the reforms and edicts come out because of a few bad apples. There has been a shift in the world; particularly in the State, for trying to improve the life of persons who make bad choices and the rest of us have to suffer for those choices. The Sheriff and his team did a great job and I will vote to accept this plan. At some point in time, we will have to stand up and fight for the rights of individuals that follow the rules.

Mr. Van Caeseele stated the Sheriff was looking at this before it was mandated and it was not a bad thing to do. I will vote for it simply because this is an opportunity to show other counties in our area how well a job we were doing before the mandate and maybe inspire other counties to jump on board that do have problems in their police departments. This shines a light on what we are doing. I’m not happy with the forced mandates.

Mrs. Ferratella stated I agree we should adopt the plan. A lot of things have come out of it that we can improve upon such as community outreach. The Sheriff spent over three hundred hours on this project and it is fitting to recognize him for all that work.

Chairman Van Etten stated I am very happy and pleased that we were able to do this deep dive. It is a good thing to look deep into your organization. This was a good project and was a huge burden and task.
We did get help from Corning, Inc., which was a great asset. This did not expose any glaring weaknesses or deficiencies; it just showed us where some improvements could be made, however, some of the recommendations were too outlandish for me to accept. I applaud the job they did do with this. He stated that he sent a copy of our plan to the Yates County Chairman as their Sheriff has not been too gung ho about complying. We are lucky to have our group and I certainly support this.

Mrs. Ferratella commented in the Governor’s State of the State address, Steuben County was recognized for this program.

Mr. Maio stated a once in a generation introspection is not a big burden for an agency to undertake. This was not focused on Steuben County necessarily. The issues we have here in our county are certainly different than those that originally gave rise to this. There is always room to take a look at oneself and I am glad that the Sheriff took the burden on. It is a good idea and we have done a great job with it. This will lead to better times ahead with the police and citizens throughout the State were the problem is much greater.

Mrs. Lando stated to follow up on an earlier comment, do we think this would have happened if there was not the demand at the end of it? I don’t think we would have done it to the extent that we did.

Mr. Potter commented if nothing else, this bolsters the public’s confidence in our local law enforcement in the County.

**Vote:** Roll Call – Adopted. Yes – 8585, No – 593, Abstained – 0, Absent – 694

(No: Legislator Ryan; Absent: Legislator Malter)

RESOLUTION NO. 015-21

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

MODIFYING, ADOPTING AND CONSOLIDATING AGRICULTURAL DISTRICTS NO. 1 AND NO. 10, AS A RESULT OF THE EIGHT YEAR REVIEW OF DISTRICT NO. 1.


WHEREAS, pursuant to the procedures and timetable set forth by the Department of Agriculture and Markets, the County Agricultural and Farmland Protection Board has filed their recommendations, relative to the eight year review of said Agricultural District with this Legislature; and

WHEREAS, said districts are adjacent to one another and similar in composition; and

WHEREAS, this Legislature did hold Public Hearings on the proposed modifications to said district recommended by the Agricultural and Farmland Protection Board on January 25, 2021.

NOW THEREFORE, BE IT

RESOLVED, that District No. 1 and District No. 10 shall be consolidated into one district called District No. 1; and be it further

RESOLVED in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature does find as follows:
(1) Within the district as recommended to be modified, the number of participating farms and farm acreage thereof is consistent with and substantially furthers the objective of encouraging and protecting viable farming in the area, for which the district was originally created; and,

(2) The district has, since its creation, been of substantial assistance to a majority of participating farmers in maintaining an active farm economy in the area; and

(3) Continuation of this district is consistent with the County's important agricultural economy and predominantly rural pattern of development; and,

(4) The district deters local government adoption of land use regulations unduly restrictive of normal farm activities, supports orderly patterns of community development, and helps to sustain active farming for its important economic and environmental values;

and be it further

RESOLVED, in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature has deliberated on said District and modifications, and does hereby adopt the proposed modifications of Agricultural District No. 1 in the County of Steuben for a period of eight years; and be it further

RESOLVED, that the Clerk of this Legislature is directed to submit said proposal to the Commissioner of Agriculture and Markets with such reports, maps, materials, and documentation as required by law; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of the New York State Department of Agriculture and Markets, Albany, County Planning Director and the Real Property Tax Service Agency.

Vote: Roll Call – Adopted.

RESOLUTION NO. 016-21

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

SUPPORTING THE HEATSMART FLX SOUTH PROGRAM.

WHEREAS, Cornell Cooperative Extension (CCE) has served the residents of New York State with unbiased, research-based knowledge from Cornell, New York’s Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

WHEREAS, Cornell Cooperative Extension Schuyler County has obtained a grant from the New York State Energy Research and Development Authority (NYSERDA) to educate residents and small businesses/nonprofits on the benefits of heat pump technologies in Steuben, Schuyler, Yates and Seneca Counties; and

WHEREAS, air source and ground source heat pump technologies can be used to heat and cool homes and businesses/nonprofits, and at the same time save money for consumers; and

WHEREAS, heat pump technologies, because they do not utilize fossil fuels in heating or cooling our homes, can also reduce greenhouse gas emissions from buildings in New York State; and

WHEREAS, NYSERDA and local electric utilities offer significant financial incentives for the retrofitting of homes and businesses with heat pump technologies; and
WHEREAS, CCE Schuyler will be enlisting the support of HVAC contractors in the area to provide this technology to residents and all contractors participating in the program will be certified by NYSERDA to provide such services and incentives; and

WHEREAS, the sale and installation of heat pump technologies by qualified HVAC Contractors can lead to investment and jobs in the Southern Tier of New York.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature supports the HeatSmart FLX South program and encourages CCE Schuyler to educate our residents and businesses on the benefits of heat pump technologies and the financial incentives available to residents for these technologies; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Cornell Cooperative Extension.

Mr. Swackhamer commented when you can get gas, that is cheaper than electric. The heat people run on electric will not run as efficiently as gas heaters. We have to be careful about what we advertise and promote. Chairman Van Etten commented heat pumps are not able to handle this type of weather. Mr. Swackhamer stated I am concerned about Cornell Cooperative Extension jumping on the bandwagon for heat pumps in this area.

Mr. Ryan stated this is just information to the County. We are not under any obligation to do this or use these. Chairman Van Etten stated this is a resource for information for this.

Vote: Acclamation – Adopted.

Chairman Van Etten asked the Clerk of the Legislature to read aloud the entirety of the following resolution.

RESOLUTION NO. 017-21

Introduced by S. Van Etten. Seconded by All Legislators Present.

RECOGNIZING THE EFFORTS OF COUNTY EMPLOYEES FOR THEIR SERVICE DURING THE ONGOING COVID-19 PANDEMIC.

WHEREAS, the COVID-19 pandemic hit New York State in March 2020 creating a public health emergency; and

WHEREAS, the Emergency Operations Center (EOC) was activated and staffed with the Director and Deputy Director of the Emergency Management Office, the Public Health Director, Public Health Emergency Coordinator and Public Health Education Coordinator, in addition to the County Manager; and

WHEREAS, the County team of Nurses, Public Health Professionals and the Sheriff’s Department worked tirelessly to minimize the impact of COVID-19 on our communities and businesses; facilitating testing through the NYS Department of Health, monitoring and tracking individuals under quarantine, and fielding innumerable questions from the public and municipal leaders; and

WHEREAS, while the EOC staff directly handled the public health emergency, the Deputy County Manager handled the administration aspect of the County departments with the guidance and assistance of the County Attorney; and
WHEREAS, throughout the pandemic, Department Heads had to rethink how they operate in order to continue to provide the needed services to the citizens of the County while also protecting their employees from contracting the virus; and

WHEREAS, through the exemplary leadership of the County Manager and Deputy County Manager and the dedication of Department Heads and many County employees, the operations of the County have continued without interruption or a reduction in County services.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature expresses its sincere gratitude and respect to the dedicated staff of Steuben County for improvising, adapting and helping in ways that were outside of their normal job duties and overcoming many challenges that arose during this crisis; and be it further

RESOLVED, this Legislature is extremely proud of these employees who have gone the extra mile throughout this pandemic; whether they were working to protect the public from the virus, assisting those who contracted the virus, or helping to continue the operations of the County by providing vital services to the residents of Steuben County; and be it further

RESOLVED, certified copies of this resolution shall be provided to all County Departments.

Chairman Van Etten stated I would like to thank Mrs. Scotchmer and the County Attorney for putting this together. This resolution talks a lot about what they have already done and it is not over yet. The vaccine issue is overwhelming them again. He stated he had a friend and his wife who both tested positive and were quarantined. His friend messaged him and said that he really appreciates what the County was doing. Staff are working a ton of hours and to hear that, really shows the amount of dedication, hard work and perseverance that people have been doing for the last year.

Mrs. Ferratella stated we should share this with our State Senator and Assembly representatives to relay what has gone into this.

Mr. Wheeler stated thank you all. These have been crazy times and every single staff person has been involved. This has been a total team effort. This recognition means a lot and I know it does to staff.

Ms. Lattimer stated this resolution is wonderful and I think the public generally has no concept as to the number of hours that employees and officials have put into getting us through the pandemic. I cannot thank you enough as you have gone way above and beyond.

Chairman Van Etten stated I agree. When staff have posted the daily positivity results and then I read the comments posted by the public; not responding to those would be difficult for me.

Vote: Acclamation – Adopted.

Motion to combine resolutions #18 – #26 as one and to waive the reading made by Mr. Swackhamer, seconded by Mr. Schu and duly carried.

RESOLUTION NO. 018-21

Introduced by S. Van Etten. Seconded by A. Mullen.

APPOINTING MEMBERS TO THE STEUBEN COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC).
Pursuant to Section 12.20 of the Steuben County Charter and Title III of the Superfund Amendments and Reauthorization Act of 1986.

WHEREAS, on October 17, 1986, the Superfund Amendments and Reauthorization Act of 1986 (SARA) was enacted into law; and

WHEREAS, one part of the new SARA provisions is Title III: the Emergency Planning and Community Right-to-Know-Act of 1986; and

WHEREAS, Title III establishes requirements for Federal, State and local governments and industry regarding emergency planning and community right-to-know reporting on hazardous and toxic chemicals; and

WHEREAS, this legislation builds upon the Environmental Protection Agency’s Chemical Emergency Preparedness Program (CEPP) and numerous State and local programs aimed at helping communities to better meet their responsibilities in regard to potential chemical emergencies; and

WHEREAS, Title III required each State to establish an Emergency Response Commission, and required that the State Commission designate local emergency planning districts and appoint local emergency planning committees to develop local emergency response plans.

NOW THEREFORE, BE IT

RESOLVED, the following members are hereby endorsed to the Steuben County Local Emergency Planning Committee by the Steuben County Manager, to be appointed by the New York State Emergency Response Commissioner (SERC), as follows:

MEMBERS

LOCAL & STATE GOVERNMENT REPRESENTATIVES

Steuben County Legislature Chair  
3 East Pulteney Square  
Bath, NY  14810

Public Safety & Corrections Committee Chair  
Steuben County Legislature  
3 East Pulteney Square  
Bath, NY  14810

NYS Senator/Designee, 58th District  
105 East Steuben Street  
Bath, NY  14810

NYS Assemblyman/Designee, 132nd District  
105 East Steuben Street  
Bath, NY  14810

LAW ENFORCEMENT REPRESENTATIVES

Steuben County Sheriff  
Public Safety Building  
7007 Rumsey Street Extension  
Bath, NY  14810

Steuben County Undersheriff  
Public Safety Building  
7007 Rumsey Street Extension  
Bath, NY  14810

EMERGENCY SERVICES REPRESENTATIVES

Timothy D. Marshall  
EMO Director/Fire Coordinator  
3 East Pulteney Square  
Bath, NY  14810

Kenneth J. Forenz  
EMO Deputy Director/LEPC Chairman  
3 East Pulteney Square  
Bath, NY  14810
CITIZEN REPRESENTATIVES
Vacant

FIRE SERVICE REPRESENTATIVES
Frank Brzozowski, Chief
Hornell City Fire Department
108 Broadway
Hornell, NY 14843

Ed Fletcher
NYS OFPC
600 College Avenue
Montour Falls, NY 14865

Brad Davies, Chief
Corning City Fire Department
2 Corning Boulevard
Corning, NY 14830

Corey Zydanowicz
NYS OFPC
600 College Avenue
Montour Falls, NY 14865

HEALTH SERVICES REPRESENTATIVES
Darlene Smith, Director/Matthew Marmor, Alternate
Steuben County Public Health
3 East Pulteney Square
Bath, NY 14810

Joanne Clark, Senior Sanitarian
NYS Department of Health
107 Broadway
Hornell, NY 14843

HOSPITAL REPRESENTATIVES
Jim Webster, Emergency Manager
Veterans Administration
Medical Center
Bath, NY 14810

Mary McInerny
St. James Mercy Hospital
411 Canisteo Street
Hornell, NY 14843

Theresa Reed
Ira Davenport Hospital
NYS Route 54, Box 305
Bath, NY 14810

Andrew Dunnick
Corning Hospital
1 Guthrie Drive
Corning, NY 14830

INDUSTRIAL REPRESENTATIVES
Chief Joe McUmber
Corning, Inc.
SP-TG01-01
Corning, NY 14830

Shawn Torrey, EH&S Manager
Dresser-Rand Company
100 Chemung Street
Painted Post, NY 14870

John Istler
Upstate Niagara
Main Street
Campbell, NY 14821

Brian Polmanteer, Owner/Bob Haim, Alternate
T & R Spill Response
691 Addison Road
Painted Post, NY 14870
RESOLUTION NO. 019-21

APPOINTING MEMBERS TO THE STEUBEN COUNTY TRAFFIC SAFETY BOARD.

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

WHEREAS, vacancies exist on the Steuben County Traffic Safety Board and said vacancies need to be filled.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Manager hereby endorses the appointments of the following persons as members of the Steuben County Traffic Safety Board for the terms indicated:

JANUARY 1, 2021 TO DECEMBER 31, 2023
James L. Allard, Steuben County Sheriff or Designee
Matthew Sousa, Steuben County Planning Director or Designee
Vince Spagnoletti, Commissioner of Public Works or Designee
Jeffrey R. Spaulding, Corning City Police Chief or Designee
Lorelei Wagner, Steuben County Public Health

BE IT FURTHER RESOLVED, that said members shall serve at the pleasure of the Steuben County Legislature and shall serve with compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Local Emergency Planning Committee; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointees and the County Auditor.

Vote: Acclamation – Adopted.
BE IT FURTHER RESOLVED, the organization of the Steuben County Traffic Safety Board shall be in accordance with Section 1674 of the New York State Vehicle and Traffic Law and the members shall receive no compensation for their services on such Board, but shall be entitled to the reasonable and necessary expenses, upon submission of a County voucher with receipts attached, incurred in the performance of their duties within any appropriation made for such purpose. The functions of the Board shall be in accordance with Section 1675 of the New York State Vehicle and Traffic Law; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and the Governors’ Traffic Safety Committee, Swan Street Building, Empire State Plaza, Albany, NY 12228.

Vote: Acclamation – Adopted.

RESOLUTION NO. 020-21

Introduced by S. Van Etten. Seconded by A. Mullen.

APPOINTING MEMBERS TO THE SOUTHERN TIER CENTRAL REGIONAL PLANNING AND DEVELOPMENT BOARD’S STEUBEN COUNTY HUMAN SERVICES COMMITTEE.

WHEREAS, at its July 1973 meeting, the Southern Tier Central Regional Planning and Development Board approved a proposal to recognize a Human Services Committee in each of the three participating counties to act as each respective County’s human services advisory council to the Southern Tier Central Regional Planning and Development Board and in addition, said Board voted to encourage the Legislature in each County to support its County Human Services Committee and to send representatives to such Committee; and

WHEREAS, vacancies have occurred on the committee

NOW THEREFORE, BE IT

RESOLVED, that the following individuals are hereby authorized, in their fair and reasonable discretion and in relevant matters connected with human rights services, to represent their agencies and the County on the Southern Tier Regional Planning and Development Board’s Human Services Committee:

SOCIAL SERVICES
Teresa Stever, Deputy Commissioner
Department of Social Services

MENTAL HEALTH
Henry W. Chapman, Psy.D., Director
Department of Community Services

COUNTY PLANNING
Matthew Sousa
Director of Planning

POVERTY PROGRAM
Laura Rossman, Executive Director
ProAction of Steuben and Yates
RESOLUTION NO. 021-21

Introduced by S. Van Etten.  Seconded by A. Mullen.

APPOINTING MEMBERS OF THE AFFIRMATIVE ACTION COMMITTEE, AN ADVISORY COUNCIL TO THE COMMITTEE, AN AFFIRMATIVE ACTION OFFICER AND AN EQUAL EMPLOYMENT OPPORTUNITY COUNSELOR.


WHEREAS, the County of Steuben represents that it reaffirms its policy of non-discrimination in provisions of all services provided to members of the public by all departments and agencies of the County; and

WHEREAS, the County of Steuben commits itself to a continuing program to assure that unlawful discrimination does not occur in the services it renders to the public and that those sectors of the public most affected by this policy be kept informed of it contends; and

BE IT FURTHER RESOLVED, that said appointees shall serve at the pleasure of the Legislature, for a two (2) year term commencing January 1, 2021 and not beyond December 31, 2022; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Regional Human Services Committee; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and to the Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.
WHEREAS, the Affirmative Action Plan was adopted by the Steuben County Board of Supervisors by resolution dated September 20, 1976 and that plan provide for the appointment of a nine-member Affirmative Action Committee, an Affirmative Action Officer, and an Equal Employment Opportunity Counselor; and

WHEREAS, vacancies do exist and upon the recommendation of the Steuben County Manager said vacancies must now be filled.

NOW THEREFORE, BE IT

RESOLVED, as recommended by the Steuben County Manager the following persons are hereby appointed:

**AFFIRMATIVE ACTION COMMITTEE**

Term Commencing January 1, 2020 through December 31, 2022
1. James Towner, President, Steuben County Corrections Officers, Dispatcher and Court Security Officers Unit
2. Carol A. Ferratella, Legislator, District 13
3. Hilda T. Lando, Legislator, District 2

Term Commencing January 1, 2021 through December 31, 2023
1. Chris Myers, President, CSEA
2. Matthew Sorge, President, Steuben County Deputy Sheriff’s Association, Inc.
3. Lise Reynolds, Deputy Commissioner, Department of Social Services
4. Kathryn Muller, Commissioner, Department of Social Services

Term Commencing January 1, 2019 through December 31, 2021
1. Darlene Smith, Director, Public Health
2. Tammy Hurd-Harvey, Commissioner of Finance
3. Nathan Alderman, Personnel Officer

BE IT FURTHER RESOLVED, members of the Affirmative Action Committee shall serve staggered three-year (3) terms upon reappointment; and be it further

RESOLVED, as recommended by the Steuben County Manager, the following person is hereby appointed to serve at the pleasure of this Legislature:

**AFFIRMATIVE ACTION OFFICER/EQUAL EMPLOYMENT OPPORTUNITY COUNSELOR**

Nathan Alderman

AND BE IT FURTHER RESOLVED, the above-named appointees shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Affirmative Action Committee; and be it further

RESOLVED, the names, titles and the addresses of the above-named appointees shall be on file in the Office of the Personnel Officer; and be it further

RESOLVED, the duties involving the above-named appointees in their capacities as set forth herein shall be those described in the Steuben County Affirmative Action Plan; and be it further

RESOLVED, the members of the Affirmative Action Committee as herein above appointed shall elect the Chairman of said Committee and shall also set the length of the term of office of said Chairman; and be it further
**RESOLVED**, a certified copy of this resolution shall be forwarded to the above-named appointees and the County Auditor.

**Vote**: Acclamation – Adopted.

**RESOLUTION NO. 022-21**

Introduced by S. Van Etten. Seconded by A. Mullen.

**APPOINTING MEMBERS TO THE STEUBEN COUNTY COOPERATIVE EXTENSION BOARD OF DIRECTORS.**

Pursuant to Section 12.19 of the Steuben County Charter, Section 224 of the County Law and upon the request of the said Association.

**WHEREAS**, pursuant to Article V, Section 3 (B) of the Association By-Laws, the County governing body shall be requested annually to appoint two legislators to serve as Directors on the Association Board of Directors.

**NOW THEREFORE BE IT**

**RESOLVED**, the appointment of Hilda T. Lando, Legislator, District 2, and Frederick G. Potter, Legislator, District 10, by the Steuben County Manager as Legislator representatives on the Board of Directors of the Cooperative Extension Association of Steuben County for a one (1) year term beginning January 1, 2021 and expiring December 31, 2021, be and the same hereby are approved; and be it further

**RESOLVED**, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Cooperative Extension Association Board of Directors; and be it further

**RESOLVED**, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and to the Cooperative Extension Association of Steuben County, 3 East Pulteney Square, Bath, NY 14810.

**Vote**: Acclamation – Adopted.

**RESOLUTION NO. 023-21**

Introduced by S. Van Etten. Seconded by A. Mullen.

**APPOINTING MEMBERS TO THE EMPLOYEE ASSISTANCE PROGRAM ADVISORY COMMITTEE.**

Pursuant to Section 12.19 of the Steuben County Charter, Article 5 of the County Law, and Article 16 of the Civil Service Law of the State of New York.

**WHEREAS**, by resolution of the Steuben County Legislature adopted November 25, 1996, a Memorandum of Agreement with the County’s three collective bargaining units was authorized to establish an Employee Assistance Program; and

**WHEREAS**, an oversight committee was created which is comprised of representatives from all three unions, management and the Legislature; and

**WHEREAS**, due to changes in personnel, vacancies now exist on the oversight committee.
NOW THEREFORE, BE IT

RESOLVED, the following individuals shall be appointed to the Employee Assistance Program Advisory Committee:

Legislator Member
Robin K. Lattimer

Management Members
Nathan Alderman
Kimberly Jessup
Darlene Smith
Matthew Sousa

Civil Service Employees’ Association Members
Chris Myers
Brenda Campbell

Steuben County Deputy Sheriffs’ Association Inc. Member
Matthew Sorge

Correction Officers, Dispatchers & Court Security Officer Member
James Towner

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Employee Assistance Advisory Committee; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and to the Personnel Officer.

Vote: Acclamation – Adopted.

RESOLUTION NO. 024-21

Introduced by S. Van Etten.  Seconded by A. Mullen.

APPOINTING MEMBERS TO THE STEUBEN COUNTY FIRE ADVISORY BOARD.

Pursuant to Section 12.20 of the Steuben County Charter and Section 225-a of the County Law of the State of New York.

RESOLVED, the following persons are hereby appointed members of the Steuben County Fire Advisory Board for a term of two (2) years, commencing January 1, 2021 and ending December 31, 2022:

LEGISLATIVE MEMBERS
1. Kelly H. Fitzpatrick, 6342 Robie Road, Savona, NY 14879

NON-LEGISLATIVE MEMBERS
2. John Ford, 58 Maple Street, Addison, NY 14801
3. Frank Brzozowski, 108 Broadway, Hornell, NY 14843
4. William Todd, 226 Main Street, Painted Post, NY 14870
5. Joseph Dick, 306 First Street, Hornell, NY 14843
6. David M. Sereno, 4691 Colvin Hill Road, Woodhull, NY 14898
7. Brad Davies, 1 Civic Center Plaza, Corning, NY 14830
8. Douglas Heinemann, 8425 Jacobs Ladder Road, Avoca, NY 14809
9. Brian McCarthy, 3824 West Hill Road, Painted Post, NY 14870
10. William Waggoner, PO Box 243, Cohocton, NY 14826
11. Evan Brown, DFC, 5 Swan Lane, Painted Post, NY 14870
12. J. David Sawyer, 1646 Jasper Street, Woodhull, NY 14898
13. Larry Day, 9623 County Route 87, Hammondsport, NY 14840
14. Dan Hulbert, 8813 State Route 36, Arkport, NY 14807
15. William Fries, Chief DFC, 7344 Fish Hatchery Road, Bath, NY 14810
16. Donald Fredericy, DFC, 27 East Avenue, Wayland, NY 14572
17. Michael Wilson, DFC, 307 Grand Street, Hornell, NY 14843
18. Timothy Martin, DFC, 6300 CR 100, Addison, NY 14801
19. Glen Miller, 11 South Fowler Street, Bath, NY 14810
20. James Webster, Bath VA, 76 Veterans Avenue, Bath, NY 14810
21. Jeffrey O’Neil, 307 Granger Road, Wayland, NY 14572

**EX-OFFICIO MEMBERS**

23. Kenneth Forenz, Deputy Director, Emergency Management Office, Bath, NY 14810
25. Tina Goodwin, Deputy 911 Director, Bath, NY 14810

**BE IT FURTHER RESOLVED,** members shall serve without compensation except for necessary expenses upon presentation of receipts, related to the fulfillment of their duties on the Fire Advisory Board; and be it further

**RESOLVED,** certified copies of this resolution shall be forwarded to the above-named appointees, the County Auditor and the Steuben County Emergency Management Office.

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 025-21**

Introduced by S. Van Etten. Seconded by A. Mullen.

**APPOINTING REPRESENTATIVES TO THE FISH AND WILDLIFE MANAGEMENT ACT BOARD.**

Pursuant to Section 12.20 of the Steuben County Charter and Section 11-0501, Paragraph 4(a) of the Environmental Conservation law of the State of New York.

**BE IT RESOLVED,** upon the recommendation of the Steuben County Manager, the following individuals are appointed to serve as representatives of the Fish and Wildlife Management Act Board:

**Steuben County Landowner Representative:**
*Mike Warren*
*2901 County Road 56*
*Hornell, NY 14843*

*January 1, 2021 – December 31, 2022*

**Steuben County Sportsman Representative:**
*Thomas J. Ryan*
*41 Chestnut Street*
*Canisteo, NY 14823*

*January 1, 2020 – December 31, 2021*
AND BE IT FURTHER RESOLVED, the representatives shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Fish and Wildlife Management Act Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the NYS Department of Environmental Conservation, 6274 East Avon-Lima Road, Avon NY 14414; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 026-21

Introduced by S. Van Etten. Seconded by A. Mullen.

FILLING VACANCIES ON THE STEUBEN COUNTY CONFERENCE & VISITORS’ BUREAU BOARD OF DIRECTORS.

Pursuant to Section 12.19 of the Steuben County Charter.

WHEREAS, the Steuben County Legislature adopted Resolution No. 056-93 on October 25, 1993, authorizing and directing the creation of the Steuben County Conference & Visitors’ Bureau and establishing the appointment of voting members on the Board of Directors as staggered three (3) year terms, with the exception of one member who shall serve a one (1) year term; and

WHEREAS, the term for some Board members expired December 31, 2020.

NOW THEREFORE, BE IT

RESOLVED, the following individuals as recommended by the Steuben County Manager, are hereby appointed as members of the Steuben County Conference & Visitors’ Bureau Board of Directors for the terms as indicated, and shall hold office until reappointed or a successor is appointed and qualified to wit:

VOTING MEMBERS

Accommodations
Katherine Phelps, Conference Services Manager, Radisson Hotel Corning
(filling unexpired term of Linda Wright) 01/01/20 – 12/31/22
Brett Bixby, Sr. Regional Performance Manager Visions Hotels, Corning 01/01/21 – 12/31/23
Ronald F. Leonard, President, Keuka Lakeside Inn, Hammondsport 01/01/19 – 12/31/21

Attractions
Regina Wagner, Corning Museum of Glass 01/01/20 – 12/31/22
(filling unexpired term of Ryan Doolittle)
Joe Hope, Weis Vineyards, Hammondsport 01/01/21 – 12/31/23
Nate Basch, Director of Events, Corning’s Gaffer District 01/01/19 – 12/31/21

Community-At-Large
Jordan Harris, Winemaker, Heron Hill Winery, Hammondsport 01/01/20 – 12/31/22
(filling unexpired term of Justin Recktenwald)
Chris Walters, Community Arts Manager, The ARTS Council of the Southern Finger Lakes
01/01/19 – 12/31/21
Ariel Kirk, Agriculture Educator, Cornell Cooperative Extension of Steuben County
01/01/21 – 12/31/23

Chamber of Commerce Representative
Alicia Slowinski, President, Hammondsport Chamber of Commerce
01/01/21 – 12/31/21

County Manager Designee
Matthew Sousa, Planning Director
01/01/19 – 12/31/21
(filling unexpired term of Amy Dlugos)

County Legislators
K. Michael Hanna, District 5
01/01/19 – 12/31/21
Hilda T. Lando
01/01/21 – 12/31/23

BE IT FURTHER RESOLVED, the above-named appointees shall serve without compensation, other than necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Conference and Visitors’ Bureau Board of Directors; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and the Executive Director of the Steuben County Conference and Visitors’ Bureau, Inc., 1 West Market Street, Baron Steuben Building, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.

Chairman Van Etten stated this morning Mrs. Ferratella asked about the committee goals and if we should be getting them from the bottom up or the top down. My opinion is that the committees work with the departments to get a list of goals and then raise them up. Mr. Wheeler stated I can facilitate that process. I need to get everything out to the Department Heads, so it may be a topic for the March committee meetings. Mr. Hanna asked how will you communicate that to the committees? Mr. Wheeler replied he will send an email to the committees prior to the March meetings; most likely mid to late February and then at your March meetings you can provide feedback.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers Law, Article 7§105.1.D. Discussion Regarding Proposed, Pending or Current Litigation made by Mr. Swackhamer, seconded by Mr. Hanna and duly carried.

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

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