I. CALL TO ORDER

Mr. Swackhamer called the meeting to order at 10:05 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 9, 2019 MEETING MADE BY MS. FITZPATRICK. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

III. DEPARTMENT REQUESTS

A. County Clerk

1. Semi-Annual Mortgage Tax Distribution – Mrs. Hunter reported they collected $505,902.96 for the period October – May.

MOTION: APPROVING AND ACCEPTING THE SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION AS PRESENTED MADE BY MS. FITZPATRICK. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

B. Department of Social Services

1. Budget Adjustment – Ms. Muller requested authorization to transfer funds to develop the stationary Child Advocacy Center. She requested authorization to transfer $29,349 from the Preventive Services line item into the Major and Minor Equipment line items to purchase equipment for the exam room and furniture for the waiting room. She also requested authorization to transfer $32,000 from Preventive Services to the Maintenance line item to move a door, paint and carpet. This is work that Buildings & Grounds will do for us. Additionally, we are required to have a medical director in Social Services on retainer. Historically, we have contracted with Mental Health for that, but due to issues with staffing, they cannot commit to doing this. Due to
this, she requested authorization to transfer $25,000 from the Community Services line to the Preventive Services line to contract with a consultant physician for both the CAC and the Department of Social Services.

MOTION: AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO TRANSFER $29,349 FROM THE PREVENTIVE SERVICES LINE ITEM AND APPROPRIATE $23,349 TO MINOR EQUIPMENT AND $6,000 TO MAJOR EQUIPMENT TO PURCHASE EQUIPMENT FOR THE CHILD ADVOCACY CENTER; TRANSFER $32,000 FROM THE PREVENTIVE SERVICES LINE ITEM AND APPROPRIATE TO THE MAINTENANCE LINE ITEM FOR RENOVATIONS TO THE CHILD ADVOCACY CENTER AND TRANSFER $25,000 FROM THE COMMUNITY SERVICES LINE ITEM AND APPROPRIATE TO THE PREVENTIVE SERVICES LINE ITEM FOR MEDICAL DIRECTOR SERVICES FOR THE CHILD ADVOCACY CENTER MADE BY MR. ROUSH. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

C. Sheriff’s Office
   1. Acceptance of Firehouse Subs Public Safety Foundation, Inc. Grant – Sheriff Allard requested authorization to accept the Firehouse Subs Public Safety Foundation, Inc. Grant in the amount of $21,765. This money will be used to purchase 15 new AED’s.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION, INC. GRANT IN THE AMOUNT OF $21,765 TO PURCHASE 15 NEW AED’S MADE BY MR. ROUSH. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

   2. Acceptance of Bethesda Foundation Grant – Sheriff Allard requested authorization to accept the Bethesda Foundation Grant in the amount of $15,000. This money will be used to purchase emergency medical equipment for the Sheriff’s Office EMT program.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE BETHESDA FOUNDATION GRANT IN THE AMOUNT OF $15,000 TO PURCHASE EMERGENCY MEDICAL EQUIPMENT FOR THE SHERIFF’S OFFICE EMT PROGRAM MADE BY MS. FITZPATRICK. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

   3. Authorization to Purchase Sheriff’s App – Sheriff Allard requested authorization to purchase the Sheriff’s App. This is an app that would give inmate families the opportunity to put money in an inmate’s commissary account. The app would also allow for online scheduling of visitation and allow families to track what the inmate is using their commissary funds for. We can purchase the app out of our commissary funds which means there will be no cost to the County. The cost for the app is $12,000 with an annual fee of $6,095.

MOTION: AUTHORIZING THE SHERIFF TO PURCHASE THE SHERIFF’S APP USING COMMISSARY FUNDS FOR AN INITIAL COST OF $12,000 AND AN ANNUAL FEE OF $6,095 MADE BY MR. HAURYSKI. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

D. Emergency Management Office
   1. Budget Transfer - Mr. Marshall requested authorization to transfer $61,442.00 of funding from Round 5 of the Interoperable Communications Grant from Major Equipment to Communications Consultant to pay for the contract with Televate.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER $61,442.00 OF ROUND 5 INTEROPERABLE COMMUNICATIONS GRANT FUNDS FROM THE MAJOR EQUIPMENT LINE ITEM TO THE COMMUNICATIONS CONSULTANT LINE ITEM TO PAY FOR THE CONTRACT WITH TELEVATE MADE BY MR. ROUSH. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)
E. Real Property Tax Service Agency
   1. Tax Certiorari - Mrs. Jordan informed the committee that the County has been asked to participate in two tax certiorari’s in the Town of Erwin. She requested authorization to participate in both, at a combined cost not to exceed $4,300.

**MOTION:** AUTHORIZING THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO PARTICIPATE IN TWO TAX CERTIORARIS IN THE TOWN OF ERWIN, NOT TO EXCEED $4,300 MADE BY MS. FITZPATRICK. SECONDED BY MR. HAURYSKI. MOTION CARRIES 3-0-1. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE; MR. ROUSH ABSTAINED AS HE IS A MEMBER OF THE ERWIN TOWN BOARD)

F. Public Works
   1. Add Projects and Transfer Funds - Mr. Spagnoletti informed the committee that they have three roads that over the course of this winter have gone bad; CR 31, CR 72 and CR 30. He requested authorization to add these three projects to the project list, and transfer a total of $464,730 out of the Capital Projects D5112-5250000 line item and appropriate $98,221 to the CR 31 project, $140,315 to the CR 72 project and $226,194 to the CR 30 project.

**MOTION:** AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ADD THE CR 31, CR 72 AND CR 30 TO THE 2019 ROAD PROJECTS LIST, TRANSFER A TOTAL OF $464,730 OUT OF THE CAPITAL PROJECTS D5112-5250000 AND APPROPRIATE $98,221 TO CR 31 PROJECT, $140,315 TO CR 72 PROJECT AND $226,194 TO CR 30 PROJECT MADE BY MR. HAURYSKI. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

   2. Project Fund Transfer - $153,652 - Mr. Spagnoletti informed the committee the bids for CR 333 came in higher than expected. He requested authorization to transfer $153,652 from the CR 97 project to the CR 333 project.

**MOTION:** AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER $153,652 FROM THE CR 97 PROJECT TO THE CR 333 MADE BY MR. HAURYSKI. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

   3. Authorization to Transfer Funds for Paving Striping Truck Modifications – Mr. Spagnoletti informed the committee that we have an inter-municipal agreement with Schuyler and Yates for the shared use of a paint striping truck. In the original agreement we included a separate line item (Striper Repairs in Trust) for maintenance and repairs, which each county pays a share of. The paint truck requires a $25,626 upgrade and Steuben’s share of the upgrade is $17,785. He requested authorization to transfer $17,785 from the Striping Pavement Account to the Striper Repairs in Trust account.

**MOTION:** AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER $17,785 FROM THE STRIPING PAVEMENT ACCOUNT TO THE STRIPER REPAIRS IN TRUST ACCOUNT FOR STEUBEN’S SHARE OF THE PAINT TRUCK UPGRADE MADE BY MR. HAURYSKI. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

G. District Attorney
   1. Budget Adjustment – Mrs. Hurd-Harvey explained this is a roll over from 2018 of unspent Byrne/JAG funds and setting up the 2019 account. The amount to be transferred is $50,059.00.

**MOTION:** AUTHORIZING THE DISTRICT ATTORNEY TO ROLL OVER UNSPENT FUNDS IN THE AMOUNT OF $50,059.00 FROM THE 2018 BYRNE/JAG GRANT INTO 2019 MADE BY MS. FITZPATRICK. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)
H. Commissioner of Finance

1. Monthly Financial Reports – Ms. Fitzpatrick asked if there was any concern regarding the payroll numbers? Mr. Malter stated overtime at 911 is at 88 percent of their modified budget and there has been additional money in the highway and landfill budgets. Mr. Spagnoletti explained in Highway, they have spent $321,000 on overtime, which is 57 percent of their budget. This is because we budget snowplowing overtime at $400,000 and we expect two-thirds to be spent by now. We have about a $40,000 increase to date as there were more events this winter than had been expected.

Mr. Malter asked what has caused the increase in 911? Mr. Wheeler replied the increase is due to vacancies, but they have money in salaries to cover.

Ms. Fitzpatrick stated that the County Clerk also had overtime; what kinds of things would require overtime? Mrs. Hunter replied her office is processing a lot of transactions. Statutorily, we are required to process the mail daily and we also recently started with electronic filing of court work which is taking a little more time. We have also been down staff due to illness and surgery.

2. Notice to Bidders – Mr. Donnelly distributed the 2019 Notice to Bidders and Terms of Sale for the upcoming tax auction. He stated they have clarified some language and also included language relative to our agreement with the Department of Environmental Conservation on four specific properties located in the Town of Bath, Village of Riverside, City of Hornell and Town of Wayland.

MOTION: APPROVING THE NOTICE TO BIDDERS AND TERMS OF SALE AS PRESENTED BY THE COMMISSIONER OF FINANCE MADE BY MR. HAURYSKI. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

Resolution Required

3. 2018 Landfill Transfer – Mrs. Hurd-Harvey requested authorization to appropriate extra revenue in the amount of $1,284,214.00 into the depreciation lines within the Landfill.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO APPROPRIATE EXTRA REVENUE IN THE AMOUNT OF $1,284,214.00 INTO THE 2018 END OF YEAR DEPRECIATION LINES WITHIN THE LANDFILL MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

4. Corning Community College – Mr. Donnelly stated they have been discussing with Corning Community College a process improvement for residency certificates. Now, for students within the County, we are required to pay a portion of the tuition costs. We had talked with the college about improving the process for students to get residency certificates and are now looking to do one global certificate for the college for everyone. He requested authorization to enter into an agreement with the college for this purpose.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ENTER INTO AN AGREEMENT WITH CORNING COMMUNITY COLLEGE RELATIVE TO PROCESS IMPROVEMENTS RELATED TO THE ESTABLISHMENT OF COUNTY RESIDENCY FOR THE PURPOSE OF TUITION CHARGEBACKS MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

I. County Manager

1. Plastic Bag Ban – Mr. Wheeler stated that he recently participated in a NYSAC webinar regarding the passage of the plastic bag ban. Effective March 1, 2020, general single-use plastic bags will be banned. This pertains generally to grocery stores. Counties and cities will have the ability to opt in to charge a $.05 fee for paper bags effective March 1, 2020. If you opt to do this, that $.05 fee would go to the State and $.02 would come back to the County and you would have to use that to purchase reusable bags to distribute to citizens. Mr. Wheeler stated many retailers support this $.05 as it is in the stores’ interest to dissuade people from using
paper as the stores would have to spend money to purchase the paper bags. Without a $.05 fee, the number of paper bags used would increase and it would be better for the environment than plastic, but still not ideal. If no decision is made, then no fee is charged. He stated the cities also have the ability to do this. If the County implements the fee, it will pre-empt the cities. What this is, is an incentive to promote people to use reusable bags. If you opt for the $.05 fee, then the $.02 you receive has to be used to provide bags, particularly to low-income individuals.

Ms. Lattimer commented the State Legislature essentially said that public assistance clients would not be charged, however, we are if we implement the surcharge. How can I expect to charge the taxpayers $.05 and they get exempted? Mr. Wheeler stated the response has been mixed. Some of the counties are jumping on or taking a definitive stance. If you take no action, there will be no fee.

Ms. Fitzpatrick asked what is the timeframe to do this? Mr. Wheeler replied you would want to do that in advance of March 2020; probably by the end of this year. There are a lot of exemptions to this law as it pertains mainly to plastic grocery store bags. Garbage bags, pharmacy bags and deli bags are exempt.

Mr. Roush commented the consumers are already paying for the bags. Mr. Haursky asked does this have to go to the Full Legislature? Mr. Wheeler replied if you want to take action to impose the fee, then yes. The other side is you can do nothing and no fee is charged. If you feel strongly enough about it, you could pass a resolution stating there will be no fee.

Mrs. Lando asked if the County imposes the fee, can the cities opt out? Mr. Wheeler replied no. Mrs. Lando commented the food pantry use these plastic bags for everything. What will happen with that? Mr. Wheeler replied the food pantry will have to purchase bags, or people will have to donate them. Plastic bags will gradually be phased out.

Mr. Haursky stated he is inclined not to take any action. Ms. Lattimer stated she agrees; she does not want to impose a fee. Mr. Roush stated he also would recommend no action. Mr. Swackhamer stated there will be no action from the committee at this time.

Mr. Haursky excused himself from the meeting.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.I.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. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. HAURYSKI ABSENT FOR VOTE)

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #403.00-01-003.200 SITUATE IN THE TOWN OF TUSCARORA, EXPIRING MARCH 31, 2020 MADE BY MS. FITZPATRICK. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. HAURYSKI ABSENT FOR VOTE)

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #134.20-01-029.000 SITUATE IN THE TOWN OF BRADFORD, EXPIRING MARCH 31, 2020 MADE BY MS. FITZPATRICK. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. HAURYSKI ABSENT FOR VOTE)
MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO CANCEL 2018 CITY TAXES, 2018 CITY SCHOOL TAXES AND 2019 TOWN AND COUNTY TAXES AND ISSUE A CERTIFICATE OF PROSPECTIVE CANCELLATION RELATIVE TO PARCEL #151.80-01-041.000, SITUATE IN THE CITY OF HORNELL MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. HAURYSKI ABSENT FOR VOTE)

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. HAURYSKI ABSENT FOR VOTE)

MOTION: TO ADJOURN MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. HAURYSKI ABSENT FOR VOTE)

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
Tuesday, June 11, 2019
Legislative Committee Room
9:30 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, June 5, 2019.