ORGANIZATIONAL MEETING
Morning Session
Thursday, January 2, 2014
Legislative Chambers, Bath, New York

Pursuant to Section 151 of the County Law and the *Rules of Procedure* of the County Legislature adopted August 23, 1993, the Legislators from the several districts comprising the towns and cities of Steuben County convened in the Legislative Chambers, Bath, New York, on Thursday, the 2nd day of January, 2014, at 10:00 a.m. for the purpose of organizing the County Legislature of Steuben County for the years 2014 and 2015 and for the transaction of such other business as would properly and lawfully come before the Legislature.

The meeting was called to order by the Clerk of the Legislature, Brenda Mori.

The Deputy Clerk called the Roll and all members were present except Legislator Crossett.

Mr. Mullen offered the Invocation and the Pledge of Allegiance was led by Mr. Booth.

The Honorable Joseph Latham, County and Family Court Justice, administered the Oath of Office to all newly-elected members of the Legislature.

The Clerk called for nominations for a Temporary Chairman. Mr. Van Etten nominated Mr. McAllister for Temporary Chairman, seconded by Mr. Farrand. There being no further nominations, the nominations were closed and Mr. McAllister was duly elected Temporary Chairman.

Temporary Chairman McAllister welcomed everybody and congratulated the newly-elected and re-elected members of the Legislature.

Temporary Chairman McAllister called for a Republican and Democratic caucus.

Motion to adjourn into caucuses made by Mrs. Ferratella, seconded by Mr. Roush and duly carried.

Temporary Chairman McAllister reconvened the Organizational Meeting of the Legislature.

Temporary Chairman McAllister called for nominations for Chairman of the Steuben County Legislature for 2014 and 2015. ***Mr. Farrand nominated Joseph Hauryski, seconded by Mr. Hanna.***

Motion to close nominations for Chairman of the Steuben County Legislature made by Mr. Van Etten, seconded by Mr. Swackhamer and duly carried.

RESOLUTION NO. 001-14

Introduced by D. Farrand. Seconded by S. Van Etten.

APPOINTING THE CHAIRMAN OF THE STEUBEN COUNTY LEGISLATURE FOR A TWO-YEAR TERM OF 2014 AND 2015.

Pursuant to Section 2.04 of the Steuben County Charter and Local Law No. Four of the Year 1981 for the County of Steuben.

WHEREAS, this Steuben County Legislature has, on this 2nd day of January, 2014, been duly organized and has, in accordance with Section 2.04 of the Steuben County Charter, duly selected County Legislator **JOSEPH J. HAURYSKI** of Campbell, New York, as Chairman of the Legislature for a two-year term commencing January 1, 2014.

NOW THEREFORE, BE IT

RESOLVED, **JOSEPH J. HAURYSKI** of Campbell, New York, be and the same hereby is appointed Chairman of the Legislature of Steuben County for a two-year term commencing January 1, 2014, and within twenty days (s)he shall cause to be filed in the Office of the Steuben County Clerk an Oath of Office as such Chairman; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Clerk, to the above-named appointee, the Commissioner of Finance, and the Personnel Officer.

Vote: Roll Call – Adopted.

Mr. McAllister asked Legislator Lando and Legislator Hanna to escort Chairman Hauryski to his chair.

The Honorable Judge Joseph Latham administered the Oath of Office to Mr. Hauryski for the position of Chairman of the Legislature.

Chairman Hauryski opened the floor for nominations for Vice Chairman. ***Mr. Van Etten nominated Patrick McAllister for Vice Chairman, seconded by Mr. Farrand.***

Motion to close nominations for Vice Chairman made by Ms. Lattimer, seconded by Mr. Swackhamer and duly carried.

RESOLUTION NO. 002-14

Introduced by S. Van Etten. Seconded by D. Farrand.

APPOINTING THE VICE-CHAIRMAN OF THE STEUBEN COUNTY LEGISLATURE FOR A TWO-YEAR TERM OF 2014 AND 2015.

Pursuant to Section 2.04 of the Steuben County Charter.

WHEREAS, this Steuben County Legislature has on this 2nd day of January, 2014, been duly organized and has in accordance with Section 2.04 of the Steuben County Charter, duly selected County Legislator **PATRICK F. McALLISTER** of Wayland, New York, as Vice-Chairman of the Legislature for a two-year term commencing January 1, 2014.

NOW THEREFORE, BE IT

RESOLVED, **PATRICK F. McALLISTER** of Wayland, New York, be and the same hereby is appointed Vice-Chairman of the Legislature of Steuben County for a two-year term commencing January 1, 2014, and within twenty days (s)he shall cause to be filed in the Office of the Steuben County Clerk an Oath of Office as such Vice-Chairman; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Clerk, to the above-named appointee, the Commissioner of Finance, and the Personnel Officer.

Vote: Roll Call – Adopted.

The Honorable Judge Joseph Latham administered the Oath of Office to Mr. McAllister for the position of Vice Chairman of the Legislature.

The Honorable Judge Joseph Latham administered the Oath of Office to Mark Alger for the position of County Manager of the County of Steuben.

The Honorable Judge Joseph Latham administered the Oath of Office to Patrick Donnelly for the position of Commissioner of Finance for the County of Steuben.

Chairman Hauryski stated I would like to thank my fellow Legislators for your continued support and look forward to our working together in 2014. I thought that I might just take a minute to take a look back at what we accomplished over the last year. Since the formation of the Health Services Review Committee, the Legislature has been diligently looking at the health services being provided by the County due to the fact they have been very costly and a drain on our financial reserves. We were successful in selling the Certified Home Health Agency (CHHA) to VNA, and from all reports, the service has continued to provide the excellent care that it always had done.

Secondly, we were successful in procuring a buyer for the Health Care Facility and are awaiting the State's issuance of a Certificate of Need and a final ruling on the lawsuit which was filed against us by the Union. Everyone needs to understand that had we not been able to sell the facility, we would have had to eventually relocate the patients, layoff the employees and lock the doors because we could no longer afford the yearly $2 million - $3 million drain on our reserves. The facility continues to provide the excellent care that it always has to the residents of the County. These two sales brought in $1 million and $11 million respectively.

We still have work to do with regard to our mental health services by trying to fix our costs as much as possible. In light of what has happened with the tragedies that have happened around the nation, it is important that we have a viable mental health system in place. One area that I am proposing to look at is how the system interacts with all of our school systems in the County.

So now let us look at what we need to do this year. First off will be the redistricting plan that we were not able to finish last year. I am going to propose to the Administration Committee that we take another look at each of the issues that go along with redistricting. They are eligibility requirements, term limits, size of districts, number of districts and so on. We have just about every configuration of districts that you can imagine already drawn up. We have one new member on this Legislature and it is appropriate that we give him an opportunity to provide input, plus, some of you may have new ideas.

I am also proposing a top to bottom review of all departments. Each committee will be charged with the task of getting a flow chart from each of the agencies that is has oversight over showing the entire department, starting at the top with the Department Head and showing every position thereafter. The next item is to look at how each department is utilizing technology. Do they have the software necessary to make the job more efficient? Finally, each committee will submit a summary of their review to the Administration Committee, along with recommendations for any changes. I am looking forward to working with all of you. If you have ideas that you would like to put forth, I encourage you to bring them before the appropriate committees for consideration.

In closing, I would be remiss if I did not thank my wife, Sharon, for if it were not for her support and help at home, I would not be able to do this job of Chairman. Thank you and God bless.

RESOLUTION NO. 003-14

Introduced by J. Hauryski. Seconded by C. Ferratella.

RECEIVING AND FILING THE DESIGNATION OF THE MAJORITY LEADER OF THE STEUBEN COUNTY LEGISLATURE.

Pursuant to Section 2.04 of the Steuben County Charter.

BE IT RESOLVED, Legislator **GARY D. SWACKHAMER** be and the same hereby is designated Majority Leader of the Steuben County Legislature; and be it further

RESOLVED, the aforesaid designation of **GARY D. SWACKHAMER** of Hornell, New York, be and the same hereby is accepted for filing, said designation to be for a two-year term commencing January 1, 2014; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above designee.

Vote: Roll Call – Adopted.

RESOLUTION NO. 004-14

Introduced by J. Hauryski. Seconded by B. Schu.

RECEIVING AND FILING THE DESIGNATION OF THE MINORITY LEADER OF THE STEUBEN COUNTY LEGISLATURE.

Pursuant to Section 2.04 of the Steuben County Charter.

BE IT RESOLVED, Legislator **RANDOLPH J. WEAVER** be and the same hereby is designated Minority Leader of the Steuben County Legislature; and be it further

RESOLVED, the aforesaid designation of **RANDOLPH J. WEAVER** of Hornell, New York, be and the same hereby is accepted for filing, said designation to be for a two-year term commencing January 1, 2014; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above designee.

Vote: Roll Call – Adopted.

RESOLUTION NO. 005-14

Introduced by J. Hauryski. Seconded by G. Roush.

RECOGNIZING THE AUTHORITY OF THE CHAIRMAN OF THE LEGISLATURE OF THE COUNTY OF STEUBEN TO APPOINT STANDING AND SPECIAL COMMITTEES FOR THE YEARS 2014 AND 2015.

Pursuant to Section 2.04 of the Steuben County Charter and the Rules of Procedure of the Steuben County Legislature.

RESOLVED, this Legislature does hereby recognize the authority of the Chairman of the Legislature of Steuben County to appoint such designated members of this Legislature as he shall select to the various standing and special committee positions for the years 2014 and 2015, which have heretofore been established and set up by the Steuben County Legislature and said committees shall each consist of the same number of members as prescribed in the "Rules of Procedure" of the Steuben County Legislature until such committee is abolished or changed by a majority vote of the Legislature membership pursuant to the "Rules of Procedure"; and be it further

RESOLVED, members of a special committee shall serve for the period specified in the resolution or until the committee is discharged and in no event for a longer period than the term for which the members were elected as legislators; and be it further

RESOLVED, the Chairman of this Legislature, within thirty (30) days of his election to the Chairmanship, shall duly submit and file in the Office of the Clerk of this Legislature the committees' roster appointed for the years 2014 and

2015; and the Clerk of the Legislature shall duly and properly furnish to each member of this Legislature a complete list of the said committees' roster.

Vote: Acclamation – Adopted.

RESOLUTION NO. 006-14

Introduced by J. Hauryski. Seconded by S. Van Etten.

REGULATING THE PUBLICATION OF CERTAIN OFFICIAL MATTERS.

Pursuant to Section 2.09 of the Steuben County Charter.

WHEREAS, *The Leader* of Corning, New York, and *The Evening Tribune* of Hornell, New York, have a circulation covering the entire County, but there are occasions when publications are limited to one newspaper in a given area.

NOW THEREFORE, BE IT

RESOLVED, whenever this Legislature does not designate the particular newspaper or newspapers for the publication of a certain matter in a specific resolution, this resolution shall govern the officer or officers having the publication in charge for the years 2014 and 2015;

1. Where the matter is of county-wide interest as hereinafter enumerated, the same shall be published in *The Leader* of Corning, New York, and *The Evening Tribune* of Hornell, New York, and such other newspaper as may be deemed advisable:
   a. Notice of hearing on a proposed local law;
   b. Local Law as finally adopted;
   c. Notice of submission to bid for purchase of supplies or equipment;
   d. Notice of submission to bid for public works and services;
   e. Notice of hearing on proposed amendments to civil service rules;
   f. Notice of civil service examinations; and
   g. Such other notice or statement of countywide interest required by law to be published.

2. Where the matter is of local effect as hereinafter enumerated, the same shall be published in either *The Leader* of Corning, New York, or *The Evening Tribune* of Hornell, New York, and such other newspaper published in the area as may be deemed advisable:
   a. Notice of submission to bid on parcels of land offered for sale, as tax title and welfare owned;
   b. Notice of closing of any county highway;
   c. Proclamation of a term of court with a grand jury;
   d. Legalizing act of the Legislature; and
   e. Such other notices or statements of similar nature required by law to be published in a limited area.

BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to all county offices and departments and each of the above-named newspapers.

Vote: Acclamation – Adopted.

RESOLUTION NO. 007-14

Introduced by G. Swackhamer. Seconded by C. Ferratella.

DESIGNATION OF OFFICIAL NEWSPAPER BY THE REPUBLICAN MEMBERS OF THE LEGISLATURE.

Pursuant to Section 214, subdivision 1 of the County Law, we, the Republican members of the Steuben County Legislature, hereby designate the following official newspaper for the years 2014 and 2015:

Concurrent resolutions, tax sale notices and tax redemption notices - *The Leader* of Corning, New York.
Election notices - *The Leader* of Corning, New York.
Official election canvas - *The Leader* of Corning, New York.

The above-named designations are filed with the Clerk of this Legislature this 2nd day of January, 2014; and the Clerk is directed to forward certified copies to the Secretary of State at Albany, New York; the Steuben County Clerk; the Commissioner of Finance; the Steuben County Board of Elections; and the above-named newspaper.

Dated: January 2, 2014

/s/ Eric T. Booth	/s/ Patrick F. McAllister, Esq.
Absent	
/s/ Lawrence P. Crossett	/s/ Aaron I. Mullen
/s/ Dan C. Farrand	/s/ William A. Peoples, Jr.
/s/ Carol A. Ferratella	/s/ Gary B. Roush
/s/ K. Michael Hanna	/s/ Brian C. Schu, Esq.
/s/ Joseph J. Hauryski	/s/ Gary D. Swackhamer
/s/ Robin K. Lattimer	/s/ Scott J. VanEtten

Vote: Acclamation – Adopted.

RESOLUTION NO. 008-14

Introduced by R. Weaver. Seconded by H. Lando.

DESIGNATION OF OFFICIAL NEWSPAPER BY THE DEMOCRATIC MEMBERS OF THE LEGISLATURE.

Pursuant to Section 214, subdivision 1 of the County Law, we, the Democratic members of the Steuben County Legislature, hereby designate the following official newspaper for the years 2014 and 2015:

Concurrent resolutions, tax sale notices and tax redemption notices - *The Evening Tribune* of Hornell, New York.
Election notices - *The Evening Tribune* of Hornell, New York.
Official election canvas - *The Evening Tribune* of Hornell, New York.

The above-named designations are filed with the Clerk of this Legislature this 2nd day of January, 2014; and the Clerk is directed to forward certified copies to the Secretary of State at Albany, New York; the Steuben County Clerk; the Commissioner of Finance; the Steuben County Board of Elections; and the above-named newspaper.
Dated: January 2, 2014

_____
/s/ Hilda T. Lando

_____
/s/ Randolph J. Weaver

_____
/s/ George J. Welch, Jr.

Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.E. Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law made by Mr. Roush, seconded by Mrs. Lando and duly carried.

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

RESOLUTION NO. 009-14

Introduced by P. McAllister. Seconded by G. Swackhamer.

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LOCAL #1000 OF THE CIVIL SERVICE EMPLOYEES' ASSOCIATION, INC.

Pursuant to the provisions of the New York State Public Employees' Fair Employment Act known as the "Taylor Law" and Section 205 of the County Law of the State of New York.

WHEREAS, the negotiating committee for the Steuben County Legislature has, for several months, been meeting with the negotiating committee of the Steuben County Local #1000 of the Civil Service Employees' Association, Inc. (CSEA), the bargaining unit for County employees, excepting the Sheriff's Department, as to recommended proposals for terms and working conditions for County employees for the years 2012, 2013, 2014 and 2015; and

WHEREAS, the CSEA has accepted in whole the aforesaid recommended proposals.

NOW THEREFORE, BE IT

RESOLVED, the proposed Agreement, as recommended by the respective negotiating committees, having heretofore been approved by the members of the said CSEA covering the years 2012, 2013, 2014 and 2015, be and the same hereby is duly ratified, confirmed and adopted; and be it further

RESOLVED, the Chairman of the Steuben County Legislature is hereby authorized and empowered, for and on behalf of this Legislature and the County of Steuben, to execute a final and complete agreement regarding the terms and conditions of public employment between the County and the Steuben County Local #1000 of the Civil Service Employees' Association, Inc., for the fiscal years 2012, 2013, 2014 and 2015, which agreement shall be drafted by the County Attorney in accordance with the proposed agreement, and upon its approval by the Administration Committee of the Steuben County Legislature and its prior approval and execution by the President of the Steuben County Local #1000 of the Civil Service Employees' Association, Inc.; and be it further

RESOLVED, when said final agreement is properly and duly executed as above stated, the original agreement shall be properly filed in the Office of the Clerk of the Legislature and a duplicate original shall be delivered to the President of the

Steuben County Local #1000 of the Civil Service Employees' Association, Inc., and an additional copy shall be filed with the Public Employees' Relations Board; and be it further

RESOLVED, upon the filing of said agreement with the Clerk of the Legislature, President of CSEA, the filing of the same with the Steuben County Commissioner of Finance and the Steuben County Personnel Officer, the same shall be, and hereby is, confirmed, ratified and approved as the entire agreement between the County of Steuben and the County employees included in said Employees' Association bargaining unit as to the terms and conditions of employment for the years 2012, 2013, 2014 and 2015; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, County Attorney, County Personnel Officer, Clerk of the Legislature, Commissioner of Finance and to the President of the Steuben County Local #1000 of the Civil Service Employees' Association, Inc.

Vote: Roll Call – Adopted.

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

REGULAR MEETING
Morning Session
Monday, January 27, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 27th day of January, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except for Legislators Ferratella, Swackhamer and Weaver.

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

Chairman Hauryski asked Lisa Hargraves to come forward. Ms. Hargraves is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of services to Steuben County.

Chairman Hauryski asked Jennifer Gleason to come forward. Mrs. Gleason is an employee in the Information Technology Department. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 34 years of service to Steuben County. *Congratulations!*

Chairman Hauryski opened the floor for comments by members of the public.

Kristin Klemenz, Painted Post, NY, read a letter to the Legislature regarding the towing situation in Steuben County. She stated that she would like to change the Legislature's mind to put the towing RFP back up to bid this year. There will be better service if the RFP was done annually. This will provide the smaller companies who are growing, an opportunity to participate. Having only one provider is setting us up for disaster. She stated that she has emailed the 911 Center with some questions, however, has not received any response. What does the 911 Center, or the County, have to hide? The County is not adhering to their own RFP rules and she hopes this issue gets resolved.

Jeff Chapman, Bath, NY, stated that he represents a small towing operation in Wheeler. There have been complaints by customers that the NYS Troopers are harassing them and telling them that the tow company they are requesting is not allowed to be at the scene. He stated his understanding is that the customer's choice is first choice. The Troopers are not obeying that and are doing what they want. Other towing companies are being held to strict guidelines. Why is T & R getting special treatment?

Chairman Hauryski thanked everyone for their comments and declared the opportunity for public comment closed.

Dr. Katherine Douglas, Corning Community College, provided a presentation regarding the status of Corning Community College. During 2013, they did see an increase in enrollment, which was close to 5,000 students. Of those, approximately 70 percent were under the age of 25. Last year we opened our residence dormitory, Perry Hall. This is a 320-bed facility which cost $16.8 million to construct. This was all done using private funding. Currently, we have 213 students residing at the facility.

Dr. Douglas stated that for 2014, they have three campus renovation projects scheduled and will be investing $23.3 million. Half of the funding comes from New York State and $3 million will come from private donations. We, for the first time, we be borrowing $8.6 million from the USDA Rural Economic Development Fund. We have set two strategic priorities for 2014 which are retention and recruitment of students, with a goal of building access to success.

Mr. Johnson, Steuben County Industrial Development Agency, provided a presentation regarding the Steuben County Economic Development Plan. The overall goal of the plan is to implement a county-wide economic development strategy for Steuben County that will increase support of existing businesses, attract new businesses, develop enhanced business environments and promote regional collaboration. We will continue to focus on increasing employment, facilitating growth and expansion of business and industry, improving the quality of life for all residents, grow the tax base and further promote and develop the County to position it as a great place to live work and development wealth.

Mr. Johnson informed the committee that they do face challenges, such as a shrinking workforce. We have an aging workforce. Along with that, we also will have challenges with regard to housing, technology development and growth engines. We have two main strategic priorities. The first is to retain and grow Steuben County's business base. The second is to enhance Steuben County's economic development infrastructure to support the expansion of existing businesses and new business development.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Authorizing and Directing the Commissioner of Finance to Close Various Inactive Capital Projects and Return the Combined Balance of $14,790.44 to the Repair & Renovations Reserve. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing to provide the citizens of Steuben County an opportunity to comment on the implementation and effectiveness of the CDBG Economic Development Project relative to World Kitchen in Corning. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

Motion approving the minutes of the previous meeting(s) made by Ms. Lattimer, seconded by Mr. McAllister and duly carried.

RESOLUTION NO. 010-14

Introduced by L. Crossett. Seconded by B. Schu.

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

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 be it further

RESOLVED, pursuant to §1138 of the Real Property Tax Law, the parcels listed in Schedule "B" having heretofore been withdrawn from foreclosure proceedings without reinstatement, and it being hereby determined that there is no practical method to enforce the collection of delinquent tax liens against said parcels, and it being hereby further determined that there is no practical method to enforce the collection of delinquent tax liens arising hereafter against said parcels; now therefore the delinquent tax liens are hereby cancelled, and there shall be issued forthwith a certificate of prospective cancellation, and the Commissioner of Finance shall file a copy of the certificate with the assessor of the respective assessing unit in which said

parcels are located and with the Director of Real Property Tax Services, and upon the filing as directed such parcels shall become and be exempt from taxation, 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, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Director of the Steuben County Real Property Tax Service Agency, the Steuben County Commissioner of Finance, and the Chairman of the Board of Assessors of the appropriate municipality.

SCHEDULE "A"

Resolution No.	A-1
Name	Ivan K. Szathmary
Parcel No.	050.00-02-085.100
Municipality	Pulteney Town
Disposition	Correction (parcel split)

Resolution No.	A-2
Name	Wendy Flaitz & David & Tim Gleason
Parcel No.	078.00-01-037.111
Municipality	Wayne Town
Disposition	Correction (parcel split)

Resolution No.	A-3
Name	David Ashley & Carole Kane
Parcel No.	281.00-02-031.000
Municipality	Corning Town
Disposition	Correction (parcel split)

Resolution No.	A-4
Name	Scott L. Towner & Nichole L. Dye
Parcel No.	283.00-01-005.110
Municipality	Corning Town
Disposition	Correction (parcel split)

Resolution No.	A-5
Name	Lisa M. & Slade B. Summers
Parcel No.	107.19-01-048.000
Municipality	Hornellsville Town
Disposition	Correction (parcel split)

Resolution No.	A-6
Name	Levi J. & Sarah A. Mullet
Parcel No.	398.00-01-019.110
Municipality	Troupsburg Town
Disposition	Correction (parcel split)

Resolution No.	A-7
Name	Colin J. Woodworth Sr.
Parcel No.	287.00-03-004.111
Municipality	Jasper Town
Disposition	Correction (parcel split)

Resolution No.	A-8
Name	Jesse & Hilary Tuthill
Parcel No.	264.00-01-014.111
Municipality	Hornby Town
Disposition	Correction (parcel split)

Resolution No.	A-9
Name	Kelly Living Trust
Parcel No.	304.00-01-027.000
Municipality	Greenwood Town
Disposition	Correction (parcel split)

Resolution No.	A-10
Name	Christopher & Juliana Feenaughty
Parcel No.	248.00-01-008.111
Municipality	Hartsville Town
Disposition	Correction (parcel split)

Resolution No.	A-11
Name	Bill & Tamara Pullman Trust
Parcel No.	213.00-01-035.500
Municipality	Hartsville Town
Disposition	Correction (parcel split)

Resolution No.	A-12
Name	Steven T. Chaffee
Parcel No.	372.00-01-020.200
Municipality	Caton Town
Disposition	Correction (parcel split)

Resolution No.	A-13
Name	William & Joanne Thomas
Parcel No.	298.08-01-024.100
Municipality	Erwin Town
Disposition	Correction (parcel split)

Resolution No.	A-14
Name	Linda L. Gee
Parcel No.	418.00-01-004.000
Municipality	Woodhull Town
Disposition	Correction (parcel split)

Resolution No.	A-15
Name	Ronald & Linda Gee
Parcel No.	400.00-01-020.120
Municipality	Woodhull Town
Disposition	Correction (parcel split)

Resolution No.	A-16
Name	Carol Robinson
Parcel No.	028.00-01-035.000
Municipality	Wayland Town
Disposition	Correction (parcel split)

Resolution No.	A-17
Name	Nancy C. Beach
Parcel No.	151.64-02-035.000
Municipality	Hornell City
Disposition	Refund

Resolution No.	A-18
Name	Scott A. Drake
Parcel No.	406.06-01-016.200
Municipality	Lindley Town
Disposition	Correction

Resolution No.	A-19
Name	Pat & Lori Varallo
Parcel No.	062.00-01-028.123
Municipality	Pulteney Town
Disposition	Correction

Resolution No.	A-20
Name	Louise & Pasquale Centofanti
Parcel No.	077.00-01-022.130
Municipality	Pulteney Town
Disposition	Correction

Resolution No.	A-21
Name	Dennis Smallwood
Parcel No.	020.00-01-002.120
Municipality	Prattsburgh Town
Disposition	Correction

SCHEDULE "B"

Resolution No.	B-1
Name	Roger Klein Jr.
Parcel No.	594.00-06-001.000
Municipality	Greenwood Town
Disposition	Delinquent tax liens cancelled and certificate of prospective cancellation issued.

Resolution No.	B-2
Name	Copper Ridge Inc.
Parcel No.	527.00-06-175.000
Municipality	West Union Town
Disposition	Delinquent tax liens cancelled and certificate of prospective cancellation issued.

Vote: Roll Call – Adopted.

RESOLUTION NO. 011-14

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE JANUARY 27, 2014 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 13, 2013
New York State Office for the Aging – Re: Revised Notifications of Grant Award (NGAs) and Support Agreement budget pages for Title VII program for the period of January 1, 2013 through December 31, 2013. ***Referred to: Human Services/Health & Education Committee; and Michael Keane, OFA Director.***

December 18, 2013
NYS Department of Transportation – Re: Statewide Mass Transportation Operating Assistance (STOA) 4th quarter SFY 2013-2014 payment. ***Referred to: Amy Dlugos, Planning Director.***

December 20, 2013
CSEA, AFSCME Local 1000, AFL-CIO – Re: 2013 CSEA Employee Benefit Fund Annual Report. ***Referred to: Filed with Clerk of the Legislature, Brenda Mori.***

December 23, 2013
New York Sheriff's Association, Inc. – 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: Public Safety & Corrections Committee; and David Cole, Steuben County Sheriff.***

NYS Public Service Commission – Re: Application of Talisman Energy USA, Inc. for Amendments of Certificate of Environmental Compatibility and Public Need. ***Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.***

NYS Office for the Aging – Re: Notification of Grant Award and approved application for the New York Connects Program for the period of October 1, 2013 through September 30, 2014. ***Referred to: Human Services/Health & Education Committee; and Michael Keane, OFA Director.***

December 26, 2013
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Corning Property Management Corporation (Corning Diesel 2013 Expansion Project) Distribution of revised Schedule A to amended and restated PILOT agreement, dated as of June 1, 2013. ***Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.***

December 27, 2013
New York State Office of Parks, Recreation and Historic Preservation – Re: Notification of approval of the 2013-2014 Snowmobile Trail Development and Maintenance Assistance in the amount of $40,285. ***Referred to: Amy Dlugos, Planning Director.***

December 30, 2013
New York State Homes & Community Renewal – Re: Notification of the Federal Assistance Expenditure Form needs to be submitted no later than February 28, 2014. ***Referred to: Amy Dlugos, Planning Director.***

January 3, 2014
New York State Department of Transportation – Re: Notification of approval of the Consolidated Grant Application for Federal Section 5311 Operating Assistance Projects in the amounts of $173,100 for 2013 and $178,300 for 2014, and Capital Assistance Projects in the amount of $366,000. ***Referred to: Amy Dlugos, Planning Director.***

January 8, 2014
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $3,331 representing the November 2013 retained surcharge revenues for Steuben County**.** ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

Steuben County Industrial Development Agency – Re: The Economic Development Plan for 2014-2015. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

January 9, 2014
NYS Assemblyman, Philip Palmesano – Re: Correspondence letter on the support of preventing the introduction and movement of aquatic invasive species. ***Referred to: A.I.P. Committee; and Joseph Hauryski, Legislature Chairman.***

January 13, 2014
NYS Assemblyman, Philip Palmesano – Re: Correspondence letter on the support with the fight to save the inpatient services at the Elmira Psychiatric Center (EPC). ***Referred to: Human Services/Health & Education Committee; Joseph Hauryski, Legislature Chairman; and Dr. Hank Chapman, Community Services Director.***

January 14, 2104
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and B & H Rail Corp. Distribution of Form RP-412a and First amendment to PILOT agreement. ***Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 012-14

Introduced by B. Schu and P. McAllister. Seconded by H. Lando.

PRESENTING LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2014, AMENDING LOCAL LAW NO. EIGHTEEN FOR THE YEAR 2006, AS AMENDED, ESTABLISHING THE CORONERS' ENTITLEMENT TO COMPENSATION AND ESTABLISHING COMPENSATION OF A CORONER'S PHYSICIAN.

Pursuant to Articles 5 and 17-A of the County Law of the State of New York, and pursuant to the Steuben County Charter Articles II and XII.

BE IT RESOLVED, that there hereby is presented to each member of the Steuben County Legislature, Local Law Tentatively No. One for the Year 2014, Amending Local Law No. Eighteen for the Year 2006, as Amended, Establishing the Coroners' Entitlement to Compensation and Establishing Compensation of a Coroner's Physician, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2014

A Local Law Amending Local Law No. Eighteen of the Year 2006, as Amended, Establishing the Coroners' Entitlement to Compensation and Establishing Compensation of a Coroner's Physician.

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

SECTION 1. LEGISLATIVE INTENT: It is the intent of the Steuben County Legislature to amend the recited Local Law to include provision for a Coroner's physician with the basic compensation of One Hundred Dollars ($100.00) plus necessary expenses, in each case.

SECTION 2. AMENDMENT OF LOCAL LAW NO. EIGHTEEN FOR THE YEAR 2006: Local Law No. Eighteen for the Year 2006, be and the same, hereby is amended by adding a "Section 3" with all other provisions of Local Law No. Eighteen of the Year 2006 remaining in full force and effect, to read as follows:

> **SECTION 3:** When a Coroner is authorized to use a Coroner's physician under Article 17-A of the County Law, such Coroner's physician is entitled to a basic compensation of One Hundred Dollars ($100.00) plus necessary expenses in each case for all postmortem examinations (including, but not limited to participation at autopsies), investigations, statements, decisions or other report and for the filing thereof.

NOTE: Old law is in brackets [ ] and deleted;
New matter is underlined.

SECTION 3: EFFECTIVE DATE: The within Local Law shall be effective with respect to cases occurring on or after January 1, 2014.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the Steuben County Legislature, a Public Hearing shall be held at the Steuben County Legislative Meeting on the 24th day of February 2014, at 10:00 A.M. or such other date and time that may be adjourned, at Steuben County Offices, 3 East Pulteney Square, Bath, New York 14810, and the Local Law is subject to a permissive referendum of the qualified electors of the County of Steuben by filing of a legal petition within forty-five (45) days after its final adoption, with the Clerk of the Legislature of the County of Steuben protesting such Local Law, and be it further

RESOLVED, the Clerk of the Legislature of the County of Steuben shall cause a notice of said Public Hearing to be posted at the Courthouses, in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature, and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 013-14

Introduced by R. Lattimer and L. Crossett. Seconded by S. Van Etten.

AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO CLOSE VARIOUS INACTIVE CAPITAL PROJECTS AND RETURN THE COMBINED BALANCE OF $14,790.44 TO THE REPAIR & RENOVATIONS RESERVE.

WHEREAS, four capital projects which have been completed contain unexpended balances that were originally funded from the Repair and Renovations Reserve.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to close the following capital projects:

HB 0111 5 250000	HVAC Repair & Renovation	$	3,467.29
HB 0205 5 250000	Sprinkler System Repairs	$	2,120.15
HB 6003 5 250000	Painting-Hornell Courthouse	$	7,174.00
HB 9999 5 250000	Miscellaneous Repairs	$	2,029.00
	TOTAL	**$**	**14,790.44**

AND BE IT FUTHER RESOLVED, the unexpended balances, plus interest, shall be transferred to the Repair and Renovations Reserve Fund; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Steuben County Commissioner of Finance, and the Superintendent of Buildings and Grounds.

Vote: Roll Call – Adopted.

RESOLUTION NO. 014-14

Introduced by R. Lattimer and L. Crossett. Seconded by D. Farrand.

AMENDING THE APPROPRIATION OF THE STEUBEN COUNTY CONFERENCE AND VISITORS' BUREAU AND AUTHORIZING CONTRACTS WITH THE CENTRAL STEUBEN, HORNELL AREA, HAMMONDSPORT AREA, AND CORNING AREA CHAMBERS OF COMMERCE.

WHEREAS, the Steuben County Conference and Visitor's Bureau has previously been authorized an allocation of $712,550 for 2014; and

WHEREAS, within this annual allocation, the Steuben County Conference and Visitor's Bureau has historically provided funds to the Central Steuben, Hornell Area, Hammondsport Area, and Corning Area Chambers of Commerce to support visitor centers and other qualified promotional activities; and

WHEREAS, it has been determined that a more efficient allocation process would be directly contracting with the Chambers of Commerce for these activities, with funding levels commensurate with historic amounts.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature authorizes and directs the Commissioner of Finance to reduce the 2014 budget allocation of the Steuben County Conference and Visitor's Bureau to $669,550, and to anticipate an additional $2,000 in Room Tax revenue in the 2014 budget; and be it further

RESOLVED, the County Manager is hereby authorized to execute contracts with the Central Steuben Chamber of Commerce ($5,000), the Hornell Area Chamber of Commerce ($5,000), the Hammondsport Area Chamber of Commerce ($15,000) and the Corning Area Chamber of Commerce ($20,000); and be it further

RESOLVED, that certified copies of this resolution be sent to the Steuben County Commissioner of Finance, the Steuben County Planning Director, the Steuben County Conference and Visitors' Bureau, 1 W Market St #301, Corning, NY 14830, the Central Steuben Chamber of Commerce, 110 Liberty St., Bath, NY 14810, the Hornell Area Chamber of Commerce 40 Main St, Hornell, NY 14843, the Hammondsport Area Chamber of Commerce 47 Shethar Street, Hammondsport, NY14840, and the Corning Area Chamber of Commerce, 1 West Market Street, Suite 302,Corning, NY 14830.

Vote: Roll Call – Adopted.

RESOLUTION NO. 015-14

Introduced by R. Lattimer. Seconded by D. Farrand.

APPROVING THE 2014-2015 STEUBEN COUNTY ECONOMIC DEVELOPMENT PLAN AS PRESENTED BY THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

WHEREAS, the Steuben County Legislature supports economic development in the County through increasing support of existing businesses, attracting new businesses, developing an enhanced business environment, and promoting regional collaboration; and

WHEREAS, a plan helps guide the County with its investments of time and funding in economic development programs; and

WHEREAS, the Steuben County Industrial Development Agency has developed and adopted the Steuben County New York Economic Development Plan 2014-2015; and

WHEREAS, said plan is a county-wide economic development strategy for Steuben County.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby adopts the Steuben County New York Economic Development Plan 2014-2015 as a statement of the policy of the Legislature regarding economic development and; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to James C. Johnson, Executive Director, Steuben County Industrial Development Agency, PO Box 393, Bath NY 14810-0393.

Vote: Roll Call – Adopted.

RESOLUTION NO. 016-14

Introduced by G. Roush. Seconded by R. Lattimer.

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH YUNIS REALTY, INC. FOR THE PREMISES LOCATED AT 115 LIBERTY STREET.

WHEREAS, Yunis Realty is the owner of certain premises located in the Village of Bath, County of Steuben, State of New York, located at 115 Liberty Street, Bath, New York, and desires to lease the premises; and

WHEREAS, Steuben County desires to lease from Yunis Realty and Yunis Realty desires to lease to Steuben County.

NOW THEREFORE, BE IT

RESOLVED, the Director of the Office of Community Services is hereby authorized to enter into an agreement with Yunis Realty, Inc. subject to the following terms and conditions:

1. TERM - The term of this Lease shall be for a period of three (3) years beginning January 1, 2014 and ending December 31, 2016.

2. BASE RENT - During the entire term Base Rent shall remain at $8.97/sq. ft., $21,036.00/month or $252,432.00 per year.

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Director of the Office of Community Services and Mary Jo Yunis, CPA, CCIM, President, Yunis Realty, Inc., 214 East Church Street, Elmira, NY 14901.

Vote: Roll Call – Adopted.

RESOLUTION NO. 017-14

Introduced by G. Roush. Seconded by D. Farrand.

AUTHORIZING THE EXTENSION OF THE HORNELL AND CORNING LEASE AGREEMENTS WITH YUNIS REALTY, INC.

WHEREAS, an agreement was entered into dated the 29th day of August, 1994, and Addendums dated August 29, 1994, July 9, 1996, December 11, 1998, October 24, 2000, January 19, 2004, January 15, 2007, November 10, 2009, and May 29, 2013 between the County of Steuben and Yunis Realty, Inc. for the premises located at 7454 Hornell-Arkport Road, Hornell, New York; and

WHEREAS, an agreement was entered into dated March 11, 1993 and Addendums dated December 11, 1998, September 20, 2001, June 16, 2004, and September 14, 2007 between the County of Steuben and Yunis Realty, Inc. for the premises located at 91-93 Denison Parkway, Corning, New York; and

WHEREAS, the parties have mutually agreed that the purpose of this addendum is to extend the term of the lease for an additional eleven (11) month period.

NOW THEREFORE, BE IT

RESOLVED, The Director of the Office of Community Services is hereby authorized to enter into an agreement with Yunis Realty, Inc. subject to the following terms and conditions:

1. TERM- The term of the lease shall be extended for an additional eleven (11) month period commencing February 1, 2014 and terminating December 31, 2014.

2. BASE RENT- during the term Hornell Base Rent shall remain at $3,000/month.

3. BASE RENT- during the term Corning Base Rent shall remain at $5,541.67/month.

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Director of the Office of Community Services and Mary Jo Yunis, CPA, CCIM, President, Yunis Realty, Inc., 214 East Church Street, Elmira, NY 14901.

Vote: Roll Call – Adopted.

RESOLUTION NO. 018-14

Introduced by B. Schu. Seconded by G. Roush.

AUTHORIZING THE ACQUISITION OF SURPLUS FEDERAL PROPERTY LOCATED IN THE TOWN OF WHEELER.

WHEREAS, the County of Steuben was notified by the U.S. General Services Administration of surplus property located at 5979 Wagner Hill Road in the Town of Wheeler; and

WHEREAS, the Federal Government has used this location as a Radio Communications Tower Repeater Site; and

WHEREAS, the County of Steuben sees a need for the possible future expansion of their Radio Communications Network; and

WHEREAS, the County of Steuben has identified that the property at 5979 Wagner Hill Road, Town of Wheeler, would make a good location as a future tower site in our Radio Communications Network.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature authorizes the acquisition of the surplus Federal real property located at 5979 Wagner Hill Road, Town of Wheeler, under the Public Benefit Conveyance Program; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to Timothy D. Marshall, Acting Director of Steuben County Emergency Services; Mr. Adrian Austin, Building Management Specialist, Support Services and Facilities Management Division, Department of Homeland Security Federal Emergency Management Agency, 300 D Street, SW, Room 840-2, Washington, DC 20472; and Ms. Gabrielle Sigel, GSA/Real Property Utilization and Disposal Division, 10 Causeway Street, 10th Floor, Boston, MA 02222.

Vote: Roll Call – Adopted.

RESOLUTION NO. 019-14

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

AUTHORIZING THE ACCEPTANCE OF A DONATION FROM GOODRICH AUTO WORKS FOR BODY WORK ON THE MOBILE COMMAND VEHICLE.

WHEREAS, the Steuben County Emergency Management Office recently acquired a used vehicle from Greater Steuben BOCES; and

WHEREAS, the vehicle, when acquired, was in need of auto body work, painting, and lettering; and

WHEREAS, the Steuben County Emergency Management Office received quotes for services from local vendors; and

WHEREAS, the Steuben County Emergency Management was approached by Kris Goodrich, owner of Goodrich Auto Works, to donate the labor and materials for the project.

NOW THEREFORE, BE IT

RESOLVED, that the Acting Director of Emergency Management is authorized to accept the donation of time and materials for the refurbishing of the Emergency Management Mobile Command Unit by Goodrich Auto Works, worth an estimated value of $11,000; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Timothy D. Marshall, Acting Director of Emergency Management and to Kris Goodrich at Goodrich Auto Works, 7225 Worth Rd., Bath, NY 14810.

Vote: Roll Call – Adopted.

RESOLUTION NO. 020-14

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

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE INSTITUTE FOR HUMAN SERVICES.

WHEREAS, the Steuben County Emergency Management Office and the Institute for Human Services have been working jointly on a program to support and enhance a local VOAD (Volunteer Organizations Active in Disasters); and

WHEREAS, there is a mutual desire between both parties to provide a temporary part-time employee to oversee the development of Protocols and Procedures for the activation and use of a Volunteer Organization's Active in Disaster (VOAD); and

WHEREAS, the Institute for Human Services, located at 6666 County Route 11 in Bath is a vendor to Steuben County and provides contracted labor; and

WHEREAS, the Emergency Management Office is in possession of grant funding to support the use of volunteers and volunteer agencies in a disaster; and

WHEREAS, the Institute for Human Services has the ability to hire part-time/temporary employees to support the mission of the grant funding and program; and

WHEREAS, Steuben County will provide the Institute for Human Services with the amount of $6,500 in funding to support this position.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature authorizes the execution of an agreement with the Institute for Human Services to oversee the development of Protocols and Procedures for the activation and use of a Volunteer Organization's Active in Disasters (VOAD); and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to Timothy D. Marshall, Acting Director of Steuben County Emergency Management; and Patrick Rogers, Executive Director for the Institute for Human Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 021-14

Introduced by B. Schu. Seconded by G. Roush.

AUTHORIZING THE EXECUTION OF AN INTERMUNICIPAL AGREEMENT WITH MONROE COUNTY FOR MEDICAL EXAMINER SERVICES.

WHEREAS, Monroe County operates a full-time Office of the Medical Examiner with facilities for providing comprehensive medicolegal death investigation services including autopsy and post-mortem toxicology in cases falling under the statutory jurisdiction of the Medical Examiner; and

WHEREAS, Steuben County Coroners do not presently have available such professional services to determine and document the cause and manner of death in many instances; and

WHEREAS, Steuben County is desirous of making use of the facilities and expertise of the Monroe County Office of the Medical Examiner; and

WHEREAS, the Monroe County Legislature authorized the execution of an Agreement with Steuben County for such services; and

WHEREAS, Steuben County agrees to pay Monroe County a flat fee of $91,688 for included forensic pathology services for up to 45 full autopsy examinations during the term of this Intermunicipal Agreement which shall be January 1, 2014 through December 31, 2014; and

WHEREAS, any additional cases requiring a full autopsy beyond the initial 45 per year referred to Monroe County will be accepted at a cost to Steuben County, imposed at the rate as approved by the Monroe County Legislature in the 2014 budget as listed in the PUBLIC HEALTH – MEDICAL EXAMINER 2014 FEES AND CHARGES schedule.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature authorizes the County Manager to execute the above-referenced agreement with Monroe County; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Timothy D. Marshall, Acting Director of Steuben County Emergency Management; and County of Monroe.

Vote: Roll Call – Adopted.

RESOLUTION NO. 022-14

Introduced by B. Schu and P. McAllister. Seconded by H. Lando.

AUTHORIZING THE RECLASSIFICATION OF ONE CORRECTION SERGEANT POSITION TO A CORRECTION LIEUTENANT POSITION WITHIN THE STEUBEN COUNTY SHERIFF'S DEPARTMENT.

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

WHEREAS, a Correction Sergeant in the Sheriff's Department is a working team leader of Correction Officers in order to maintain jail security; and

WHEREAS, a Correction Sergeant has added duties of scheduling, leading, and recommending discipline of workers who are Correction Officers and Correction Sergeants; and

WHEREAS, a Correction Lieutenant position would more appropriately perform these duties; and

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

NOW THEREFORE, BE IT

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

Correction Sergeant, Grade XII ($35,875 to $42,828) to
Correction Lieutenant, Management Grade C ($38,228 to $59,256)

AND BE IT FURTHER RESOLVED, that the 2014 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 023-14

Introduced by G. Roush and P. McAllister. Seconded by D. Farrand.

AUTHORIZING THE RECLASSIFICATION OF TWO VACANT CLEANER POSITIONS TO ONE OCCUPATIONAL THERAPY ASSISTANT POSITION AND ONE PHYSICAL THERAPY ASSISTANT POSITION WITHIN THE STEUBEN COUNTY HEALTH CARE FACILITY.

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

WHEREAS, the Health Care Facility has two vacant Cleaner positions; and

WHEREAS, they are in need of an Occupational Therapy Assistant and a Physical Therapy Assistant to assist in the application of treatment procedures to residents of the Steuben County Health Care Facility; and

WHEREAS, the Personnel Officer, the Administration Committee, and Human Services Health and Education Committee have reviewed said positions within the Health Care Facility that require a job title change and have approved the recommended changes.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following positions in the Health Care Facility are hereby reclassified as follows:

Cleaner, Grade V ($25,773 to $36,386) to
Occupational Therapy Assistant, Grade XI ($33,326 to $47,047)

Cleaner, Grade V ($25,773 to $36,386) to
Physical Therapy Assistant, Grade XI ($33,326 to $47,047)

AND BE IT FURTHER RESOLVED, that the 2014 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance, Personnel Officer, and the Administrator of the Health Care Facility.

Mr. Mullen asked how urgently are these positions needed? Mr. Alger replied at this point they are not urgently needed. Originally, we were trying to retain the individuals we had, but they had already left. This is really a backup. The reclassification gives us the option if we have to, to use this as a recruitment tool to hire individuals as employees rather than through contract.

Vote: Roll Call – Adopted.

RESOLUTION NO. 024-14

Introduced by P. McAllister. Seconded by B. Schu.

AUTHORIZING THE RECLASSIFICATION OF AN ACCOUNT CLERK-TYPIST POSITION TO A SENIOR ACCOUNT CLERK-TYPIST POSITION WITHIN THE RECORDS CENTER.

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

WHEREAS, this Account Clerk-Typist in the Records Center performs routine clerical work and maintenance of financial accounts and records; and

WHEREAS, this Account Clerk-Typist will have added duties of supervising workers who perform maintenance of financial accounts and records, and

WHEREAS, a Senior Account Clerk-Typist position more appropriately performs these duties; and

WHEREAS, the Personnel Officer and the Administration Committee have reviewed said position within the Records Center 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 Records Center is hereby reclassified as follows:

Account Clerk-Typist, Grade VI ($26,867 to $37,928) to
Senior Account Clerk-Typist, Grade X ($31,880 to $45,006)

AND BE IT FURTHER RESOLVED, that the 2014 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 025-14

Introduced by G. Roush and P. McAllister. Seconded by H. Lando.

CONFIRMING THE REAPPOINTMENT OF THE COMMISSIONER OF SOCIAL SERVICES.

Pursuant to Section 8.00 of the Steuben County Charter.

WHEREAS, **Kathryn A. Muller** of Bath, New York, has been reappointed by the County Manager as Commissioner of the Steuben County Department of Social Services to serve for a five-year term.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby confirms the County Manager's reappointment of **Kathryn A. Muller** of Bath, New York as Commissioner of the Department of Social Services for the County of Steuben for a five-year term commencing February 15, 2014 through February 15, 2019; and be it further

RESOLVED, an Oath of Office shall be filed in the Steuben County Clerk's Office, and that the Clerk of this Legislature is directed to file certified copies of this resolution with the above named appointee, the Steuben County Clerk, the Steuben County Department of Social Services and the Personnel Officer.

Vote: Roll Call – Adopted.

Ms. Muller thanked the Legislature for their confidence and support. She stated that she would not be able to do her job without the support of the Legislature, the County Manager and her staff.

RESOLUTION NO. 026-14

Introduced by P. McAllister. Seconded by S. Van Etten.

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

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

WHEREAS, the new regulation adds additional requirements for both employers and elected and appointed officials, including 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, that the County of Steuben hereby establishes the following as standard work days for certain elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

TITLE	NAME	STANDARD WORKDAY (HRS/DAY)	TERM BEGINS/ENDS	PARTICIPATES IN COUNTY'S TIME KEEPING SYSTEM (Y/N)	DAYS/MO (BASED ON ROA)
Appointed Officials					
Director, Real Property Tax Service Agency	Wendy G. Flaitz	7.5	10/01/2013-09/30/2019	Y	N/A
County Manager	Mark R. Alger	7.5	12/16/2013-12/31/2016	Y	N/A
Deputy County Manager	Jack K. Wheeler	7.5	12/16/2013-12/31/2016	Y	N/A
Confidential Secretary, County Manager	Yvonne M. Erway	7.5	12/16/2013-12/31/2016	Y	N/A
Director, Information Technology	Kenneth S. Peaslee	7.5	11/25/2013-12/31/2016	Y	N/A
Deputy Director, Information Technology	Michael Flint	7.5	11/25/2013-12/31/2016	Y	N/A
HCF Nursing Administrator	Christine Flint	7.5	09/16/2013-12/31/2016	Y	N/A
Assistant District Attorney, Part Time	Joan D. Merry	6.0	01/14/2013-12/31/2015	N	12.75
Jail Physician	Bruce MacKellar	6.0	01/01/2013-12/31/2016	N	14.08

AND BE IT FURTHER RESOLVED, the above list reflects only those elected and appointed officials commencing new terms of office, as stipulated in the new regulation; 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 Commissioner of Finance, the Personnel Officer and the New York State Comptroller.

<u>Vote</u>: Roll Call – Adopted.

Motion to combine resolutions 18 – 39 as one and to waive the reading made by Mr. Van Etten. Seconded by Mr. Welch and duly carried.

RESOLUTION NO. 027-14

Introduced by J. Hauryski. Seconded by Mr. Welch.

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

Pursuant to the Federal Equal Employment Opportunity Act, Civil Rights Act, as amended, the New York State Human Rights Law and the rules, regulations and acts of the Federal and State Governments pertaining thereto.

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 its contents; and

WHEREAS, the Affirmative Action Plan was adopted by the Steuben County Board of Supervisors by resolution dated September 20, 1976 and that plan provided for the appointment of a nine member Affirmative Action Committee, an Affirmative Action Officer, and an Equal Employment Opportunity Counselor; and

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

NOW THEREFORE, BE IT

RESOLVED, as recommended by the Chairman of the Steuben County Legislature the following persons are hereby appointed to the

<u>AFFIRMATIVE ACTION COMMITTEE</u>

<u>Term Commencing January 1, 2012 through December 31, 2014</u>
1. Chris Myers, President, CSEA
2. Michael Ramirez, Deputy Sheriff, Steuben County Sheriff's Department
3. April Cook, Employee, Department of Social Services
4. Kathryn Muller, Commissioner, Department of Social Services

<u>Term Commencing January 1, 2013 through December 31, 2015</u>
1. Robert McDaniels, President, Steuben County Deputy Sheriff's Association
2. Victoria Fuerst, Director, Public Health and Nursing Services
3. David McCarroll, Administrator, Health Care Facility
4. Nancy B. Smith, Personnel Officer

<u>Term Commencing January 1, 2014 through December 31, 2016</u>
1. Shawn Gardiner, President, Steuben County Correction Officers, Dispatchers and Court Security Officers Unit
2. Scott J. Van Etten, Legislator
3. Brian C. Schu, Legislator

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

RESOLVED, as recommended by the Chairman of this Legislature, 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 addresses of the above-stated appointees shall be on file in the Office of the Personnel Director; and be it further

RESOLVED, the duties involving the above-named appointees in their capacities 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. 028-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE STEUBEN COUNTY ALTERNATIVES TO INCARCERATION ADVISORY BOARD.

Pursuant to Chapters 907 and 908, Laws of 1984.

WHEREAS, the Alternatives to Incarceration Program has been in effect since 1985; and

WHEREAS, there is a requirement that said Board exists in order for the County to procure funding for certain Alternative to Incarceration Programs.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature appoints the following persons as members of the Steuben County Alternatives to Incarceration Advisory Board for a three-year term commencing January 1, 2014 through December 31, 2016:

Honorable Joseph Latham
Steuben County Court Judge

Honorable Peter C. Bradstreet
Steuben County Court Judge

Honorable Marianne Furfure
Steuben County Surrogate Court Judge

Honorable Cathy P. Rouse-Nicholson
Local Court Judge

Brooks T. Baker, Esq.
Steuben County District Attorney

Brian C. Schu, Esq., Chair or Designee
Public Safety & Corrections Committee

Mark R. Alger
Steuben County Manager

Cheryl Crocker, Interim Director
Steuben County Probation

Joseph Baroody
ATI Representative

Sienna Evingham
Crime Victim

to be appointed by Chairman of
the Steuben County Legislature
Ex-Offender

Philip J. Roche, Esq.
Steuben County Public Defender

Alan P. Reed, Esq.
Steuben County Attorney

David V. Cole
Steuben County Sheriff

James Stewart
ATI Representative

Craig Pomplas
ATI Representative

Henry W. Chapman, Psy.D., Director
Steuben County Community Services/
NYS Certified Alcohol and/or Substance Abuse Treatment Provider

AND BE IT FURTHER RESOLVED, the above-named Advisory Board members shall serve without compensation and shall be entitled to receive reimbursement for necessary expenses, including mileage, long distance telephone calls and meals, with proper receipts, and be it further

RESOLVED, certified copies of the resolution shall be forwarded to the above-named appointees, County Auditor, County Commissioner of Finance and Robert Maccarone, Deputy Commissioner and Director, NYS Department of Probation and Correctional Alternatives, 4 Tower Place, Albany, NY 12203.

Vote: Acclamation – Adopted.

RESOLUTION NO. 029-14

Introduced by J. Hauryski. Seconded by G. Welch.

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

BE IT RESOLVED, the appointments of Hilda T. Lando, Legislator, District 2, and William A. Peoples, Jr., Legislator, District 11, by the Chairman of the Steuben County Legislature as Legislator representatives on the Board of Directors of the Cooperative Extension Association of Steuben County, for terms of two (2) years each beginning January 1, 2014 and ending December 31, 2015, 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. 030-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE EMPLOYEE ASSISTANCE PROGRAM ADVISORY PROGRAM.

Pursuant to 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
Brian C. Schu, Esq.

Management Members
Amy R. Dlugos
Kimberly Jessup
Victoria Fuerst
Nancy B. Smith

Civil Service Employees' Association Members
Chris Myers
Brenda Campbell

Steuben County Deputy Sheriffs' Association, Inc. Member
Robert McDaniels

Correction Officers, Dispatchers & Court Security Officer Unit Member
Shawn Gardiner

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. 031-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE STEUBEN COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL.

Pursuant to Article 47 of the Environmental Conservation Law of the State of New York and the County of Steuben Local Law No. Two of the Year 1971.

WHEREAS, Local Law No. Two of the Year 1971, created a County Environmental Management Council for the County of Steuben, and

WHEREAS, the Chairman of the Steuben County Legislature recommends appointment of members to the Environmental Management Council,

NOW THEREFORE, BE IT

RESOLVED, that the following appointments are hereby made to said Environmental Management Council:

MEMBERS

Dawn Dowdle, 9696 Grove Springs Road, Hammondsport, NY 14840
Lee Hersh, 5362 Duvall Road, PO Box 449, Painted Post, NY 14870
William B. Mattingly, III, 3450 Conhocton Road, Painted Post, NY 14870
Gene Stolfi, 2930 Gorton Road, Corning, NY 14830-9104
David Tennent, 4748 Clawson Drive, Campbell, NY 14821
Janet Thigpen, 4557 Dyke Road, Corning, NY 14830
Rachel Treichler, 7988 Van Amburg Road, Hammondsport, NY 14840
Al Wahlig, 11896 West Lake Road, Hammondsport, NY 14840

MEMBERS EX-OFFICIO

Members of the Agriculture, Industry, and Planning Committee
Commissioner of Public Works
County Attorney
Soil and Water Conservation District Chairman or designee
Cornell Cooperative Extension Association President, or designee
County Planning Director

BE IT FURTHER RESOLVED, that all said appointees shall serve at the pleasure of the Steuben County Legislature for a term of two (2) years, commencing January 1, 2014 and ending December 31, 2015; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 032-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE STEUBEN COUNTY ETHICS BOARD.

Pursuant to Steuben County Local Law Number Five of the Year 1990.

WHEREAS, due to the expiration of terms of the Steuben County Ethics Board it is necessary to reappoint and/or appoint the following:

PROPOSED FOR APPOINTMENT BY THE MAJORITY LEADER
Richard P. Rossettie, Esq., 80 East 2nd Street, Corning, NY 14830
For a three (3) year term, January 1, 2014 through December 31, 2016.

PROPOSED FOR APPOINTMENT BY THE MINORITY LEADER
Kathleen Green, 7 Avondale Avenue, Hornell, NY 14843
For a three (3) year term, January 1, 2014 through December 31, 2016.

PROPOSED FOR APPOINTMENT BY THE CHAIRMAN OF THE LEGISLATURE
Brian J. Ketchum, 8371 CR 87, Hammondsport, NY 14840
For a three (3) year term, January 1, 2014 through December 31, 2016.

NOW THEREFORE, BE IT

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Ethics Board, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Auditor and all members of the Steuben County Ethics Board.

Vote: Acclamation – Adopted.

RESOLUTION NO. 033-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE STEUBEN COUNTY FIRE ADVISORY BOARD.

Pursuant to 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, 2014 and ending December 31, 2015:

LEGISLATIVE MEMBER

1. Aaron I. Mullen, 9077 Reynolds Street, Avoca, NY 14809

NON-LEGISLATIVE MEMBERS

1. John Ford, 58 Maple Street, Addison, NY 14801
2. Dan Smith, 108 Broadway, Hornell, NY 14843
3. William Todd Hall, 226 Main Street, Painted Post, NY 14870
4. Joseph Dick, 306 First Street, Hornell, NY 14843
5. Timothy D. Marshall, Interim Director, Emergency Management Office, Bath, NY 14810
6. John Tighe, 1 Civic Center Plaza, Corning, NY 14830
7. Douglas Heinemann, 8425 Jacobs Ladder Road, Avoca, NY 14809
8. Brian McCarthy, 3824 West Hill Road, Painted Post, NY 14870
9. Michael Gilman, PO Box 274, Cohocton, NY 14826
10. Evan Brown, 2794 Forrest Hill Drive, Corning, NY 14830
11. J. David Sawyer, 1646 Jasper Street, Woodhull, NY 14898

12. Johnny Yarka, 4508 County Route 10, Cameron, NY 14819
13. David Hopkins, E911 Director, Bath, NY 14810/Tina Goodwin – Alternate
14. Larry Day, Pres. County Fire Chief's Association, 9623 County Route R87, Hammondsport NY 14840
15. Daniel Hulbert, 8813 State Route 36, Arkport, NY 14807
16. Tom Jamison, 4 Eleventh Street, Canisteo, NY 14823
17. David Cole, Sheriff, Bath, NY 14810

EX-OFFICIO MEMBERS

1. Donald Fredericy, DFC, 27 East Avenue, Wayland, NY 14572
2. Dean Patterson, DFC, 579 Victory Highway, Painted Post, NY 14870
3. Timothy Martin, DFC, 6300 CR 100, Addison, NY 14801
4. Michael Wilson, DFC, 5522 Ordway Lane, Canisteo, NY 14823
5. William Fries, Chief DFC, 7344 Fish Hatchery Road, Bath, NY 14810
6. Joseph Gerych, Fire Service Aide, 4891 Chamberlain Road, 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. 034-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE HEALTH SERVICES ADVISORY BOARD OF THE STEUBEN COUNTY DEPARTMENT OF PUBLIC HEALTH.

Pursuant to Section 357 of the Public Health Law of the State of New York.

WHEREAS, the Steuben County Health Services Advisory Board acts in an advisory capacity to the Steuben County Legislature which in turn acts as the County Board of Health; and

WHEREAS, a vacancy exists on the Steuben County Health Services Advisory Board; and

WHEREAS, the Health Services Advisory Board has recommended the following appointments:

HEALTH SERVICES ADVISORY BOARD

Steuben County Consumer	Nancy B. Smith Corning, NY 14830	01/01/12 – 12/31/15 (Four year term)
Steuben County Legislator	Honorable Carol A. Ferratella 8 Fenderson Street Painted Post, NY 14870	01/01/13 – 12/31/15 (Three year term)
Steuben County Provider	Dawn Brucie, Deputy Director ProAction of Steuben & Yates, Inc. 117 East Steuben Street Bath, NY 14810	01/01/14 – 12/31/17 (Four year term)

NOW THEREFORE, BE IT

RESOLVED, the Chairman of the Steuben County Legislature hereby appoints the aforementioned individuals to the Health Services Advisory Board of the Steuben County Department of Public Health for the terms above-indicated; 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 Health Services Advisory Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; Regional Health Director of the New York State Department of Health, Buffalo Region, 584 Delaware Avenue, Buffalo, New York 14202; the County Auditor and the Director of Public Health.

Vote: Acclamation – Adopted.

RESOLUTION NO. 035-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING REPRESENTATIVES TO THE INTERCOUNTY ASSOCIATION OF WESTERN NEW YORK.

BE IT RESOLVED, from January 1, 2014 through December 31, 2015, this Steuben County Legislature does hereby designate the following as representatives of this Legislature to the InterCounty Association of Western New York:

1. **LAWRENCE P. CROSSETT**, voting representative
2. **CAROL A. FERRATELLA**, voting representative
3. **HILDA T. LANDO**, voting representative
4. **K. MICHAEL HANNA**, alternate voting representative
5. **BRENDA K. MORI**, alternate voting representative
6. **MARK R. ALGER**, alternate voting representative

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 InterCounty Association of Western New York; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named representatives, the County Auditor, and the President of the InterCounty Association of Western New York.

Vote: Acclamation – Adopted.

RESOLUTION NO. 036-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING A REPRESENTATIVE TO THE STEUBEN COUNTY JURY BOARD.

Pursuant to Section 503 of the Judiciary Law of the State of New York.

WHEREAS, Resolution No. 188-88, adopted by the Steuben County Legislature on May 23, 1988, appointed a Legislative Representative to the Steuben County Jury Board; and

WHEREAS, the term of the Legislative Representative to said Jury Board has expired.

NOW THEREFORE, BE IT

RESOLVED, George J. Welch, Jr., Esq., Steuben County Legislator representing District 2, is hereby appointed as the Legislative Representative to the Steuben County Jury Board for a two-year term commencing January 1, 2014 and expiring December 31, 2015; and be it further

RESOLVED, said representative shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Steuben County Jury Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee; the Administrative Justice of the Seventh Judicial District of the State of New York, Supreme Court Chambers, Hall of Justice, 99 Exchange Blvd, Rochester, NY 14614; the Commissioner of Jurors; the County Clerk; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 037-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE STEUBEN COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC).

Pursuant to 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-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 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 Chairman of the Steuben County Legislature, to be appointed by the New York State Emergency Response Commissioner (SERC), as follows:

MEMBERS
LOCAL & STATE GOVERNMENT REPRESENTATIVES

Steuben County Manager
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
PO Box 271
Bath, NY 14810

Steuben County Undersheriff
Public Safety Building
PO Box 271
Bath, NY 14810

EMERGENCY SERVICES REPRESENTATIVES

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

David Hopkins, Director
9-1-1 Enhanced Department
3 East Pulteney Square
Bath, NY 14810

Tina Goodwin, Deputy Director (Alternate)
9-1-1 Enhanced Department
3 East Pulteney Square
Bath, NY 14810

CITIZEN REPRESENTATIVES

Sharon Burke
1657 Dachshund Drive
Corning, NY 14830

David Herrington
328 Victory Drive
Painted Post, NY 14870

Steve Monroe
11540 Ginnan Road
Corning, NY 14830

FIRE SERVICE REPRESENTATIVES

Dan Smith, Chief
Hornell City Fire Department
110 Broadway
Hornell, NY 14843

John Tighe, Chief
Corning City Fire Department
2 Corning Boulevard
Corning, NY 14830

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

HEALTH SERVICE REPRESENTATIVES

Victoria Fuerst, Director
Steuben County Public Health
3 East Pulteney Square
Bath, NY 14810

Tom Klaseus
NYS Department of Health
107 Broadway
Hornell, NY 14843

HOSPITAL REPRESENTATIVES

Lawrence Day, Jr.
Veterans Administration
Medical Center
Bath, NY 14810

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

Peg Webb
St. James Mercy Health
411 Canisteo Street
Hornell, NY 14843

Robert Philpott/Kathy Ann Wolfer (Alternate)
Corning Hospital
176 East Denison Parkway
Corning, NY 14830

INDUSTRIAL REPRESENTATIVES

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

Leon Tuttle
Dresser-Rand Company
100 Chemung Street
Painted Post, NY 14870

Roger Cole
Phillips Lighting Company
State Route 54
Bath, NY 14810

John Istler
Kraft Foods
8596 Main Street
Campbell, NY 14821

Brian Polmanteer
T & R Towing
7774 Industrial Park Drive
Hornell, NY 14843

ENVIRONMENTAL REPRESENTATIVES

Pete Miller
NYS Department of Environmental Conservation
6274 East Avon-Lima Road
Avon, NY 14414

Chad Kehoe
NYS Department of Environmental Conservation
100 North Main Street
Elmira, NY 14901

NEW YORK STATE POLICE REPRESENTATIVES

Sgt. Jim McCormack
NYS Police Headquarters, Troop E
1569 Rochester Road
Canandaigua, NY 14424

Sgt. Mark Cleveland
NYS Police Substation
7237 State Route 415
Bath, NY 14810

NON-GOVERNMENTAL ORGANIZATION REPRESENTATIVES

Joel Robinson
Greater Steuben Chapter American Red Cross
123 West Market Street
Corning, NY 14830

Judy Colman (Alternate)
Greater Steuben Chapter American Red Cross
123 West Market Street
Corning, NY 14830

BE IT FURTHE RESOLVED, that said members shall serve at the pleasure of the Steuben County Legislature and shall serve without 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.

RESOLUTION NO. 038-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPROVING THE APPOINTMENTS OF THE STEUBEN COUNTY EARLY INTERVENTION OFFICIAL TO THE LOCAL EARLY INTERVENTION COORDINATING COUNCIL.

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

WHEREAS, Article 25 of Title II-A of the Public Health Law creates an Early Intervention Program for infants and toddlers with disabilities and their families, and

WHEREAS, Section 2554 of the Act requires the establishment of a Local Early Intervention Coordinating Council, and

WHEREAS, the county's Early Intervention Official is authorized to make appointments to said Council, and

WHEREAS, it is desirable for the County Legislature to ratify said appointments, and

WHEREAS, the Early Intervention Official has recommended ratification of the appointments.

NOW THEREFORE, BE IT

RESOLVED, the following appointees are hereby ratified and affirmed by the Steuben County Legislature:

LOCAL EARLY INTERVENTION COORDINATING COUNCIL

Lisa Galatio
Health Families – Steuben
6251 County Route 64
Hornell, NY 14843

Hank Chapman, Psy.D.
Steuben County Office of
Community Services
115 Liberty Street
Bath, NY 14810

Vicki Fuerst, Director
Steuben County Public Health
Nursing Services
3 East Pulteney Square
Bath, NY 14810

Karen Dgjien
Nutrition & Disabilities Manager
Early Head Start
117 East Steuben Street
Bath, NY 14810

Dennis W. O'Connor, M.D.
PO Box 23
10595 W. Lake Road
Hammondsport, NY 14840

Eric Miller Associates
PO Box 1307
Elmira, NY 14902-1307

Jan McMaster, CPSE
Prattsburgh Central School
1 Academy Street
Prattsburgh, NY 14873

Crystal Buckley
Parent Advocate
7394 Mitchellsville Road
Bath, NY 14810

Susan Walls
Finger Lakes DDSO
163 Sullivan Road
Elmira, NY 14901

Rebecca Shoemaker
7124 Snyder Hill Road
Bath, NY 14810

Carol Ferratella, Chair
Human Services, Health &
Education Committee

Kathryn Muller, Commissioner
Steuben County Department
Of Social Services
3 East Pulteney Square
Bath, NY 14810

Amy Thomas
13 Skyline Drive
Corning, NY 14830-3237

Tabatha Rushmore
Keuka Lake School
270 Lake Street
Penn Yan, NY 14527

Eric Buisch, Director
Service Coordination
Steuben ARC
6838 Industrial Park Road
Bath, NY 14810

Darcy Cherry, Director
Bath Community Child Chare
36 East Morris Street
Bath, NY 14810

Sharon Shafir
Parent Advocate
3332 Charles Street
Corning, NY 14830

Meg Morrison, OT
9937 Silsbee Road
Hammondsport, NY 14840

Tammy Clark
4819 Center Street
Campbell, NY 14821

BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses related to fulfillment of their duties on the Council, and be it further

RESOLVED, the Chairman of the Steuben County Legislature hereby appoints the aforementioned individuals to the Local Early Intervention Coordinating Council; and be it further

RESOLVED, certified copies of the Resolution be forwarded to the above-named appointees, New York State Department of Health, Attn: Bradley Hutton, Director, Early Intervention Program, Corning Tower Building, Albany, NY 12237-0618; County Commissioner of Finance, County Auditor and to the Early Intervention Official/Administrative Officer of Special Children's Services.

Vote: Acclamation – Adopted.

RESOLUTION NO. 039-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING REPRESENTATIVES TO THE RESOURCE, CONSERVATION AND DEVELOPMENT PROJECT BOARD.

RESOLVED, that Amy R. Dlugos, Planning Director, be and hereby is appointed as Steuben County's Representative on the Resource, Conservation and Development Project Board for a term of two (2) years, commencing January 1, 2014, and ending December 31, 2015, and be it further

RESOLVED, that Jack K. Wheeler, Deputy County Manager, be and hereby is appointed as the Alternate Steuben County Representative, 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 Resource, Conservation and Development Project Board, and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, Jonathan Barter, c/o Velynda Parker, Finger Lakes Resource Conservation & Development Council, Inc., 415 W. Morris Street, Bath, NY, and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 040-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

Pursuant to Chapter 1030 of the Laws of 1969 of the State of New York.

WHEREAS, the by-laws of the Steuben County Industrial Development Agency authorize as many as seven (7) members to serve on the Steuben County Industrial Development Agency; and

WHEREAS, the Board members are appointed to serve three (3) year staggered terms, excepting one appointee who shall serve a term of (1) year; and

WHEREAS, the term has expired for various Board members.

NOW THEREFORE, BE IT

RESOLVED, the following persons, as recommended by the Chairman of the Legislature, are hereby appointed (reappointed) as members of the Steuben County Industrial Development Agency for the terms as indicated and shall hold office until reappointed or successor is appointed, and has qualified to wit:

January 1, 2012 through December 31, 2014
Christine G. Sharkey, Corning Enterprises, One West Market Street – 6th Floor, Corning, NY 14831
Michael J. Doyle, 54 Lake Street, Hammondsport, NY 14840

January 1, 2014 through December 31, 2014
Joseph J. Hauryski, Chairman, Steuben County Legislature, 6031 County Route 17, Campbell NY 14821

January 1, 2013 through December 31, 2015
Philip J. Roche, Esq., County resident, 5 Fox Lane East, Painted Post, NY 14870
Dr. Katherine P. Douglas, President, Corning Community College, 1 Academic Dr., Corning NY 14830

January 1, 2014 through December 31, 2016
Michael L. Nisbet, 20 Bennett Street, Canisteo, NY 14823
Brenda Copeland, Steuben Trust Company, One Steuben Square, Hornell, NY 14843

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 Industrial Development Agency; and be it further

RESOLVED, certificates of appointment, as required by law, shall be filed with the Secretary of the State of New York by Jeff Evans, Esq., of Welch and Zink, Counsel to the Steuben County Industrial Development Agency; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to each of the above-named appointees; the Steuben County Planning Director, James C. Johnson, Executive Director, Steuben County Industrial Development Agency, 7234 Route 54N, P.O. Box 393, Bath, NY; Marcia Weber, Executive Director, Southern Tier Central Regional Planning & Development Board, 8 Denison Parkway East, Suite 310, NY 14830; counsel to the agency and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 041-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS.

Pursuant to Section 7 of the Soil Conservation District Law of the State of New York.

WHEREAS, the Chairman of the Steuben County Legislature has recommended that **William A. Peoples, Jr., District 11**, be appointed to fill the Legislative Representative Vacancy on the Soil and Water Conservation District Board of Directors, and **David Stull**, of Addison, New York, be reappointed as the At-Large Representative to the Soil and Water Conservation District Board of Directors.

NOW THEREFORE, BE IT

RESOLVED, that **William A. Peoples, Jr., of District 11** be appointed to fill the unexpired term of Thomas J. Ryan as Legislative Representative to the Soil and Water Conservation District Board of Directors through December 31, 2014; and be it further

RESOLVED, that **David Stull of Addison, New York** be reappointed to the Soil and Water Conservation District Board of Directors for a corrected term of three years commencing January 1, 2014 through December 31, 2016; and 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 Soil and Water Conservation District Board of Directors; 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 Soil and Water Conservation District Office, 415 West Morris Street, Bath, NY 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 042-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING REPRESENTATIVES TO THE SOUTHERN TIER REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL.

Pursuant to the Federal Emergency Medical Services Act of 1973 and Article 30 of the New York State Public Health Law.

WHEREAS, by resolution of the Steuben County Board of Supervisors of December 16, 1974, it was authorized that the County of Steuben be a participant in the Emergency Medical Services Program in the Southern Tier Ten-County Region of the State of New York.

NOW THEREFORE, BE IT

RESOLVED, upon the recommendation of the Chairman of the Steuben County Legislature, **Timothy Marshall**, Interim Director, Office of Emergency Services, and **Tina Goodwin**, Deputy Director, 911 Enhanced Department, be and the same hereby are, duly designated and appointed as Steuben County's representatives on the Southern Tier Regional

Emergency Medical Services Council to serve at the pleasure of this Legislature for a term of two years commencing January 1, 2014 through December 31, 2015; 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 Southern Tier Regional Emergency Medical Services Council; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and to EMSTAR, 1058 W. Church Street, Elmira, NY 14905.

Vote: Acclamation – Adopted.

RESOLUTION NO. 043-14

Introduced by J. Hauryski. Seconded by G. Welch.

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 appropriated 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 representation 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 Central Regional Planning and Development Board's Human Services Committee:

SOCIAL SERVICES
Teresa Deninger, Deputy Commissioner
Department of Social Services

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

HOUSING PROGRAM
Kim Brucie
Tri-County Housing Council

HEALTH
Beverly Butts, Public Health Educator
Steuben County Public Health
(filling unexpired term of Marilyn Peoples)

AGING PROGRAM
Director
Office for the Aging

COUNTY PLANNING
Amy R. Dlugos
Director of Planning

POVERTY PROGRAM
David Hill, Executive Director
ProAction of Steuben and Yates

Dawn Brucie, Deputy Director
ProAction of Steuben and Yates

YOUTH
Bill Caudill
Youth Bureau Coordinator

STEUBEN COUNTY LEGISLATOR
Carol A. Ferratella, District #13

Christine Towner, Coordinator
RSVP

EDUCATION
Charles M. Peacock, Executive Director
CSS Workforce NY

COOPERATIVE EXTENSION
Loree Symonds

Nutrition and Food Safety

Nancy Reigelsperger
Financial Educator

BE IT FURTHER RESOLVED, that said appointees shall serve at the Pleasure of the Legislature, for two-year term commencing January 1, 2013, and not beyond December 31, 2014, 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 310, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 044-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE SOUTHERN TIER CENTRAL REGIONAL PLANNING AND DEVELOPMENT BOARD.

Pursuant to the provisions of Article 12-B of the General Municipal Law of the State of New York.

RESOLVED, the recommended appointments made by the Chairman of the Steuben County Legislature for membership on the Southern Tier Central Regional Planning and Development Board and set forth below are hereby approved, ratified and confirmed for two (2) year terms commencing January 1, 2014, ending December 31, 2015.

LEGISLATOR MEMBERS

1. Scott J. VanEtten, 11310 Hendy Hollow Road, Corning, NY
2. George J. Welch, Jr., 19 East Market Street, Suite 201, Corning, NY
3. Joseph J. Hauryski, 6031 County Route 17, Campbell, NY

REPRESENTATIVE OF STEUBEN COUNTY PLANNING BOARD

1. Amy R. Dlugos, Director, Steuben County Planning Department

MUNICIPAL OFFICIALS

1. Mark Ryckman, Corning City Manager
2. Honorable Shawn Hogan, Mayor, City of Hornell

REGIONAL COMMERCE - BUSINESS REPRESENTATIVE

1. James C. Johnson, 7234 Route 54 North, PO Box 393, Bath, NY

REGIONAL AGRICULTURAL REPRESENTATIVE

1. Robert V. Nichols, 743 Thompson Rd., Addison, NY

AT-LARGE REPRESENTATIVE

1. Mark R. Alger, Steuben County Manager

EX-OFFICIO MEMBERS

1. Steuben County Commissioner of Public Works
2. Steuben County Commissioner of Finance
3. Steuben County Agricultural Program Leader
4. Steuben County Attorney

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 Southern Tier Central Regional Planning and Development Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; the New York State Division of Community Affairs, 162 Washington Ave., Albany, NY, 12231; the County Auditor and to Marcia Weber, Executive Director, Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East, Suite 310, Corning, NY.

Vote: Acclamation – Adopted.

RESOLUTION NO. 045-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE STEUBEN COUNTY YOUTH BOARD.

Pursuant to Article 19-A of the Executive Law of the State of New York.

WHEREAS, by resolution of the Steuben County Board of Supervisors duly adopted on the 21st day of March, 1977, a Steuben County Youth Board was established.

NOW THEREFORE, BE IT

RESOLVED, the following individuals are hereby appointed and designated as members of the Steuben County Youth Board for a term commencing on January 1, 2014 through December 31, 2014.

1. Mark R. Alger, Steuben County Manager, 3 East Pulteney Square, Bath, NY 14810
2. Peter Bradstreet, Family Court Judge, 3 East Pulteney Square, Bath, NY 14810
3. Amy L. Christensen, Southern Tier Legal Services, 104 East Steuben Street, Bath, NY 14810
4. Kathryn A. Muller, Steuben County DSS Commissioner, 3 East Pulteney Square, Bath, NY 14810
5. Kris Pashley, Community Representative, 27 Fero Avenue, Corning, NY 14830
6. Patrick Rogers, Executive Director, Institute for Human Services, 6666 County Rd. 11, Bath, NY 14810
7. Cora Saxton, Wayland-Cohocton Central School District, 310 East Naples Street, Wayland, NY 14572
8. Lisa Squier, Steuben County Probation Department, 3 East Pulteney Square, Bath, NY 14810
9. Colin Gilbert (Youth), Bath, NY 14810
10. Mackenzie Heard (Youth), Avoca, NY 14809
11. Alicia Oliver (Youth), Avoca, NY 14809
12. Caleb Smith (Youth), Campbell, NY 14823

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 Youth Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named designees; Lynda Fleurismond, NYS Office of Children and Family Services, Office of Youth Development, North Building – Room 336, 52 Washington Street, Rensselaer, NY 12144-2796; the Steuben County Auditor and the Steuben County Youth Bureau Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 046-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING REPRESENTATIVES TO THE FISH AND WILDLIFE MANAGEMENT ACT BOARD.

Pursuant to 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 Chairman of the Steuben County Legislature, the following individuals are appointed to serve as representatives of the Fish and Wildlife Management Act Board.

Steuben County Landowner Representative: *January 1, 2013 – December 31, 2014*	John Dlugos 7699 Williams Road Prattsburgh, NY 14873
Steuben County Sportsman Representative: *January 1, 2014 – December 31, 2015*	Thomas J. Ryan 41 Chestnut Street Canisteo, NY 14823
Steuben County Legislative Representative: *January 1, 2014 – December 31, 2015*	Aaron I. Mullen Steuben County Legislator 9077 Reynolds Street Avoca, NY 14809

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, NY 14414; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 047-14

Introduced by J. Hauryski. Seconded by G. Welch.

APPOINTING MEMBERS TO THE E 911 ADVISORY BOARD.

WHEREAS, the Steuben County Legislature adopted Resolution No. 058-02 on February 25, 2002, appointing the members of the E911 Advisory Board, and

WHEREAS, the Board members were appointed to serve three-year rotating terms; and

WHEREAS, the term of some Board members expired December 31, 2013.

NOW THEREFORE, BE IT

RESOLVED, as recommended by the Chair of the Steuben County Legislature, the following individuals are hereby appointed (reappointed) to the E 911 Advisory Board for a three (3) year term as indicated:

E 911 ADVISORY BOARD

MEMBERS	**TERM**
Fire Service Representatives (1 paid city; 3 volunteer)	
Larry Day, Bath VA	01/01/14 – 12/31/16
Joseph J. Dick, North Hornell	01/01/12 – 12/31/14
Brian McCarthy, Painted Post	01/01/12 – 12/31/14
Dan Smith, Hornell City Fire Chief	01/01/13 – 12/31/15
Volunteer Ambulance Representatives	
Rick Andrews (Woodhull)	01/01/13 – 12/31/15
Gregg Learned (Hammondsport)	01/01/14 – 12/31/16
Paid Ambulance Representatives	
Alan Lewis, Rural Metro	01/01/14 – 12/31/16
Local Police Representative	
David Rouse, Bath Village Police Chief	01/01/14 – 12/31/16
State Police Representative	
Captain Kevin Reilly, Bath Zone Commander	01/01/14 – 12/31/16
Sheriff Representative	
David V. Cole, Sheriff	01/01/14 – 12/31/16
City Police Representative	
Salvatore Trentanelli, Corning City Police Chief	01/01/13 – 12/31/15
City At-Large Representatives	
Shawn Hogan, Hornell City Mayor	01/01/13 – 12/31/15
Mark L. Ryckman, Corning City Manager	01/01/13 – 12/31/15
County Government Representative	
Mark R. Alger, County Manager	01/01/13 – 12/31/15
Alternate: Jack Wheeler, Deputy County Manager	
County Legislature Representatives	
K. Michael Hanna, District 5 *(filling unexpired term of Thomas J. Ryan)*	01/01/13 – 12/31/15
Brian C. Schu, District 6	01/01/12 – 12/31/14
Carol A. Ferratella, District 13, Chairman's Designee	01/01/14 – 12/31/16

Ex-Officio Members (Non-Voting)
David Hopkins, E911 Director
Timothy Marshall, Interim EMO Director

AND BE IT FURTHER RESOLVED, the Chair of the Steuben County Legislature hereby appoints Mark R. Alger to serve as the Chair of the Advisory Board and Chief Salvatore Trentanelli to serve as the Vice Chair of the Advisory Board, 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 E911 Advisory Board, 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. 048-14

Introduced by J. Hauryski. Seconded by G. Roush.

URGING STEUBEN COUNTY RESIDENTS TO JOIN THE NYS DONATE LIFE REGISTRY.

WHEREAS, Steuben County residents demonstrate their commitment to one another in the most difficult of circumstances through organ, tissue, stem cell and blood donation; and

WHEREAS, nearly 10,000 New Yorkers are currently waiting for an organ transplant and every 13 hours someone dies waiting for an organ transplant in our state; and

WHEREAS, only 18 percent of New Yorkers age 18 and over have enrolled in the NYS Donate Life Registry, compared to the national average of 42 percent; and

WHEREAS, just one organ donor can save up to eight lives and improve the lives of up to 50 people by donating tissues and corneas; and

WHEREAS, in an effort to raise awareness and increase donor registration in New York, counties across New York State have adopted resolutions encouraging residents to join the donor registry; and

WHEREAS, becoming a registered organ donor in New York State is easy and can be done online through the New York Organ Donor Network website, the NYS DMV website or at any local DMV office.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature encourages County residents to go the extra mile and join the NYS Donate Life Registry; and be it further

RESOLVED, certified copies of this resolution be sent to the Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; and Stephen J. Acquario, Executive Director, New York State Association of Counties, 540 Broadway, Albany, NY 12207.

Vote: Acclamation – Adopted.

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

REGULAR MEETING
Morning Session
Monday, February 24, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 24th day of February, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except for Legislator Crossett.

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

Chairman Hauryski asked Kathryn Arnett to come forward. Ms. Arnett is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

Chairman Hauryski asked Sue Finnerty to come forward. Ms. Finnerty is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 25 years of service to Steuben County.

Chairman Hauryski 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 Proofs of Publication and Proofs for Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. One for the Year 2014, Amending Local Law No. Eighteen of the Year 2006, as Amended, Establishing the Coroners' Entitlement to Compensation and Establishing Compensation of a Coroner's Physician. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

Motion adopting the minutes of the previous meeting(s) made by Mr. Van Etten, seconded by Mr. Welch and duly carried.

Mr. Donnelly informed the Legislature that the location of the 2014 county tax sale will be held at the Campbell-Savona School as there will be a construction project underway at the Bath Haverling School.

Ms. Mori announced the group photo of the Legislature will be done at the April 28th Legislative Meeting.

RESOLUTION NO. 049-14

Introduced by G. Swackhamer. Seconded by C. Ferratella.

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

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 be it further

RESOLVED, as it appears to be in the best interest of the County to sell the properties listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof; and be it further

RESOLVED, the said grantee(s) must accept the parcel "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel if need be; and be it further

RESOLVED, in accordance with the request of counsel for the grantee, being the reputed owner of the parcel(s) listed on Schedule "C", and as it appears to be in the best interest of the County to grant the request of counsel that the conveyance be corrected, the Steuben County Commissioner of Finance is hereby authorized and directed to issue a Quit Claim Deed to the Margaret S. Goodwin Revocable Living Trust; and be if 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, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s); and certified copies of this resolution contained in Schedule "C" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1
Name	Jeffrey L. Harris
Parcel No.	115.00-01-015.210
Municipality	Avoca Town
Disposition	Correction

Resolution No.	A-2
Name	Steuben Rural Electric Co-op, Inc.
Parcel No.	538.00-06-001.000
Municipality	Bath Town
Disposition	Correction (per Court Order)

Resolution No.	A-3
Name	Richard Walrath
Parcel No.	308.00-01-042.000
Municipality	Jasper Town
Disposition	Correction

Resolution No.	A-4
Name	Town of Urbana/Arbor Development
Parcel No.	Hammondsport Village
Municipality	118.10-01-001.000
Disposition	Correction

Resolution No.	A-5
Name	Elmer & Lucia Huels
Parcel No.	424.00-01-016.000
Municipality	Lindley Town
Disposition	Correction

Resolution No.	A-6
Name	Hornell Water Co.
Parcel No.	537.00-06-002.000
Municipality	Fremont Town
Disposition	Refund

Resolution No.	A-7
Name	Todd Schoonover
Parcel No.	282.00-02-007.000
Municipality	Corning Town
Disposition	Correction (parcel split)

Resolution No.	A-8
Name	Charles S. Jr. & Gretchen Musso
Parcel No.	063.00-01-055.200
Municipality	Pulteney Town
Disposition	Correction (parcel split)

Resolution No.	A-9
Name	Gary & Linda Sherer
Parcel No.	201.00-01-017.000
Municipality	Cameron Town
Disposition	Correction (parcel split)

Resolution No.	A-10
Name	Vickie Altemose Knapp
Parcel No.	312.00-01-023.100
Municipality	Rathbone Town
Disposition	Correction (parcel split)

Resolution No.	A-11
Name	Arthur Elliott
Parcel No.	300.00-01-033.000
Municipality	Caton Town
Disposition	Correction (parcel split)

Resolution No.	A-12
Name	Melvin Scott Hibbard
Parcel No.	367.00-01-011.113
Municipality	Tuscarora Town
Disposition	Correction (parcel split)

Resolution No.	A-13
Name	Leslie & Jeanette Smith
Parcel No.	204.00-01-030.000
Municipality	Thurston Town
Disposition	Correction (parcel split)

Resolution No.	A-14
Name	Cameron Vol. Fire Department
Parcel No.	256.13-01-029.000
Municipality	Cameron Town
Disposition	Correction

Resolution No.	A-15
Name	SWIRA LLC
Parcel No.	187.00-01-036.110
Municipality	Bath Town
Disposition	Refund

Resolution No.	A-16
Name	Eleanor A. Brennan
Parcel No.	243.13-01-014.000
Municipality	Campbell Town
Disposition	Refund

SCHEDULE "B"

Resolution No.	B-1
Former Owner	Alan Stage d/b/a Stage Motors
In Rem Index No.	104021, Judgment Filed 05/06/2013
Parcel No.	316.08-01-030.000
Former Owner	Alan L. Stage
In Rem Index No.	2010-1966CV, Judgment Filed 05/06/2013
Parcel No.	316.00-01-077.120
Municipality	Erwin Town
Grantee(s)	Alan L. Stage
Grantee(s) Address	275 S. Hamilton St., Painted Post, NY 14870
Consideration	$46,771.34, together with $620.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-2
Former Owner	Rusty L. Lane, Sr.
In Rem Index No.	2011-1564CV, Judgment Filed 05/06/2013
Parcel No.	409.00-01-016.200
Municipality	Caton Town
Grantee(s)	Rusty L. Lane, Sr.
Grantee(s) Address	11118 Sagetown Rd., Pine City, NY 14871
Consideration	$2,009.53, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

SCHEDULE "C"

Resolution No.	C-1
Former Owner	Margaret S. Goodwin Estate c/o Kenneth Goodwin
Parcel No.	204.00-03-032.200
Municipality	Bath Town
Disposition	Correction of grantee name as set forth in B-8, Resol. No. 075-13, dated 06/24/2013, to read Margaret S. Goodwin Revocable Living Trust.

Vote: Roll Call – Adopted.

RESOLUTION NO. 050-14

Introduced by J. Hauryski. Seconded by H. Lando.

RECEIVING AND ACCEPTING THE FEBRUARY 24, 2014 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:

January 15, 2014
New York State Seventh Judicial District, Judge Craig J. Doran – Re: Correspondence on offering the availability if any questions or concerns come up regarding the operation of the courts in the Seventh Judicial District. ***Referred to: Mark Alger, Steuben County Manager***.

January 21, 2014
Southern Tier Central Regional Planning & Development Board – Re: Request for Steuben County to help sponsor the Regional Leadership Conference scheduled on April 2nd and 3rd at Corning Community College. ***Referred to: Joseph Hauryski, Steuben County Legislature Chairman.***

NYS Division of Homeland Security and Emergency Services – Re: Notification of not being selected for the FY2013 Tactical Team Grant Program. ***Referred to: Public Safety & Corrections Committee; and Sheriff Cole.***

East Lake Investments – Re: Thanking Steuben County for the support given on their Consolidated Funding Application. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

January 23, 2014
New York State Citizens Review Panels – Re: The 2013 Annual Report and Recommendations for the New York State Citizen Review Panels for Child Protective Services are available at www.citizenreviewpanelsny.org ***Referred to: Human Services/Health & Education Committee; and Kathryn Muller; Commissioner of Social Services.***

January 24, 2014
New York State Governor's Traffic Safety Committee – Re: Notification of approval of the 2014 STOP DWI Plan. ***Referred to: Public Safety & Corrections Committee; and Sheriff Cole.***

New York State Office for the Aging – Re: Notification of Grant Award (NGA) for the federal fiscal year 2014 (FFY 2014) Nutrition Services Incentive Program (NSIP). ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, Acting OFA Director.***

January 27, 2014
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Corning Property Management Corporation (Integrated Die Manufacturing Facility Project) Distribution of Cover Page and Page 2 to PILOT Agreement, dated as of October 1, 2010. ***Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.***

January 28, 2014
NYS Office of the State Comptroller – Re: Notification of Steuben County being selected for an audit on the County being in compliance with the State's Sex Offender Registry Act (SORA). ***Referred to: Joseph Hauryski, Steuben County Legislature Chairman; Public Safety & Corrections Committee; Sheriff Cole; Alan Reed, County Attorney; and Patrick Donnelly, Commissioner of Finance.***

February 3, 2014
Finger Lakes SPCA – Re: The 2013 Animal Cruelty Investigation Program Report. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

February 5, 2014
Harris Beach, Attorneys at Law – Re: Steuben Tobacco Asset Securitization Corporation annual meeting and accountability materials. ***Referred to: Mark Alger, County Manager; Alan Reed, County Attorney; Patrick Donnelly, Commissioner of Finance; and Brenda Mori, Clerk of the Legislature.***

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,969 representing the December 2013 retained surcharge revenues for Steuben County. ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

February 7, 2014
Allegany County Board of Elections – Re: Correspondence letter recognizing Veronica Olin, Republican Election Commissioner in providing her dedication and knowledge to the Allegany County Board of Elections office. ***Referred to: Joseph Hauryski, Legislature Chairman; and Administration Committee.***

February 10, 2014
Town of Prattsburgh – Re: Prattsburgh Town Board resolution requesting Steuben County to adopt a resolution supporting a change in the speed limit on County Route 74 in the Town of Prattsburgh. ***Referred to: Public Works Committee; and Vince Spagnoletti, Commissioner of Public Works.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 051-14

Introduced by B. Schu and P. McAllister. Seconded by D. Farrand.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2014, AMENDING LOCAL LAW NO. EIGHTEEN FOR THE YEAR 2006, AS AMENDED, ESTABLISHING THE CORONERS' ENTITLEMENT TO COMPENSATION AND ESTABLISHING COMPENSATION OF A CORONER'S PHYSICIAN.

Pursuant to Articles 5 and 17-A of the County Law of the State of New York, and pursuant to the Steuben County Charter Articles II and XII.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on January 27, 2014, County of Steuben Local Law Tentatively No. One for the Year 2014, Amending Local Law No. Eighteen for the Year 2006, as Amended, Establishing the Coroners' Entitlement to Compensation and Establishing Compensation of a Coroner's Physician, and this Legislature by resolution, preliminarily adopted said Local Law on January 27, 2014, making the final adoption of said Local Law subject to a Public Hearing to be held on February 24, 2014, and also subject to a permissive referendum; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on February 24, 2014 at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing and requirement for a permissive referendum.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. One for the Year 2014, as hereinafter set forth be and the same hereby is finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2014

A Local Law Amending Local Law No. Eighteen of the Year 2006, as Amended, Establishing the Coroners' Entitlement to Compensation and Establishing Compensation of a Coroner's Physician.

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

SECTION 1. LEGISLATIVE INTENT: It is the intent of the Steuben County Legislature to amend the recited Local Law to include provision for a Coroner's physician with the basic compensation of One Hundred Dollars ($100.00) plus necessary expenses, in each case.

SECTION 2. AMENDMENT OF LOCAL LAW NO. EIGHTEEN FOR THE YEAR 2006: Local Law No. Eighteen for the Year 2006, be and the same, hereby is amended by adding a "Section 3" with all other provisions of Local Law No. Eighteen of the Year 2006 remaining in full force and effect, to read as follows:

> **SECTION 3:** When a Coroner is authorized to use a Coroner's physician under Article 17-A of the County Law, such Coroner's physician is entitled to a basic compensation of One Hundred Dollars ($100.00) plus necessary expenses in each case for all postmortem examinations (including, but not limited to participation at autopsies), investigations, statements, decisions or other report and for the filing thereof.

NOTE: Old law is in brackets [ ] and deleted;
New matter is underlined.

SECTION 3: EFFECTIVE DATE: The within Local Law shall be effective with respect to cases occurring on or after January 1, 2014.

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

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

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 052-14

Introduced by M. Hanna. Seconded by R. Lattimer.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO SHARED SERVICES AGREEMENTS.

WHEREAS, the Steuben County Department of Public Works occasionally enters into agreements with the Steuben County Industrial Development Agency; and

WHEREAS, in an effort to streamline and clarify the approval process to properly comply with General Municipal Law governing inter-municipal agreements it is necessary for the County Legislature to formally approve entering into the current and future agreements for these services; and

WHEREAS, any such future agreement would still require standing committee authorization and oversight.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature approves of the Department of Public Works entering into agreements with the Steuben County Industrial Development Agency; and be it further

RESOLVED, that the appropriate standing committee of the Steuben County Legislature is authorized to approve future agreements and directed to provide oversight of such agreements subject to the Rules of Procedure of the Steuben County Legislature; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 053-14

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

ACCEPTING AND APPROPRIATING THE MEDICAL RESERVE CORP CAPACITY BUILDING AWARD.

WHEREAS, the National Association of County & City Health Officials (NACCHO) is administering funds relative to the Medical Reserve Corp (MRC) Capacity Building Awards (CBA); and

WHEREAS, these awards are to be used to increase awareness and understanding of the Medical Reserve Corps Program; promote, support, and build capacity within the MRC network; enhance cooperation between the Division of the Civilian Volunteer Medical Reserve Corps and local/state/federal authorities to support and increase MRC capacities at the local level; and expand the efforts and capabilities of local MRC units to support their community-based public health, preparedness and response initiatives; and

WHEREAS, Steuben County has been awarded a Capacity Building Award in the amount of $3,500; and

WHEREAS, the work plan as submitted to NACCHO has been approved.

NOW THEREFORE, BE IT

RESOLVED, that the Director of Public Health is hereby authorized to execute any documents necessary to accept the Medical Reserve Corp Capacity Building Award; and

RESOLVED, the Steuben County Commissioner of Finance be and the same hereby is authorized and directed to accept $3,500 as revenue and appropriate that amount in the 2014 Steuben County Public Health Budget as follows:

402800	4 4401308	MRC Capacity Building Award	$3,500
402800	5 290020	Computer Equipment	$900
402800	5 405100	Postage	$100
402800	5 407200	Travel & Conferences	$2,200
402800	5 419100	Advertising	$300
		TOTAL	$3,500

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Director of Public Health and the Steuben County Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 054-14

Introduced by G. Swackhamer. Seconded by R. Weaver.

ESTABLISHING THE DATE FOR THE REAL PROPERTY DELINQUENT TAX AUCTION.

WHEREAS, the County of Steuben has commenced the annual Delinquent Real Property Tax In-Rem procedure pursuant to Article 11 of the New York State Real Property Law; and

WHEREAS, it is desirable to establish the date of the County Delinquent Real Property Tax Auction.

NOW THEREFORE, BE IT

RESOLVED, the 2014 Delinquent Real Property Tax Auction shall be conducted on Friday, July 11, 2014, commencing at 10:00 A.M. at the Campbell-Savona Junior/Senior High School, 8455 County Road 125, Campbell, New York; and be it further

RESOLVED, that the Steuben County Commissioner of Finance is hereby authorized and directed to establish and publish the terms and conditions of the recited sale in advance of said sale; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance; Director of Real Property Tax Service Agency; and the County Attorney.

Vote: Acclamation – Adopted.

RESOLUTION NO. 055-14

Introduced by B. Schu. Seconded by D. Farrand.

CONFIRMING THE APPOINTMENT OF THE PROBATION DIRECTOR II.

Pursuant to Section 12.10 of the Steuben County Charter.

WHEREAS, **Cheryl Crocker** of Bath, New York, has been appointed by the County Manager as Probation Director II of the Steuben County Department of Probation in accordance with the Management Salary Plan in Grade G; and

WHEREAS, the Public Safety & Corrections Committee has recommended the Steuben County Legislature confirm said appointment.

NOW THEREFORE, BE IT

RESOLVED, **Cheryl Crocker** of Bath, New York, appointed as Probation Director II of the Steuben County Department of Probation, is hereby confirmed by the Steuben County Legislature; and be it further;

RESOLVED, that certified copies of this resolution be sent to the above-named appointee, the Steuben County Department of Probation and the Personnel Officer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 056-14

Introduced by J. Hauryski. Seconded by R. Lattimer.

APPOINTING MEMBERS TO THE BOARD OF DIRECTORS OF THE STEUBEN COUNTY SOIL AND WATER CONSERVATION DISTRICT.

Pursuant to Section 7 of the Soil and Water Conservation Districts Law of the State of New York.

WHEREAS, the Steuben County Pomona Grange has recommended that Melvin Hann be appointed to the Soil and Water Conservation District Board of Directors.

NOW THEREFORE, BE IT

RESOLVED, that Melvin Hann of 5321 Chamberlain Road, Bath, New York, be appointed to the Soil and Water Conservation District Board of Directors for a three-year term commencing January 1, 2014 through December 31, 2016; and be it further

RESOLVED, the above-named member shall serve without compensation, unless and until such time as the Legislature fixes such rate of compensation as set forth under Section 7 of the Soil and Water Conservation Districts Law; except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Soil and Water Conservation District Board of Directors; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee, the County Auditor and the Steuben County Soil and Water Conservation District Office, 415 West Morris Street, Bath, New York.

Vote: Acclamation – Adopted.

RESOLUTION NO. 057-14

Introduced by R. Weaver. Seconded by H. Lando.

MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO AMEND THE GENERAL MUNICIPAL LAW, IN RELATION TO AUTHORIZING INDUSTRIAL DEVELOPMENT AGENCIES TO PROVIDE ASSISTANCE TO AGRICULTURAL PRODUCERS.

WHEREAS, the bill authorizes industrial development agencies (IDAs) to provide technical and financial assistance to agricultural producers that grow, harvest or produce agricultural products in the state; and

WHEREAS, agriculture is the one of the largest and most important industries in New York State and Steuben County; and

WHEREAS, upstate agricultural producers are an important source of jobs and support local economies; and

WHEREAS, Steuben County and other rural areas of the state need additional tools to promote economic growth in their communities.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature supports enactment of this legislation to allow IDAs to assist agricultural producers; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Dean Skelos, NYS Senate Republican Conference Leader And Majority Coalition Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Independent Conference Leader And Majority Coalition Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Sheldon Silver, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Stephen J. Acquario, Executive Director, New York State Association of Counties, 540 Broadway, Albany, NY 12207.

Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§105.1.D. Discussions Regarding Proposed, Pending or Current Litigation, and Article 7§ 105.1.F. The Medical,

Financial, Credit or Employment History of a Particular Person or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person made by Mr. Weaver. Seconded by Mr. McAllister and duly carried.

RESOLUTION NO. 058-14

Introduced by R. Weaver. Seconded by C. Ferratella.

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

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

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

WHEREAS, nominations were allowed to be made by anyone; there were no limits on the number of nominations; the nominees could be living or dead; male or female; could have been born elsewhere as long as they enhanced the name of Steuben County; may have helped develop the County; may have been Steuben County natives who gained fame elsewhere, or those who should especially be remembered; and

WHEREAS, the Steuben County Hall of Fame Committee is authorized to be composed of ten (10) persons representative of the people of Steuben County, has reviewed the nominations submitted and has recommended the names of three (3) persons to be inducted into said Hall of Fame this year.

NOW THEREFORE, BE IT

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

1. **Sarah A. Curtis –** Sarah A. Curtis was born and raised in Addison, NY. After graduating from Syracuse University she received a Masters Degree from the University of Southern Illinois. She also pursued additional coursework at Princeton, Syracuse, Rutgers and the University of Miami. Ms. Curtis' professional career started at Proctor & Gamble on their research staff. Following that, she became the Director of the Morrow Foundation in Trenton, NJ. Later, she accepted a position as Commissioner of the Steuben County Department of Social Services. At the time she started the Retired Senior Volunteer Program (RSVP) in Steuben County in 1973, the very idea of older volunteers was an anathema to our culture. Ms. Curtis applied for a grant from the Federal agency ACTION to begin the County's now 40 year old RSVP Program. It should be noted that this was the first time in the United States that a Department of Social Services was assigned Federal funds for a specific project. During the first year of the program, volunteers gave 9,000 hours service. By the end of the third year, 50,000 hours had been given, and in 1985 over 102,000 hours were contributed by 450 volunteers. Now in 2013, we are nearing the 3.5 million hour mark. Thanks to the forward thinking of Sarah Curtis, what started as an experiment in social change has become a mighty force for much good in our county. Steuben residents whose lives have been impacted by the thousands of volunteers who have served as RSVP members through the years have benefited not only from Ms. Curtis' vision, but her dedication in the success of the program through its formative years.

2. **Samuel Hallett –** Samuel Hallett was born in Canisteo, NY on December 3, 1827 to parents, Moses and Nancy Fulton Hallett. He married his wife, Ann Elizabeth McDowell of Wayne, NY, in 1848. Mr. Hallett, along with the McDowell brothers and Civil War General Nirom Crane, engaged in a number of enterprises, include the Hallett & Co. Bank in New York City. In 1854 he built a large mansion in his wife's hometown known as the "Hallett House" or "The

Aisle of Pines". In 1863, Hallett's firm, associated with John C. Fremont, bought the controlling interest in the Leavenworth, Pawnee and Western Railroad. This line later became known as the Union Pacific Eastern Division and then the Kansas Pacific Railway. Unfortunately, the building of the railroad became highly political and Mr. Hallett, on July 27, 1864, was shot and killed by Orlando A. Talcott.

3. **Warren Archie Thompson** – Warren Archie Thompson was born June 20, 1924 to parents Ada Anderson and Archie Thompson. Following graduation from Savona Central School in 1942, Warrant enlisted in the Army on September 25, 1942. He originally had taken the Air Cadet exam in 1942, but was not called up. He took the exam again and was accepted. On August 30, 1943 he was commissioned as a Second Lieutenant in the US Army Air Corp. He was captured by the Germans in France, on July 20, 1944 and remained a prisoner of war until January 1945 when the Mooseburg Camp was liberated by General George Patton's 3rd Army. Mr. Thompson married Ruby Lloyd on August 5, 1945. He was sent to Engineering School for Aircraft Maintenance and served as an Aircraft Maintenance Officer until he was discharged on March 10, 1950. Following his discharge, Warren and Ruby moved to the family farm in Eagle Valle, Steuben County, NY, where Warren became involved in government surplus, which helped to finance the acquisition of 21 farms and parcels. Today, Mr. Thompson and his son, Gary, work these properties as Thompson Farms.

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

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 059-14

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

MATTER(S) PERTAINING TO THE SETTLEMENT OF CLAIM(S) BY OR AGAINST THE COUNTY.

WHEREAS, the Industrial Development Agency ("IDA") entered into a Payments in Lieu of Taxes ("PILOT") Agreement with SemGas Storage LLC ("SemGas") dated October 1, 2003 regarding the Avoca Natural Gas Project; and

WHEREAS, due to a series of bankruptcies and transfers, no payments were made on the PILOT; and

WHEREAS, the IDA has entered into a settlement with SemGas in the amount of $110,000; and

WHEREAS, the County's proportionate share of the settlement is $34,033.67.

NOW THEREFORE, BE IT

RESOLVED, the County does hereby ratify the settlement of the above-entitled claim in the amount of Thirty Four Thousand Thirty Three Dollars and Sixty Seven Cents ($34,033.67), and the Steuben County Manager is hereby authorized to execute a release for the County's share of the recited settlement; and be it further

RESOLVED, the within resolution shall be reported out within five (5) days following the execution of the settlement documents; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Attorney and James C. Johnson, Executive Director, Steuben County Industrial Development Agency, 7234 Rte. 54N, PO Box 393, Bath, NY 14810.

Vote: Roll Call – Adopted.

Mr. Swackhamer asked that they adjourn for a Republican Caucus. Mr. Weaver also asked that the Democrats hold a caucus.

Motion to adjourn into caucus made by Mr. Swackhamer, seconded by Mr. Van Etten and duly carried.

Chairman Hauryski reconvened the meeting at 11:35 a.m.

Chairman Hauryski stated that he will be withdrawing Resolution No. 11, Relative to the Board of Elections, with a request that further information be provided to the parties involved for further discussion at the Administration Committee meeting scheduled for March 11, 2014. A decision will be made at that time.

Motion to adjourn made by Mr. Mullen, seconded by Mr. McAllister and duly carried.

REGULAR MEETING
Morning Session
Monday, March 24, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 24th day of March, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislators Crossett, Ferratella, Hanna and Weaver.

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

Chairman Hauryski asked Sheryl Jacobson to come forward. Ms. Jacobson is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Hauryski asked Lisa Adams to come forward. Ms. Adams is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

Chairman Hauryski asked Janice Schuck to come forward. Ms. Schuck is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of services to Steuben County.

Mr. Gallagher thanked the Legislature for their support of the Youth-in-Government program over the years. He introduced the youth interns.

Chairman Hauryski opened the floor for comments by members of the public.

Harry Pierce, Lindley, stated that first he would like to congratulate the students on all of their accomplishments. The reason he is here is that he has been in the 480 Forestry Program since 1980. He wanted to harvest some timber on the land and DEC gave him authorization to do so. He hired a Forester to mark the timber and signed a contract with the logger worth $169,000. After this was done, DEC came back through and told him that he could not log all of the marked trees. Since he already signed the contract and received the funds, he dropped out of the Forestry Program. He has since received a bill from Steuben County for $139,584 in fees, penalties and taxes. He requested the County's assistance in reducing this bill. He noted that if he has to pay this bill, he will have to clear cut his property in order to pay it.

There being no further comment, Chairman Hauryski declared the opportunity for public comment closed.

Motion adopting the minutes from the previous meeting(s) made by Mr. Schu, seconded by Mr. McAllister and duly carried.

RESOLUTION NO. 060-14

Introduced by G. Swackhamer. Seconded by Mr. Van Etten.

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

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 be it further

RESOLVED, the Steuben County Commissioner of Finance is further authorized and directed to make the necessary cancellations, charges, deductions, and adjustments with respect to the parcels contained in Schedule "B", and be it further

RESOLVED, as it appears to be in the best interest of the County to sell the properties listed on Schedule "C" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof; and be it further

RESOLVED, the said grantee(s) must accept the parcel "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel if need be; 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, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the 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, the Clerk of the Board of Education of the appropriate School District, and the taxpayers; and certified copies of this resolution contained in Schedule "C" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1
Name	Arthur Elliott
Parcel No.	300.00-01-033.000
Municipality	Corning Town
Disposition	Correction (parcel split)

Resolution No.	A-2
Name	David & Gretchen Hubbard
Parcel No.	112.00-01-019.111
Municipality	Avoca Town
Disposition	Refund

Resolution No.	A-3
Name	Lois Fleishman-Fuller-life use
Parcel No.	070.00-01-010.111
Municipality	Cohocton Town
Disposition	Refund

Resolution No.	A-4
Name	James & Sharon Claire
Parcel No.	136.00-02-040.000
Municipality	Hornellsville Town
Disposition	Refund

Resolution No.	A-5
Name	Bruno & Sandra Nowicki
Parcel No.	241.00-01-004.200
Municipality	Thurston Town
Disposition	Refund

Resolution No.	A-6
Name	M. Carole Tracey
Parcel No.	280.00-01-050.000/717
Municipality	Erwin Town
Disposition	Correction

Resolution No.	A-7
Name	Village of Riverside
Parcel No.	299.18-01-010.000
Municipality	Riverside Village
Disposition	Correction

Resolution No.	A-8
Name	NYS DEC
Parcel No.	158.07-01-037.000
Municipality	Bath Village
Disposition	Correction

Resolution No.	A-9
Name	Paul J. Haniszewski
Parcel No.	374.00-01-012.112
Municipality	West Union Town
Disposition	Correction

Resolution No.	A-10
Name	Audrey Haniszewski
Parcel No.	374.00-01-012.111
Municipality	West Union Town
Disposition	Correction

Resolution No.	A-11
Name	Philip & Samantha Trautman
Parcel No.	003.00-01-064.000
Municipality	Wayland Town
Disposition	Correction

Resolution No.	A-12
Name	Mitchell Tong Jr.
Parcel No.	371.00-01-016.113
Municipality	Lindley Town
Disposition	Correction

Resolution No.	A-13
Name	Howard Wind LLC
Parcel No.	168.00-01-016.220
Municipality	Howard Town
Disposition	Correction

Resolution No.	A-14
Name	Richard S. Knapp
Parcel No.	180.00-01-007.111
Municipality	Hornellsville Town
Disposition	Correction

SCHEDULE "B"

Resolution No.	B-1 (Cancel B-7 of Resolution No. 100-13)
Name	Rodney L. Babbitt & Joanna L. Babbitt
Parcel No.	147.00-03-002.000
Municipality	Bath Town
Disposition	Cancel sale to Barsco, LLC and refund the deposit of $3,900.00 to Barsco, LLC.

SCHEDULE "C"

Resolution No.	C-1
Former Owner	Rodney L. Babbitt & Joanna L. Babbitt
In Rem Index No.	2011-1564CV, Judgment Filed 05/06/2013
Parcel No.	147.00-03-002.000
Municipality	Bath Town
Grantee(s)	Green Tree Servicing LLC
Grantee(s) Address	c/o Kevin L. Miller, Regional Manager, New England Regional Office, 3 Executive Park Drive, Suite 14, Bedford, NH 03110
Consideration	$14,485.00, including recording fees

Vote: Roll Call – Adopted.

RESOLUTION NO. 061-14

Introduced by J. Hauryski. Seconded by H. Lando.

RECEIVING AND ACCEPTING THE MARCH 24, 2014 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:

February 12, 2014
Congressman Tom Reed – Re: Roundtable invitation for Friday, February 21, 2014 at the Southeast Steuben County Library Community Room located at 300 Nassar Civic Center Plaza, Suite 101, Corning, NY on the National Flood Insurance Program. ***Referred to: AIP Committee; and Amy Dlugos, Planning Director.***

February 14, 2014
New York State Office for the Aging – Re: Annual Evaluation of the Steuben County Office for the Aging
A response letter is needed to the State within eight weeks of receipt of this letter. ***Referred to: Human Services/Health & Education Committee; and Patty Baroody, Acting OFA Director.***

New York State Association of Counties – Re: Official resolutions adopted in February by the county delegates at the New York State Association of Counties 2014 Legislative Conference. ***Referred to: Joseph Hauryski, Legislature Chairman.***

February 20, 2014
NYS Office of Parks, Recreation and Historic Preservation – Re: Notification of property located at 7663 County Route 13, Bath, NY (Henry C. Myrtle House) in Steuben County is listed on the New York State Register of Historic Places and now is being nominated to the National Register of Historic Places. ***Referred to: A.I.P. Committee; and Steuben County Historian.***

February 21, 2014
NYS Department of Taxation & Finance, Office of Real Property Tax Services – Re: Notice of 2014 Assessment Roll (Tentative) Oil and Gas unit of Production Values. ***Referred to: Wendy Flaitz, Real Property Director; and Patrick Donnelly, Commissioner of Finance.***

February 24, 2014
NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the remaining SFY 2013-2014 Statewide Mass Transportation Operating Assistance (STOA) appropriation balances for the upstate formula bus system. ***Referred to: Amy Dlugos, Planning Director.***

NYSEG – Re: Semiannual Inventory Report of the PCB Equipment Retired from service July 1, 2013 through December 31, 2013. This is submitted in accordance to Section 66(23) of the Public Service Law. ***Referred to: filed with the Clerk of the Legislature, Brenda Mori.***

February 28, 2014
NYS Homes & Community Renewal – Re: Response to monitoring NYS CDBG Project#1115HR22-08. ***Referred to: Amy Dlugos, Planning Director.***

March 5, 2014
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,963 representing the January 2014 retained surcharge revenues for Steuben County**.** ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

March 6, 2014
Senator Charles Schumer – Re: Notification of applications being accepted for the fiscal year (FY) 2014 Drug- Free Communities (DFC) Support Program grants (CFDA Number: 93.276). Applications are due by Monday, March 24, 2014. ***Referred to: Human Services/Health & Education Committee; and Dr. Hank Chapman, Community Services Director.***

March 7, 2014
Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and East Lake Holdings, LLC is scheduled for Wednesday, March 26, 2014 @ 10:00 am at the Urbana Town Hall Board Room located at 8014 Pleasant Valley Road, Bath New York. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

March 10, 2014
NYS Homes & Community Renewal – Re: Certificate of Completion on the New York State Homes & Community Development Block Grant (NYS CDBG) Project#1115HR22-08. ***Referred to: Amy Dlugos, Planning Director.***

NYS Department of Motor Vehicles – Re: Notification of the Biennial Report for the Handicapped Parking Education Program should be submitted to the Commissioner of the NYS Department of Motor Vehicles (DMV) on or before April 1, 2014. ***Referred to: Sheriff Cole.***

March 12, 2014
US Department of the Army, Engineering Division – Re: Notification of required inspections of culverts and pipes in the areas of the Flood Risk Management systems (Corning, South Corning, and Painted Post) needs to be completed every five years. ***Referred to: Amy Dlugos, Planning Director; Tim Marshall, Acting EMO Director; and Steve Catherman, Public Works Engineer.***

Mr. Van Etten stated with regard to the communication received on March 12, 2014, do you see this as the initial step of the decertification of the flood protection levies in Corning and South Corning? Mr. Alger replied that he interpreted it to mean that unless one of the municipalities undertakes the video review of the culverts, they will no longer certify them, and all of the flood zones would change and the insurance premiums would go up. You can expect to see that across the entire County. Mr. Van Etten asked is the certification of the culverts new? Mr. Alger replied it is related to the certification of the levy itself. The Army Corps of Engineers had previously stipulated that the DEC or themselves would do the recertification. Now they will not accept that and the DEC has passed it down to the local governments.

Vote: Acclamation – Adopted.

RESOLUTION NO. 062-14

Introduced by P. McAllister. Seconded by D. Farrand.

REQUESTING AN EXTENSION OF THE MORTGAGE TAX UNDER TAX LAW SECTION 253-S.

Pursuant to New York State Tax Law Section 253-i, renumbered as Section 253-s.

WHEREAS, the Administration Committee of the Steuben County Legislature has requested the extension of the County Recording Tax on obligations secured by a mortgage; and

WHEREAS, the County of Steuben has adopted by Local Law No. Six of the Year 2008 Tax Law Section 253-i, renumbered as Section 253-s, for the imposition of a County Recording Tax on obligations secured by a mortgage; and

WHEREAS, said local law adopting the recited recording tax is without a termination date; and

WHEREAS, Tax Law Section 253-i, renumbered as Section 253-s, contains an expiration date of December 1, 2011 as set forth in Session Laws Chapter 447, section 1; and

WHEREAS, said additional tax revenues will continue to lessen the burden on the real property tax levy in the provision of necessary governmental services by Steuben County.

NOW THEREFORE, BE IT

RESOLVED, the Legislature of Steuben County requests the passage of legislation by the New York State Legislature extending the expiration of Tax Law Section 253-s for an additional three years; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Dean Skelos, NYS Senate Republican Conference Leader And Majority Coalition Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Independent Conference Leader And Majority Coalition Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Sheldon Silver, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248.

Vote: Roll Call – Adopted. Yes – 7189; No – 513; Absent – 2170
(No – Legislator Van Etten; Absent – Legislators Crossett, Ferratella, Hanna and Weaver)

RESOLUTION NO. 063-14

Introduced by P. McAllister and G. Swackhamer. Seconded by G. Roush.

AUTHORIZING THE BOARD OF ELECTIONS TO EXECUTE AND ACCEPT A FEDERAL HAVA GRANT EXTENSION.

WHEREAS, the Federal government awarded the NYS Board of Elections a grant in the amount of $94,289.43 to comply with and implement the 2002 Help America Vote Act (HAVA); and

WHEREAS, the State Board of Elections allocated the above grant funds to the Steuben County Board of Elections; and

WHEREAS, this is a reimbursement grant that contains no further obligation for Steuben County to match any contributions to projects, goods, or services funded by this grant; and

WHEREAS, the grant has been extended until March 21, 2016 .

NOW THEREFORE, BE IT

RESOLVED, that the Board of Elections is authorized to execute the necessary documents with the NYS Board of Elections to extended the Federal HAVA grant in the amount of $94,289.43 (NYS BOE SHOEBOX contract number C003245); and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to accept $94,289.43 in revenue into line item Fed Training Elect-90.401 (145000-44089000) and appropriate the same to HAVA Election Grant Costs (145000-5416320); and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Board of Elections c/o Joseph Welch and Veronica Olin, Commissioners of Elections; and to the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 064-14

Introduced by B. Schu and G. Swackhamer. Seconded by H. Lando.

APPROPRIATING $98,774.06 TO THE STEUBEN COUNTY JAIL'S 2014 BUDGET.

WHEREAS, the Jail unexpectedly needs to replace the existing York Chiller due to repeated mechanical failures; the current cost to maintain will quickly outweigh cost to replace; and

WHEREAS, the Public Safety and Corrections Committee and Finance Committee have recommended an appropriation of $98,774.06 for this purpose, with $50,000 from Capital Project for paving at the Jail and the balance of $48,774.06 from the Contingent Fund to cover cost.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature authorizes the replacement of the York Chiller, utilizing an existing New York State OGS contract #PT68523 with Trane USA, Inc., thereby fully complying with State contract local bidding requirements; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to transfer the sum of $48,774.06 from the Contingent Fund and $50,000 from the Jail Paving Project (A 199000 5499000) to the Jail's 2014 budget (A 315000 5290000); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 065-14

Introduced by G. Swackhamer. Seconded by S. Van Etten.

AUTHORIZING THE APPROPRIATION OF TWO SETTLEMENTS TO THE ECONOMIC DEVELOPMENT FUND.

WHEREAS, Steuben County has received $34,033.67 from the Steuben County IDA as its proportional share of the SemGas settlement; and

WHEREAS, Steuben County has also received $3,660.37 from Abbott Labs AWP settlement; and

WHEREAS, the Steuben County Finance Committee, upon recommendation of the County Manager, directs these funds to the Economic Development Fund for future use of promoting innovation and growth in the County.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to appropriate the sum of $34,033.67 and $3,660.37 respectively from the SemGas and the Abbott Labs AWP settlements to the Economic Development Fund (868707-42770000); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 066-14

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

AUTHORIZING THE ACCEPTANCE OF A DONATION FROM THE ESTATE OF A FORMER RECIPIENT OF OFFICE FOR THE AGING SERVICES.

WHEREAS, Steuben County Office for the Aging recently acquired an unrestricted donation of $9,500 from the estate of a former client; and

WHEREAS, no conditions are associated with the receiving of the recited funds, it is in the best interest of the County of Steuben to receive these funds.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to accept $9,500 in revenue into Gifts and Donations (677300 42705000) and appropriate $4,000 to Printing (677300 5403100) and $5,500 to Training and Conferences (677300 5407200); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 067-14

Introduced by B. Schu. Seconded by D. Farrand.

CONFIRMING THE APPOINTMENT OF DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE.

Pursuant to Section 12.06 of the Steuben County Charter.

WHEREAS, **Timothy Marshall** of Bath, New York, has been appointed by the County Manager as the Director of the Steuben County Emergency Management Office in accordance with the Management Salary Plan in Grade E; and

WHEREAS, the Public Safety & Corrections Committee has recommended the Steuben County Legislature confirm said appointment.

NOW THEREFORE, BE IT

RESOLVED, **Timothy Marshall** of Bath, New York, appointed as Director of the Emergency Management Office, is hereby confirmed by the Steuben County Legislature; and be it further;

RESOLVED, that certified copies of this resolution be sent to the above-named appointee, the Steuben County Emergency Management Office and the Personnel Officer.

Mr. Welch stated that the City of Corning has lodged a strenuous objection to this. Additionally, the City of Corning was not consulted in the interview process by Televate. Mr. Alger stated that he disagrees with that. The consultant was quite direct in speaking with the City Manager regarding the study and Mr. Marshall. Mr. Welch replied they had that conversation over the phone. Televate told the Corning City Manager that they would return to discuss issues and they did not show up.

Vote: Roll Call – Adopted. Yes – 6618; No – 1084; Absent – 2170
(No – Legislators Lando and Welch; Absent – Legislators Crossett, Ferratella, Hanna and Weaver)

RESOLUTION NO. 068-14

Introduced by G. Roush and P. McAllister. Seconded by R. Lattimer.

CONFIRMING THE APPOINTMENT OF DIRECTOR OF THE OFFICE FOR THE AGING.

Pursuant to Section 12.08 of the Steuben County Charter.

WHEREAS, **Patricia Baroody** of Bath, New York, has been appointed by the County Manager as the Director of the Steuben County Office for the Aging in accordance with the Management Salary Plan in Grade E; and

WHEREAS, the Humans Services/Health & Education Committee has recommended the Steuben County Legislature confirm said appointment.

NOW THEREFORE, BE IT

RESOLVED, **Patricia Baroody** of Bath, New York, appointed as Director of the Office for the Aging, is hereby confirmed by the Steuben County Legislature; and be it further

RESOLVED, that certified copies of this resolution be sent to the above-named appointee, the Steuben County Office for the Aging and the Personnel Officer.

Vote: Roll Call – Adopted.

Motion to combine resolutions 10 – 14 as one and dispense with the reading made by Mr. Van Etten, seconded by Mr. Schu and duly carried.

RESOLUTION NO. 069-14

Introduced by J. Hauryski. Seconded by S. Van Etten.

APPOINTING MEMBERS TO THE STEUBEN COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD.

WHEREAS, the terms of certain members of the Agricultural and Farmland Protection Board will expire; and

WHEREAS, Article 25AA of the Agriculture and Markets Law requires staggered four-year terms.

NOW THEREFORE, BE IT

RESOLVED, the following persons, as recommended by the Chairman of the Legislature, are hereby appointed (reappointed) as members of the Steuben County Agricultural and Farmland Protection Board for the terms indicated and shall hold office until reappointed or successor is appointed; and has qualified to wit:

January 1, 2011 through December 31, 2014
William Brown, 2930 W. Waneta Lake Road, Hammondsport, NY 14840
Patricia Rice Gurecki, 126 W. Williams Street, Bath, NY 14810

January 1, 2012 through December 31, 2015
Mike Slayton, 7195 County Route 27, Hornell, NY 14843
Robert V. Nichols, 743 Thompson Road, Addison, NY 14801

January 1, 2014 through December 31, 2017
Ken Ward, MJ Ward & Son, Inc. PO Box 747, Bath, NY 14810
Matthew Doyle, Doyle Vineyards Management, PO Box 476, Hammondsport, NY 14840

Ex-Officio Members (Voting)
David Stull, Chairperson, Soil & Water Conservation District Board of Directors, or Designee
William A. Peoples, Steuben County Legislator, District 11
Tom Tomsa, Director, Cornell Cooperative Extension, or Designee
Steuben County Planning Director
Steuben County Real Property Tax Service Agency Director

Advisory Members (Non-Voting)
James C. Johnson, Executive Director, Steuben County Industrial Development Agency

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 Agricultural and Farmland Protection Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the Planning Director, County Auditor, and Mr. William Brown, Chairman, Steuben County Agricultural and Farmland Protection Board, 9230 West Waneta Lake Road, Hammondsport, NY 14840.

Vote: Acclamation – Adopted.

RESOLUTION NO. 070-14

Introduced by J. Hauryski. Seconded by S. Van Etten.

APPOINTING THE STEUBEN COUNTY REPRESENTATIVE TO THE BOARD OF DIRECTORS OF THE GENESEE VALLEY REGIONAL MARKET AUTHORITY.

Pursuant to the Agriculture and Markets Law of the State of New York and upon the recommendation of the Chairman of the Steuben County Legislature.

WHEREAS, it is in the best interest of Steuben County to have a representative on the Board of Directors of the Genesee Valley Regional Market Authority.

NOW THEREFORE, BE IT

RESOLVED, **John Meyer of Joseph L. Meyer & Sons, Inc.** is hereby appointed as the Steuben County representative on the Board of Directors of the Genesee Valley Regional Market Authority for a term of two (2) years from January 1, 2014 through December 31, 2015; and be it further

RESOLVED, said member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Genesee Valley Regional Market Authority; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee at 9260 State Route 21, Cohocton, NY 14826; William J. Mulligan, Jr., Administrator, Genesee Valley Regional Market Authority, 900 Jefferson Road, Rochester, NY 14623; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 071-14

Introduced by B. Schu. Seconded by S. Van Etten.

MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE IN SUPPORT OF A STATEWIDE INDIGENT DEFENSE LEGAL SYSTEM AND SETTLEMENT OF HURRELL-HARRING, ET AL V. STATE OF NEW YORK.

WHEREAS, in 1963, the United State Supreme Court held in Gideon v. Wainwright the right to counsel for one charged with a crime is fundamental and that the States need to supply lawyers for those unable to afford them; and

WHEREAS, in 1965, the State of New York delegated this State responsibility to the Counties; and

WHEREAS, the decision to entrench responsibility at the County level in the State of New York has resulted in an inefficient patchwork of services provided at the County level; and

WHEREAS, implementation of the Constitutional Right to Counsel under Gideon is a State, not a County, obligation; and

WHEREAS, the Public Defense Services are inadequately funded by the State of New York; and

WHEREAS, in 2006, the Kaye Commission on the Future of Indigent Defense Services in New York declared the New York State System of County delivered Indigent Services to be in crisis and urged the expeditious establishment of an Independent Public Defense Commission overseeing a State funded, Statewide Defender System; and

WHEREAS, the State of New York is now a Defendant in Hurrell-Harring, et al v. The State of New York, a systemic lawsuit similar to many that have been successful across the Country, seeking to transform the Indigent Defense System into a Statewide Defender System; and

WHERAS, Governor Cuomo is in a position to be a powerful, persuasive and moving voice for the creation of a Statewide Defender System; and

WHEREAS, Governor Cuomo can fix the Public Defense System, incrementally develop a State funded model for the Nation, design a cost effective way to fund that system over time, and relieve Counties of a responsibility originally delegated to them in 1965.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature supports the transformation of the current County provided Indigent Defense System into a New York State Defender System and calls upon the State of New York and Governor

Cuomo to settle the pending litigation of Hurrell-Harring, et al v. The State of New York, and be it further

RESOLVED, certified copies of this resolution be forwarded to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Dean Skelos, NYS Senate Republican Conference Leader And Majority Coalition Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Independent Conference Leader And Majority Coalition Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Sheldon Silver, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; New York State Defender's Association, Inc., 194 Washington Ave., Suite 500,Albany, NY 12210-2314; New York State Office of Indigent Legal Services, State Capitol, Room 128, Albany, NY 12224; Stephen J. Acquario, Executive Director, New York State Association of Counties, 540 Broadway, Albany, NY 12207; Jerry Davis, President, Inter County Association of WNY, c/o Wyoming County Board of Supervisors, 143 North Main Street, Warsaw, NY 14569; and all Counties in New York State.

Vote: Acclamation – Adopted.

RESOLUTION NO. 072-14

Introduced by P. McAllister and G. Swackhamer Seconded by S. Van Etten.

MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO CONSIDER NYSAC'S ALTERNATIVE TO THE PROPERTY TAX FREEZE THAT WILL LEAD TO PERMANENT AND HISTORIC PROPERTY TAX REDUCTIONS BY ELIMINATING THE COST OF STATE MANDATED SPENDING IMPOSED ON COUNTY PROPERTY TAXPAYERS.

WHEREAS, the Governor and New York State Legislature have prioritized property tax relief as necessary to help improve New York's economic competitiveness especially in struggling upstate areas where the high property tax burden has contributed to a loss of economic opportunity, industrial and business decline, and flat or negative population growth over the last two decades; and

WHEREAS, the Governor has proposed a two year property tax freeze in these same economically burdened areas, that includes a state financed rebate for any increase in property taxes in municipalities that stay within the state imposed property tax cap over the next two years, while also pursuing shared services or consolidation of functions with other local governments in the second year; and

WHEREAS, the proposed property tax freeze would create a new layer of tax bureaucracy and procedures with unknown costs to the taxpayers, which have not been adequately analyzed, calculated, and publicly discussed; and

WHEREAS, county government has been a strong proponent of increasing cooperation, sharing services and consolidating major governmental functions across multiple jurisdictions as highlighted in the 2013 Cornell University study, "Shared Services in New York: A Reform That Works"; and

WHEREAS, recent law changes enacted by the Governor and State Legislature to cap the growth in county Medicaid costs and the creation of another pension tier will help reduce pressure on future county property tax levy growth, especially in 2020 and beyond; and

WHEREAS, elected county leaders strongly support meaningful state and county efforts to lower the property tax burden for homeowners and businesses across the state; and

WHEREAS, the levying of county property taxes is directly linked to state mandated spending as county governments act as the state's administrative arm through the delivery and financing of state programs; and

WHEREAS, county officials believe the best way to improve New York's economic climate and competitiveness is to reduce property taxes through fundamental reform of state mandates that directly impacts the causes of high property taxes, not simply the symptoms, and not just slow the rate of growth; and

WHEREAS, recognizing the need for property tax relief and consistent with the call for realignment of responsibilities between governments, aligning the cost of the state's human services programs with the government obligated to provide them will result in a historic and sustainable reduction in county property taxes and a more appropriate and equitable distribution of the cost of the state's human services programs; and

WHEREAS, the cost of paying for the state Medicaid program in a typical county outside of New York City equals about one half of the county property tax levy; and

WHEREAS, the benefits, scope and ultimate cost of Medicaid has been set and controlled by the State for nearly 50 years, but not fully financed with state resources, therefore transferring a significant cost burden to local property tax payers that contributes greatly to the disparity between property taxes in New York State and those in other states; and

WHEREAS, New York City taxpayers also dedicate a large amount of locally raised non-property taxes to support the State Medicaid program.

NOW THEREFORE, BE IT

RESOLVED, that counties find no quantifiable evidence that the property tax freeze would result in significant property tax relief, while a phased state takeover of the costs of its own mandated human services, starting with Medicaid, would provide immediate, permanent and measurable property tax reductions; and be it further

RESOLVED, the state should also provide fiscal relief to New York City for a portion of the local taxes they commit to state mandated programs; and be it further

RESOLVED, the Clerk of the Legislature shall forward copies of this resolution to all Steuben County Towns, Villages and Cities, as well as the sixty-two counties of New York State, encouraging them to enact similar resolutions; and be it further

RESOLVED, the Clerk of the Legislature shall forward certified copies of this resolution to the Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Dean Skelos, NYS Senate Republican Conference Leader And Majority Coalition Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Independent Conference Leader And Majority Coalition Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Sheldon Silver, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Stephen J. Acquario, Executive Director, New York State Association of Counties, 540 Broadway, Albany, NY 12207; and Jerry Davis, President, Inter County Association of WNY, c/o Wyoming County Board of Supervisor, 143 N. Main Street, Warsaw, NY 14569.

Vote: Acclamation – Adopted.

RESOLUTION NO. 073-14

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

SUPPORTING THE PROPOSED CONSTRUCTION OF A FIRST RESPONDERS PARK ON THE SPENCER HILL CAMPUS OF CORNING COMMUNITY COLLEGE.

WHEREAS, an outside organization, the Rotary Club of Corning, NY, approached Corning Community College with an offer to fund and construct a FIRST RESPONDERS PARK on the Spencer Hill Campus and to donate said improvements as a gift to Corning Community College; and

WHEREAS, this gift was neither solicited by the College nor was it perceived by the College to fulfill an expressed need of the College; and

WHEREAS, the Regional Board of Trustees of Corning Community College is considering accepting said gift and dedicating land on the Spencer Hill Campus on which to construct said Park; and

WHEREAS, representatives of the First Responders Park Committee have requested that the Steuben County Legislature support and endorse the proposal for construction of the Park; and

WHEREAS, the Steuben County Legislature acknowledges the service of all first responders, specifically those that support Steuben County communities, and commends this initiative recognizing their efforts.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby support and endorse the proposal to construct a FIRST RESPONDERS PARK on the Spencer Hill Campus of Corning Community College; and be it further

RESOLVED, that certified copies of this resolution be sent to the Corning Community College Regional Board of Trustees, One Academic Drive, Corning, NY 14830; Michele Donegan, President, Corning Rotary Club, 125 Denison Parkway East, Corning, NY 14830; Donald B. Creath, Co-Chair, FRP Committee, 86 Cintra Ln E, Corning, NY 14830.

Vote: Acclamation – Adopted.

Mr. Alger informed the Legislature that they pulled the 911 resolution requesting an appropriation from the Contingent Fund as they were able to find funding to pay for the audit.

Chairman Hauryski reminded everyone that immediately following the meeting at 11:30 a.m., they would be having lunch with the student interns at the Presbyterian Church.

Ms. Mori announced that the group photo has been scheduled for the April Legislative meeting.

Motion to adjourn made by Mr. Roush, seconded by Mr. McAllister and duly carried.

REGULAR MEETING
Morning Session
Monday, April 28, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 28th day of April, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Mrs. Lando.

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

Chairman Hauryski asked Fred Marvin to come forward. Mr. Marvin is an employee in the 911 Department. He presented him with a Certificate of Appreciation and a pin in recognition of his 15 years of service to Steuben County.

Chairman Hauryski asked Steven Sick to come forward. Mr. Sick is an employee in the Public Works Department. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement following 33 years of service to Steuben County. *CONGRATULATIONS!*

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

Ms. Muller stated on behalf of the Steuben County Task Force for the Prevention of Child Abuse, it is my pleasure to be here once again to acknowledge April as National Child Abuse Prevention Month. This year marks the 20th anniversary of the Task Force charged by our County Youth Bureau Director, Bill Caudill. The Task Force has engaged several community partners including schools, various youth agencies, and many local businesses. April held multiple activities, most notably the Pinwheels and Promises campaign, now in its 4th year. The annual kickoff was held here on the third floor of the County Building on April 8th. Pinwheels are made by or sometimes purchased by organizations across the county. There were over 30 who participated in this year's campaign. The pinwheels are put on display and represent a promise to make a difference in the prevention of child abuse. A promise might be to listen to a child, to make time for a child, a promise to support parents, or simply to be a good neighbor. The pinwheel symbolizes commitment to children and to families. This year's event generated over 3,000 pinwheels and are seen in a variety of venues across Steuben County. I would like to thank Chairman Hauryski for speaking at this year's kickoff showing our local support.

I would like to further thank the Chairman, this Legislature and Mr. Alger for your continued support of this initiative and other prevention programs operated by the County's Youth Bureau and Department of Social Services. And of course, thank you to Bill Caudill for your continued efforts and partnership in working with and for youth programs. Thank you to my staff Teresa Deninger, Lise Reynolds, Jack Roche, Edna Kayes, and to all the community partners who sit on the Task Force and for all those who support it through other efforts.

This brings me to today's event, the Child Abuse Prevention Award which will be given to an individual recipient this year. Before presenting…let me begin by saying in Steuben County alone we receive on average upwards of 2,000 child abuse and/or neglect reports each year. Approximately 25 percent of these cases end with some finding of abuse and/or neglect. While overall the number of reports may not have significantly increased over the years, the severity of abuse in these cases has dramatically changed. Times have changed from the days of dirty houses. In today's world, investigations are conducted for allegations of sexual abuse, domestic violence, and severe substance abuse. We are seeing a noteworthy increase in drug related cases including bath salts, meth labs and opiates; these are very debilitating drugs.

These situations are labor intensive and present much more danger to both the children and to our workers. If I could ask the Child Protective staff from both units to please stand. Behind me stands over 150 years of experience. These are the individuals who respond within 24 hours of a hotline report. These are the individuals who respond 24 hours a day, 7 days a week, 365 days per year. This job requires stamina and a special skill set. Across the board, safety is first and foremost and the primary focus of every worker. While safety is first, the ability to be flexible and to think outside the box is paramount to making a plan for the future of children. The other area that most do not think about is that workers have to be very thoughtful and aware of the love that a child has for their parent. It is a difficult job at best. It requires determination, resilience, leadership, investigative skills and a good heart. The goal of Child Protective is family preservation, to keep families together. Where necessary, we open the doors to rehabilitation and reunification. That being said, before I announce today's recipient, I would like to thank my staff, my team for their dedication, their endurance and their great work!

As I said, we have approximately 150 years of experience in the room. By percentage, this year's recipient takes the lead with 28 years. I would ask Susan Neu to come forward and join me at the podium. Susan was nominated for this year's award by her supervisor Nichole Luckenback. Susan Neu is a Senior Caseworker in Child Protective Services. As a Senior, she investigates the more challenging, the more difficult, the more dangerous cases. Regardless of the merits of the case, she manages each one respectfully and effectively. She listens to each person, a skill in the child protective world that can be easily compromised and difficult to maintain. She may only make it to the front porch, but more often than not because her diligence, she gets invited in. She gives careful thought to the integrity of the case. She earns the trust of many and she works toward a better end not only protecting, but also preventing a recurrence and return into the system. She has a unique style, excellent judgment, foresight, and great intuition. Susan is a positive role model, both as a colleague and as supervisor. She leads by example. She trains new workers, provides direction and supervision, all the while allowing the worker to build their own style of casework. Susan also listens to the frustrations of her coworkers, subordinates and offers support. She has a great sense of humor that is both healing and comforting. She goes above and beyond, working endless hours. I recently worked a case with Susan. A young man stuck in cross systems issues that took an inordinate amount of time. Susan's professionalism, knowledge and dedication was outstanding and I have to tell you she worked, without hesitation, weekends and nights for weeks on end to meet the needs of this child, and this family in a very complicated system. Susan is professional, respectful, and trustworthy. She is focused on family engagement, family preservation, healing and the prevention of further investigation. She is the backbone and support of Child Protective Services in Steuben County. Susan Neu, with 28 years of experience, easily over a couple thousand cases in her tenure, always puts her cases and the safety of children first. She supports her team, is admired and respected by multiple agencies and other counties across Western New York. Susan Neu, a tribute to you: on behalf of the Steuben County Child Abuse Task Force, I present to you the 2014 Child Abuse Prevention Award. *CONGRATULATIONS!*

Mrs. Ferratella informed the Legislature that the AdHoc Municipal Coordination Committee, that Chairman Hauryski organized, held their first meeting. The purpose of the committee is to look at shared services and cost sharing with assessors and the County. The committee is made up of representatives from the Real Property Tax Service Agency, the State Real Property Tax Service Agency, assessors and town supervisors. They all agreed that data collection is a high priority. Our next meeting has been scheduled for June.

Ms. Mori announced the group photo will be taken immediately following the meeting. Additionally, she asked the Legislators to stop and look at the displays in the foyer celebrating National Public Health Week.

RESOLUTION NO. 074-14

Introduced by L. Crossett. Seconded by G. Swackhamer.

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

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 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, and the Chairman of the Board of Assessors.

SCHEDULE "A"

Resolution No.	A-1
Name	John & Dawn Medrek
Parcel No.	076.00-01-026.100
Municipality	Pulteney Town
Disposition	Correction (parcel split)

Resolution No.	A-2
Name	Howard Wind LLC
Parcel No.	168.00-01-016.220
Municipality	Howard Town
Disposition	Rescind A-13 of Resolution No. 060-14
	Correction

Resolution No.	A-3
Name	Tim Tompkins
Parcel No.	104.15-01-012.000
Municipality	Urbana Town
Disposition	Refund & Correction
	(per Court Order)

Resolution No.	A-4
Name	Stanley B. Perkins
Parcel No.	034.00-01-037.200
Municipality	Prattsburgh Town
Disposition	Refund

Resolution No.	A-5
Name	Georgia Dibble
Parcel No.	107.19-01-008.111/7
Municipality	Hornellsville Town
Disposition	Correction

Vote: Roll Call – Adopted.

RESOLUTION NO. 075-14

Introduced by J. Hauryski Seconded by G. Roush.

RECEIVING AND ACCEPTING THE APRIL 28, 2014 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:

March 20, 2014
NYS Division of Criminal Justice Services – Re: Correspondence letter on the appointment of Cheryl Crocker, Director of the Steuben County Probation Department effective February 10, 2014. ***Referred to: Public Safety & Corrections Committee; and Cheryl Crocker, Probation Director.***

March 26, 2014
Steuben County Hunger Coalition – Re: 2013 Steuben County Hunger Coalition Statistics. ***Referred to: Human Services/Health & Education Committee; and Kathryn Muller, Commissioner of Social Services.***

March 31, 2014
NYS Office for the Aging – Re: Notification of approval for the Long Term Care Ombudsman Program (State LTCOP) for the period of April 1, 2014 through March 31, 2015 and the Older Americans Act (OAA) Title VII program for the period of January 1, 2014 to December 31, 2014. ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.***

April 2, 2014
Steuben County IDA – Re: Correspondence letter on the proceeds of the NYSEG substation from the Avoca Gas/SemGas Project. ***Referred to: A.I.P. Committee; and Patrick Donnelly, Commissioner of Finance.***

April 4, 2014
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,741 which represents the February 2014 surcharge revenue for Steuben County. ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

April 7, 2014
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Marsh Hill Energy LLC (Wind Farm Turbine Project) Distribution of NYS Form RP-412a and PILOT agreement. ***Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.***

National Fuel – Re: Correspondence letter sent out to property owners that reside on or near property that may be affected by Empire Pipeline's proposed pipeline construction project (Tuscarora Lateral Pipeline) or National Fuel Gas Supply Corporation's modification to its Oakfield Compressor Station. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

April 8, 2014
NYS Department of Taxation and Finance, Office of Real Property Tax Services – Re: Certificate of the final 2014 oil and gas unit production values. ***Referred to: Wendy Flaitz, Real Property Director; and Patrick Donnelly, Commissioner of Finance.***

April 11, 2014
NYS Office for the Aging – Re: Notification of Grant Award and approved application for the Medicare Improvements for Patients and Providers Act – Aging and Disability Resource Center (MIPPA/ADRC) for the period of September 30, 2013 to September 29, 2014. ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.***

United States Senate – Re: Notification of the deadline for the next round of the US Department of Transportation Investment Generating Economic Recovery (TIGER FY2014) Grant Program is due by April 28, 2014. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director***.

April 14, 2014
NYS Division of Homeland Security – Re: Notification of tentatively being awarded $125,000 under the FY2014 State Homeland Security Program (SHSP). ***Referred to: Public Safety & Corrections Committee; Tim Marshall, EMO Director; and Sheriff Cole.***

April 17, 2014
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Marsh Hill Energy LLC (Wind Farm Turbine Project) REVISED page 4 and Schedule A to the PILOT agreement. ***Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.***

New York State Department of Environmental Conservation – Re: Notification of the FEMA Region II Discovery webinar for Yates, Livingston, and Steuben Counties is scheduled for Tuesday, May 6th @ 1pm in the Branchport Fire House, Branchport, NY)***. Referred to: AIP Committee; and Amy Dlugos, Planning Director.***

Emergency Medical Services Training, Administration & Resources – Re: First Quarter Report for 2014. ***Referred to: Human Services/Health & Education Committee; Public Safety & Corrections Committee; Victoria Fuerst, PHN Director; and Tim Marshall, EMO Director.***

Governor Andrew Cuomo – Re: 2014-2015 Enacted New York State Budget Summary. ***Referred to: Steuben County Legislature.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 076-14

Introduced by P. McAllister. Seconded by R. Lattimer.

PRESENTING LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2014, ADOPTING A REDISTRICTING PLAN FOR STEUBEN COUNTY.

Pursuant to Section 2.02 of the Steuben County Charter.

WHEREAS, it is incumbent upon the County of Steuben to reapportion its legislative body to accurately reflect the one person one vote holdings of the United States Supreme Court; and

WHEREAS, the Administration Committee of the Steuben County Legislature, after reviewing the available census data, has recommended a new system and apportionment to accurately reflect the population of the Legislative Districts.

NOW THEREFORE, BE IT

RESOLVED, that there is hereby presented to each member of the Steuben County Legislature Local Law Tentatively No. Two for the Year 2014, Adopting a Redistricting Plan for Steuben County, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2014

A Local Law, Adopting a Redistricting Plan for Steuben County.

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

SECTION 1. LEGISLATIVE INTENT

It is the intent of the Steuben County Legislature to adopt a new plan of apportionment to more accurately reflect the population of Steuben County based on the 2010 census.

SECTION 2.

Notwithstanding the first paragraph of Section 2.02 of the Steuben County Charter, Steuben County shall be divided into twelve districts. All references to towns, cities and villages apply to that territory wholly contained in each of the towns, cities and villages of Steuben County as of April 8, 2014.

Each of the enumerated districts shall be entitled to be represented on the County Legislature by that number of Legislators as set forth below.

The district and number of County Legislators shall be as follows:

1. District 1 shall consist of the area contained within the boundaries of the City of Hornell and the Village of North Hornell and shall have 2 County Legislators. Each Legislator in this District shall have a weighted vote of 467.
2. District 2 shall consist of the area contained within the boundaries of the City of Corning and shall have 2 County Legislators. Each Legislator in this District shall have a weighted vote of 559.
3. District 3 shall consist of the area contained within the boundaries of the Town of Bath and shall have 2 County Legislators. Each Legislator in this District shall have a weighted vote of 619.
4. District 4 shall consist of the area contained within the boundaries of the Towns of Wayland and Cohocton and shall have 1 County Legislator. The Legislator in this District shall have a weighted vote of 666.
5. District 5 shall consist of the area contained within the boundaries of the Towns of Prattsburgh, Pulteney and Urbana and shall have 1 County Legislator. The Legislator in this District shall have a weighted vote of 571.
6. District 6 shall consist of the area contained within the boundaries of the Towns of Dansville, Hartsville and Hornellsville excluding the Village of North Hornell and shall have 1 County Legislator. The Legislator in this District shall have a weighted vote of 582.
7. District 7 shall consist of the area contained within the boundaries of the Towns of Avoca, Fremont, Howard and Wheeler and shall have 1 County Legislator. The Legislator in this District shall have a weighted vote of 600.
8. District 8 shall consist of the area contained within the boundaries of the Towns of Bradford, Campbell, Wayne and Thurston and shall have 1 County Legislator. The Legislator in this District shall have a weighted vote of 665.
9. District 9 shall consist of the area contained within the boundaries of the Towns of Canisteo, Cameron and Jasper and shall have 1 County Legislator. The Legislator in this District shall have a weighted vote of 576.
10. District 10 shall consist of the area contained within the boundaries of the Towns of Greenwood, Woodhull, West Union, Rathbone and Troupsburg and shall have 1 County Legislator. The Legislator in this District shall have a weighted vote of 525.
11. District 11 shall consist of the area contained within the boundaries of the Towns of Addison, Tuscarora and Erwin and shall have 2 County Legislators. Each Legislator in this District shall have a weighted vote of 606.
12. District 12 shall consist of the area contained within the boundaries of the Towns of Lindley, Caton, Corning and Hornby and shall have 2 County Legislators. Each Legislator in this District shall have a weighted vote of 606.

The first election for the above-referenced districts shall be the general election in November, 2015. The current legislative districts shall remain in effect through the end of 2015.

SECTION 3. EFFECT OF OTHER LAWS OR ACTS

Any law, ordinance, resolution or other act to the extent inconsistent herewith shall be superseded by the within law.

SECTION 4. SEPARABILITY

If any clause, sentence, paragraph or section of this local law shall be adjudged by any Court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof directly involved in the proceeding in which such adjudication shall have been rendered.

SECTION 5. EFFECTIVE DATE

This local law shall become effective only if approved by the affirmative vote of a majority of the qualified electors voting upon the local law at a general election to be held in November, 2014, and when so approved certified copies thereof are filed in the office of Secretary of State.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on May 19, 2014 at 10:00 a.m. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York, and the Local Law is subject to a mandatory referendum to be held at the general election on November 4, 2014; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature.

Mr. Roush stated the purpose of redistricting is to move toward one man one vote. The problem is that it is impossible the way the system works. This does not accomplish the intended purpose. We do have one man one vote in our committee structure. That is not weighted voting. The Town of Erwin has been much more like a city than a town. The town has 55 miles of roads and only two are County roads. It would not make sense to combine Corning and Caton with Erwin, just as it does not make any sense to combine Tuscarora and Addison with Erwin. Keep in mind that Erwin is a rapidly growing area within the County. It will not be long before the town's population exceeds that of the City of Corning. Eventually Erwin would justify having two legislators. This does not make sense. Weighted voting works and represents the number voters in a district and is very accurate. The system is not broken and we have met our requirements of looking at it.

Mr. McAllister stated he would like to thank the Administration Committee for working on this. We have gone through this process twice; once last year and once again this year. We have reviewed many different versions. Discussion on this was not restricted to just the committee. All legislators were welcome to have input into the process, and many did. Both times, the committee put forth a recommendation for Version 9 which includes adding Addison and Tuscarora with the Town of Erwin. There is no perfect answer. With any of the versions, someone had issues and could not support it. Version 9 had the most support. Personally, I am in favor of Version 9. We are getting away from the one man one vote. Soon we will be in a position where 7 or 8 Legislators can carry the day. Version 9 also tried to address issues with the City of Hornell and the Town of Erwin. It does not make Hornell perfect, but it is better. It also helps with the Town of Erwin. Erwin is the area that is growing the fastest and that is good for both the County and Erwin. The Roll Call sheet shows the names of the Legislators and their weighted vote. Mr. Roush and myself have almost three times as many votes as Mr. Weaver and Mr. Swackhamer and also three times as many as Mr. Van Etten and Mrs. Ferratella. That is what is meant by one man one vote. The population trend for Wayland and Cohocton is going down and the trend for Erwin is going up. He thinks it is fairer to Erwin to have two legislators, even at this time. At

this point you can justify having two because of the size. If you look at the cities, they have two legislators and they do not always vote together. There have been concerns raised about adding the smaller towns to Erwin. No one can deny that they are not affected by the growth of Erwin; they are and will continue to be. There will be more jobs and more businesses as a result. It is a positive thing for those areas to be combined with Erwin. Those legislators in that district will have to pay attention to the smaller areas.

Chairman Hauryski asked Mr. McAllister to assume the Chair.

Mr. Haursyki stated I want to take this opportunity to talk about the plan that we are about to vote on in a few minutes. As you know, we have been at this review for the better part of a year or more, at the same time we were developing our Charter, which the voters approved last year. We have reviewed numerous examples of redistricting, so many that you could wallpaper the committee room with them. Thank you Jack for your work in coming up with the plans. We are doing this because it is our responsibility, in accordance with the one man one vote statute, that requires us to look at the 2010 census data and determine that there is equal representation for the voters of Steuben County. In doing so, we have concluded that in some legislative districts the population has increase and in others there has been a decrease. Because of this we are charged with coming up with a plan and Version 9 is the plan that we came up with. Is Version 9 perfect? No, it is not, and I doubt that anyone can come up with a plan that is perfect for Steuben County. With the sheer size of the County and distribution of the population, it is almost impossible to come up with the perfect plan. Version 9 goes a long way in setting us on the path to equal representation. I would rather this Legislature be in control of our future destiny than have a judge tell us what our districts will look like; and that is what could very well happen if we do nothing. I am one that does not like to kick the can down the road to solve a problem. Those of you that want to keep it like it currently is, opens us up to a court challenge. Let us now look at what I see can happen if you just readjust the current weights using the 2010 census data. Four districts will carry a substantial amount of weight and all they would have to do is garner four additional legislators to form a coalition. That coalition of eight legislators out of seventeen could set the agenda for anything that comes into this chamber. Yes, our committee system is such that you can claim equal representation, but it is in this chamber where the final decision is made. I am not concerned about this Legislature, but who knows what future legislatures will look like. Finally, I would like to ask those who are opposed to Version 9, why do you not want the voters of Steuben County to make the final decision? I for one feel they should tell us if this plan is right for the County. I urge you to vote in favor of Version 9.

Mr. Mullen stated it is not an issue for me whether I want the voters to have the plan. It is a matter of getting the right plan. Combining Erwin with the rural towns takes away from Erwin and disenfranchises the smaller towns. He stated that he liked Versions 12 and 13 better as it created three Legislators between Corning and Erwin.

Mr. Peoples stated he represents the towns of Addison, Tuscarora and Lindley. He attended all of the Administration Committee meetings that he could and they recommended Version 9 to the Legislature. That is not what we are voting on today. How can we vote for that? Version 9 has Rathbone, Addison and Cameron. Mr. McAllister stated that he thinks Mr. Peoples is looking at the initial Version 9. That was changed. Mr. Peoples stated then how can we vote when there are two sets of Version 9?

Mr. Wheeler stated he probably could have come up with a different numbering scheme. The file names are different. We did have one packet that had the same numbers, but when they were voted on, they were called the final packet. You have had those packets since the late fall 2012 and voted on it in January 2013.

<u>Vote</u>: Roll Call – Lost. Yes – 3943; No – 5387; Absent -542
(No – Legislators Farrand, Hanna, Mullen, Peoples, Roush, Schu, Weaver, Welch and Booth; Absent – Legislator Lando)

Mr. Hauryski resumed the chair.

RESOLUTION NO. 077-14

Introduced by P. McAllister. Seconded by G. Swackhamer.

PRESENTING THE REVISED *RULES OF PROCEDURE* OF THE STEUBEN COUNTY LEGISLATURE.

WHEREAS, a comprehensive proposed revision of the *Rules of Procedure* of the Steuben County Legislature was presented to the Administration Committee on March 11, 2014, for review; and

WHEREAS, the Administration Committee approved the proposed revisions on April 8, 2014; and

WHEREAS, the Clerk of the Legislature distributed the proposed revisions to the individual members of the Legislature on April 9, 2014, via email notification of the posting of said revisions on the Legislative portal; distribution of the same being acknowledged and recorded as a matter of record.

NOW THEREFORE, BE IT

RESOLVED, the revisions and amendments contained in the draft *Rules of Procedure* of the Steuben County Legislature dated April 8, 2014, are hereby presented.

(AMENDED 10/26/09)

DRAFT – APPROVED BY ADMINISTRATION COMMITTEE 4/8/2014

RULES OF PROCEDURE
STEUBEN COUNTY
LEGISLATURE

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1. **ORGANIZATION OF THE LEGISLATURE**

Each even numbered year the Clerk of the Legislature shall take the Chair at the hour to which the members were summoned to meet and organize. Presence of Legislators sufficient to constitute a majority of the voting strength of the entire Legislature shall constitute a quorum and a majority vote of the legislative membership necessary for the election of a chairperson to serve for the period prescribed by law and these Rules of Procedure for two years and for the transaction of business, but a less number may adjourn. The Clerk shall call the meeting to order and open the meeting for the election of one of its members as temporary chairperson by a majority vote of the voting strength. According to the will of such majority, the temporary chairperson, majority or minority leader, shall open the meeting for nominations and elections, or declare an Executive Session or Caucus. After such Caucus or Executive Session, the Legislature shall again meet in open session.

a. The procedure to nominate, vote and declare the result shall be as follows:

(1). Nominations of candidates shall be made from the membership of the Legislature and each nomination shall be seconded.

(2). After nominations have been duly closed, the procedure of voting shall be by roll call vote. The roll will be called for each candidate in alphabetical order. In the event no candidate receives an affirmative vote of the majority of the voting strength of the legislative membership on the first roll call vote and there should be no declared winner after the second roll call vote on the candidates originally voted on then, in such event, the candidate with the fewest votes shall be eliminated after the second roll call vote. If there shall not have been a majority vote for a candidate after the taking of a third roll call vote, the same provision would apply after the fourth roll call vote and any further votes which may be necessary depending upon the number of candidates in nominations, for election of the Chairperson of the Legislature.

If, after any even numbered vote, there is no one candidate with fewer votes, then every candidate shall remain in contention until one person receives fewer votes than all the other candidates. In any event, should there be two (2) Legislators in contention for election as Chairperson, they shall continue to remain in contention until such time as one receives the requisite affirmative vote of the majority of the voting strength of the Legislature.

In the absence of the Clerk of the Legislature, the Deputy Clerk of the Legislature shall perform the duties of the Clerk.

. The acting chairperson shall possess no powers nor perform any duties other than to preside over a meeting. In the event a chairperson is not elected before February 1 in an organizational year, or if a vacancy shall occur for more than 30 days, the chairperson shall be appointed by the County Clerk.

b. The election of the Vice-Chairperson of the County Legislature shall follow the same procedure as the election of the Chairperson of the County Legislature, provided above. The Vice Chairperson shall be vested with the powers, duties and responsibilities as provided in County Law Section 151, Subdivision 6-a. and in accordance therewith. In the absence of the Chairperson and Vice Chairperson, the Majority Leader shall preside over a meeting of the Legislature. In the absence of the Chairperson, Vice Chairperson and Majority Leader, the Minority Leader shall preside over a meeting of the Legislature. In the event the Vice-Chairman position is not filled on or before February 1 in an organizational year, or if a vacancy shall occur for more than 30 days, the position shall be filled in the same manner as Chairperson of the Legislature.

c. In the absence of the Chairperson, Vice Chairperson, Majority Leader and the Minority Leader, the Legislature by a majority vote may elect a temporary chairperson to preside over meetings during the absence of the Chairperson, Vice Chairperson, Majority Leader and Minority Leader. The temporary chairperson shall be elected

in the same manner as the chairperson to serve for that meeting only.

In the event of a vacancy in the office of Chairperson, the Vice-Chairperson, Majority Leader or Minority Leader, as provided above, of the Legislature shall summon the members of the Legislature to a meeting for the purpose of filling the vacancy. The successor shall be elected in the same manner as at the meeting to organize. In the absence of the Vice-Chairperson, Majority Leader or Minority Leader of the Legislature, the summons shall be given by the Clerk of the Legislature and (s)he shall preside. The Legislator receiving the requisite affirmative vote of the weighted voting strength of the membership of the Legislature shall be declared elected and shall serve for the unexpired term of chairperson.

In the event no successor chairperson is elected, the Legislature by majority vote shall have the power to name an acting chairperson, who shall preside over meetings until a chairperson is elected by the Legislature or appointed by the County Clerk. The acting chairperson shall possess no powers nor perform any duties other than to preside over a meeting.

d. The procedure for designation of majority and minority leaders shall be as follows:

Each even numbered year the political parties having the largest and next to largest membership represented on the County Legislature shall elect from among their members a leader. The leader of the political party having the greatest membership on the Legislature shall be known as the "majority leader", and the leader of the political party having the next greatest membership on the Legislature shall be known as the "minority leader". A resolution appointing the Majority Leader shall be presented and approved by the majority of the members of the political party having the greatest membership on the Legislature. A resolution appointing the Minority Leader shall be presented and approved by the majority of the members of the political party having the next greatest membership on the Legislature. Said resolutions shall be adopted by roll call vote. The appointment of the Majority Leader and Minority Leader must be accomplished before February 1 of the year in which the Legislature is organized.

If either or both such leader(s) is/are not elected on or before said February 1, then the Clerk of the Legislature shall solicit nominations for same from the Chairperson of the affected party or parties. That nomination shall be placed before the Legislature at the next regular meeting and shall, upon vote of the membership of the members of that party or parties, be elected to said position by a simple majority vote of the Legislators of that party then in attendance. Such nomination shall be of a member of the party so nominated and a member of the Legislature.

2. TIME OF MEETINGS, AGENDA AND PRESENTATION OF RESOLUTIONS

Regular meetings shall be convened on the fourth Monday of each month at 10:00 A. M., in the Legislative Chambers located in the County Office Building, Village of Bath, New York, unless the Legislature or Chairperson of the Legislature specify another meeting day, time or place in a notice mailed at least one week previous to the meeting. At least four days previous to the meeting, the Clerk shall prepare and post on the County website an agenda containing the titles of all resolutions, legalizing acts and local laws or other business contemplated for consideration at such meeting under general orders for the day. Notification of the posting of said agenda shall be made by email to each Legislator, county department official, media and the Presidents of the three bargaining units representing the employees of Steuben County. There shall be at least one regular meeting per calendar month.

Special meetings may be convened at any time in compliance with Section 152 of the County Law of the State of New York.

Legislature’s agenda, each Legislator may submit the same to be approved by the appropriate Standing Committee. In order for a county officer to place a resolution on the Legislature’s agenda, each county officer must review the item with the County Manager prior to submitting the resolution to the appropriate Standing Committee for approval. It is recommended that resolutions be in written form when submitted to Committees for approval . A resolution that involves an additional appropriation or a transfer of funds shall also be presented to and approved by the Finance Committee prior to being placed on the agenda. A resolution that involves the salaries and compensation of county employees shall also be presented to and approved by the Administration Committee prior to being placed on the agenda. When requested by a Legislator, the Clerk

of the Legislature shall prepare proposed resolutions. Resolutions shall be written by the Department Head presenting the item in Standing Committee. Any proposed Local Laws shall be written by the County Attorney. All resolutions shall be approved as to form by the County Attorney prior to being presented. All resolutions shall be provided to the County Attorney at least eleven (11) days prior to the regular meeting.

Any resolutions requiring action by the Legislature at such meeting which are not filed as above stated and not on the agenda for such meeting will not be entertained unless of an emergent nature requiring immediate action duly authorized by unanimous, affirmative vote of the Legislators attending such meeting of the Legislature, or the number required pursuant to Rule 16B (7).

3. **CALL TO ORDER OF OPEN MEETINGS**

The Chairperson shall take the chair at the hour to which the Legislature shall have adjourned, recessed, or called to convene. The statement by him that "the Legislature will come to order" shall open the meeting. Presence of Legislators sufficient to constitute a majority of the voting strength of the entire Legislature shall constitute a quorum and a majority vote of the membership of the Legislature necessary for the transaction of business. A lesser number may recess or adjourn. The Chairperson shall cause the roll to be called of those present. The Clerk shall enter in the minutes "quorum present", and subsequently record late arrivals.

4. **ORDER AND DECORUM AT OPEN MEETINGS**

The Chairperson shall preserve order and decorum at all times. In the event of demonstrations interfering with the orderly conduct of business, the Legislature may recess, or the Chairperson may call upon the office of the Sheriff to restore order.

5. **PRESENCE OF PUBLIC AT OPEN MEETINGS**

The meeting shall be open to the public and the Chairperson may designate the places where the public and press may be seated.

Members of the public wishing to address the Legislature must sign in at least 5 minutes prior to the start of the meeting and provide their name, address and the subject matter. The Chairperson of the Legislature shall decide if a member of the public shall be entitled to address the Legislature subject to a majority vote of the Legislature to the contrary. In any event, ten (10) minutes of each regular meeting shall be made available to the public to address the Legislature.

In bringing matters before the Legislature for consideration, the Chairperson shall consider the number desiring to speak and its importance, in order that the number and time may be allotted commensurate with courteous recognition of the privilege of the public to attend and be heard. The Chairperson shall determine the order in which matters shall be presented and those speaking shall confine their remarks to the subject matter and refrain from personal reflections other than to explore an ulterior motive, and shall be of no more than five (5) minutes duration. Subject to a majority vote of the Legislature to the contrary, the speaker shall take his seat upon request of the Chairperson.

6. **PRESENCE OF COUNTY OFFICERS AND EMPLOYEES AT OPEN MEETINGS**

request of the Chairperson, or of any Legislator, a designated county officer or employee shall attend the meeting and answer any questions pertinent to his office or employment. Any county officer may attend and present upon any matter pertaining to their office under “Reports of County Officers”. Subject to a majority vote of the Legislature to the contrary, the Chairperson shall determine the order in which the matters are to be presented. The Clerk shall enter in the minutes the presence of the officer or employee and in brief the subject matter. The County Attorney and County Manager shall be present during all of the meeting, unless excused by the Chairperson. Department Heads need not be in attendance at said meetings unless an item pertaining to their department is contained in the agenda.

7. **ORDER OF BUSINESS AT OPEN MEETINGS**

Subject to a majority vote of the Legislature to the contrary, the Chairperson shall decide all questions on the order in which business is to be transacted. "I rise to the point of order", or similar statement on the part of a Legislator shall require the Chairperson to decide the question of order and he will assign his reasons therefore. Upon a Legislator saying he appeals the decision, the Chairperson shall put the question of order to a vote of the Legislature. The result of a majority vote of the Legislature shall be final. The Clerk shall enter in the minutes that the Chairperson was "sustained" or "reversed", as the case may be.

Unless otherwise determined, the order of business shall be as follows:

a. INVOCATION shall be offered at the beginning of each and every open meeting of the Steuben County Legislature on a rotating basis of all Legislators wishing to participate.

b. THE PLEDGE OF ALLEGIANCE to the Flag of the United States of America shall follow the Invocation at each and every open meeting of the Steuben County Legislature on a rotating basis of all Legislators wishing to participate.

c. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING. The Chairperson shall inquire of the Legislature whether or not there are any errors or omissions in the printed minutes. Correction of any error or omissions shall be made. The Chairperson shall announce that the minutes as printed or as corrected are approved and the Clerk shall enter in the minutes a statement to that effect.

d. PRESENTATION OF REPORTS OF STANDING COMMITTEES. Written reports shall be signed by a majority of the committee membership. In the event of a divided recommendation, the majority and minority reports shall be signed by the respective committee membership. Written reports shall be received and directed to be printed in the annual proceedings of the Legislature unless it contains slanderous or defamatory statements. The Legislature by majority vote may require oral reports to be reduced to writing.

e. PRESENTATION OF REPORTS OF SPECIAL COMMITTEES. The foregoing provision relative to standing committees shall apply to the reports of special committees.

f. PRESENTATION OF REPORTS OF COUNTY OFFICERS AND AUTHORIZED AGENCIES. The foregoing provision relative to reports of standing committees shall apply to the reports of county officers and authorized agencies. Except for the County Manager, all oral reports shall in no event exceed ten (10) minutes duration. However, the Chairman shall have discretion to grant an extension of such time limit, as he deems appropriate. The limitation of ten (10) minutes shall not apply to presentations requested pursuant to subparagraph "g" herein, "GENERAL ORDERS FOR THE DAY AND INTRODUCTION OF RESOLUTIONS, LEGALIZING ACTS AND LOCAL LAWS".

g. GENERAL ORDERS FOR THE DAY AND INTRODUCTION OF RESOLUTIONS, LEGALIZING ACTS AND LOCAL LAWS. The Chairperson shall call for consideration such matters as are included on the agenda. The Chairperson may call for consideration of any matter included within his powers and duties as the administrative head of the county government. The Legislature may consider any matter not included on the agenda, except that any subject matter theretofore laid upon the table shall not be considered under general orders for the day.

h. UNFINISHED BUSINESS. The Chairperson shall call for the reconsideration of any subject matter therefore laid upon the table if in the resolution it was directed to be brought up at the meeting. When, in the previous resolution, no time was specified for its reconsideration, it can be called for reconsideration upon a majority vote of the Legislature.

i. ADJOURNMENT. Adjournments shall be taken to a certain date or to the date of the next regular meeting, except that the last meeting of the year shall be adjourned.

8. **PROCEDURE ON ADOPTION OF RESOLUTIONS, LEGALIZING ACTS AND LOCAL LAWS**

In proposing an oral resolution, the Legislator shall state the contents of his resolution, together with a statement in substance, "I offer the resolution and move its adoption". The reading of the title of a written resolution, legalizing act or local law, together with the name of the sponsoring Legislator shall constitute a motion for its adoption. All motions must be seconded. In proposing an oral resolution, the Legislator shall state the contents of his resolution, together with a statement in substance, "I offer the resolution and move its adoption". In the absence of a motion to withdraw, to amend, to table or to substitute, the Chairperson shall put the resolution to a vote of the legislative membership.

Except as hereinafter provided, the vote shall be by acclamation, with the Chairperson announcing, "you have considered the resolution, all in favor signify by saying aye, opposed no". The Chairperson shall declare the results and the Clerk shall enter the result in the minutes. Upon request of any Legislator, the Clerk shall enter in the minutes the manner in which he voted.

The ayes and nays shall be taken on all resolutions or questions requiring a roll call vote of the Legislature when required by statute, or demanded by any member of the Legislature. In general the vote of the Legislature shall be taken by roll call on all resolutions or on questions involving appropriation or expenditure of money and on all money or financial matters of the county, and the following types of resolutions or questions:

a. Final Adoption of Local Laws.

b. Legalizing acts.

c. Levying taxes on all tax matters.

d. Making or confirming appointments, except those in the exclusive discretion of the Chairperson the Legislature and for those which no compensation or salary is made.

e. Pertaining to any and all real and personal property of the county, now owned or acquired in any manner.

f. Creating any office or commission, by whatever title known, when not required by local law; or creating a standing committee.

g. Regulations concerning any and all county officers and employees including the Chairperson of the Legislature and Legislators.

h. Designating official newspapers and depositories.

i. Amending County Highway system map.

j. Proposing legislation requested of the State of New York when it relates to Municipal Home Rule Requests for the benefit of the County of Steuben.

k. Submission of any proposition to the electors of the county.

l. Relating to public records.

m. Amendments, repeal or superseding of these Rules.

Upon a roll call vote the Chairperson shall announce that the Legislature has considered the resolution, legalizing act or local law, as the case may be, and as each name is called, the Legislator shall answer aye or no. The Clerk shall record the vote of each Legislator. The names of absent Legislators need not be called more than once. Any Legislator may decline to vote and shall state his reason, subject to a majority vote of the Legislature to the contrary. The Clerk shall use a revolving alphabetical order on all roll call votes.

No Legislator may vote upon a resolution in which he has a personal interest.

Every resolution, legalizing act, local law and proposition for its adoption by the Legislature shall require the affirmative vote of a majority of the voting strength of the entire Legislature. A majority of the voting strength is hereby defined as 4,937 votes of the membership of the Legislature except as otherwise provided by law or these rules. An affirmative vote of 5,924 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a three-fifths vote of the legislative membership; an affirmative vote of 6,582 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a two-thirds vote of the legislative membership; an affirmative vote of 7,404 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a three-fourths vote of the legislative membership; and an affirmative vote of 7,898 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a four-fifths vote of the legislative membership.

The vote shall be counted and the Chairperson shall declare the result. The Clerk shall enter in the minutes and shall cause to be printed in the annual proceedings the vote of each Legislator and the declaration of the Chairperson on the result. When the vote is not unanimous the names of those voting in the minority and the names of absentees will be printed.

While a vote is being taken, no Legislator or person shall leave his seat nor engage in conversation.

A resolution duly moved for adoption and seconded may not be withdrawn by the sponsoring Legislator except in conformity with Robert's Rules of Order permitting the withdrawal of a motion. A motion to lay on the table, or to refer to a committee or to recess, or to adjourn, which is duly seconded shall be put to a vote of the legislative membership before any further business is transacted and the result of a majority vote of the legislative membership shall be final.

After a resolution has been duly moved for adoption and seconded and before it is put to a vote of the legislative membership, any Legislator may move to modify the terms of the resolution in one or more particulars. If the sponsoring Legislator(s) accept(s) the amendment, the resolution shall be put to a vote of the legislative membership as if the original resolution had been so amended. If an amendment is not accepted by the sponsoring Legislator and it has been seconded, the Chairperson shall first put an amendment to a vote of the legislative membership. In the event of more than one amendment duly made and seconded, the Chairperson shall put the amendments to a vote of the legislative membership in the reverse order thereof. If the amendments are not voted by the required number of the legislative membership, the Chairperson shall then put to a vote the original resolution without amendment.

Resolutions may be amended, repealed or superseded.

Following presentation of a Local Law to the full Legislature, said Local Law shall be laid upon the desks of members of the Legislature until the next regularly-scheduled meeting where it will be presented for Final Adoption following the holding of a public hearing. If the proposed local law is amended, it shall be rewritten and reproduced in its amended form. Pursuant to Municipal Home Rule §20(4), said local law, as amended, shall be laid upon the desks of members of the Legislature (proposed Local Laws shall be deemed laid upon the desk of a member of the Legislature when it is either: deposited in the Legislator's mail box maintained by the Steuben County Legislature; sent via email; and/or posted on the County website) at least seven calendar days, exclusive of Sunday, before it may be acted upon.

The Chairman of the Legislature shall have authority to certify as to the necessity for a Local Law's immediate passage. Upon the declaration of a message of necessity, the required waiting time can be waived and such Local Law may be passed by the affirmative vote of two-thirds of the total voting weight of the Legislature, following the holding of a public hearing. Simultaneously with the placement and mailing of the proposed Local Law to members of the Legislature, a public hearing shall be set by the Clerk of the Legislature relative to the adoption of said proposed Local Law for the next scheduled meeting of the Legislature and, in no case, sooner than five calendar days.

9. **FORM AND CONTENTS OF RESOLUTIONS**

All resolutions required to be voted upon by roll call vote shall be in writing. There shall be a title prefixed concisely stating the contents and a recital of the provision of law authorizing its adoption and whether it amends, repeals, or supersedes a

previous resolution.

The contents shall embrace but one subject. A provision therein relative to the manner of financing necessary to make its object effective shall not be deemed another subject.

When a committee resolution sponsored by a Committee Chairperson is introduced to the full Legislature it will include a notation of the vote of each committee to which it has been presented, i.e., 5-0, 4-1, 3-2, 3-0, 3-1, or submitted to the Legislature for their consideration without committee recommendation of any nature.

10. **RIGHT OF DEBATE IN OPEN MEETINGS**

All motions duly made and seconded are debatable. No debate shall be allowed upon the main question, when the motion is to refer to a committee, go into an executive session or caucus, lay a resolution on the table, recess, or adjourn. No person other than a Legislator may debate a question without permission of all the Legislators present. The County Attorney shall advise the Legislature on legal questions. No Legislator shall speak more than once on the same question until every member desiring to speak on such question shall have spoken. No Legislator may speak more than twice on any question without permission of a majority vote of the legislative membership. Before speaking a Legislator must be recognized by the Chairperson and, when two or more Legislators shall rise at the same time, the Chairperson shall determine whom he will recognize. In speaking, the Legislator shall confine his remarks to the question and refrain from personal reflections other than to expose an ulterior motive. While speaking, any other Legislator may rise and ask if the speaking Legislator will yield to a question. If the speaking Legislator yields, the question may be asked and answered without prejudice to the Legislator in continuing his remarks. While a Legislator is speaking no other Legislator or other person shall engage in any conversation nor pass between him and the Chair. If a Legislator rises to the point of order, the Chairperson shall decide and may assign his reasons therefore. Upon a Legislator appealing from the decision, the Chairperson shall put the question of a violation to the vote of the Legislature. The majority vote of the legislative membership shall be final and the Clerk shall enter in the minutes that the Chairperson was "sustained" or "reversed", as the case may be. Pending the rising to the point of order, and until the decision or vote is taken and declared, the speaking Legislator shall sit down and refrain from talking.

When the Legislators are ready for the question, the Chairperson shall put the main question to a vote of the legislative membership. When it appears that a question should be divided, a motion may be made dividing the question and such motion shall take precedence.

11. **USE OF A GAVEL IN OPEN MEETINGS**

The Chairperson shall rap the gavel three times to bring all Legislators to their seats upon call of the Legislature, or to restore order; two raps for the legislative members to stand and one rap to sit down and in the announcement of the result of a vote by the legislative membership.

12. **CHAIRPERSON TAKING THE FLOOR IN OPEN MEETINGS**

Whenever the Chairperson desires to make a motion or be recognized in entering into a debate, he shall step down from the chair. The Vice-Chairperson of the Legislature shall take the chair and he shall preside as in the case of a temporary chairman. In the absence of the Vice-Chairperson, the Chairperson the Legislature shall designate a Legislator to take the chair and he shall preside as in the case of a temporary chairperson.

13. **CLOSED MEETINGS IN EXECUTIVE SESSIONS**

Any Legislator may move to go into Executive Session for matters authorized under Public Officers Law, Section 105. Each motion to go into executive session shall contain a specific statutory reference for the exemption to Open Meetings Law requirements. If the executive session pertains to more than one topic of discussion, the number of topics and the specific statutory exemptions for each topic shall be made a part of the motion to go into executive session. Once the executive session has been convened, the first order of business is to confirm that the subject for which the executive session was called is legal and necessary. The County Attorney will make a decision as to the legality of the executive session.

No official action, except as authorized by statute, shall be transacted and no part shall be construed as limiting the exemptions available under Public Officers Law, Section 108, including, but not limited to, deliberations of political committees, conferences and caucuses.

Whenever practicable, motions pertaining to the outcome of topics discussed in executive session shall be made in open session immediately after the executive session has ended.

NO EXECUTIVE SESSION PARTICIPANT IN OPEN SESSION SHALL DISCLOSE WHAT BUSINESS MAY HAVE BEEN TRANSACTED IN SUCH EXECUTIVE SESSION OR THE REMARKS OF ANY EXECUTIVE SESSION PARTICIPANT.

14. **GENERAL FUNCTION OF COMMITTEES**

All committees shall aid in the performance of the powers and duties of the Legislature.

the Chairperson of the Legislature. All Legislator members of a committee shall be appointed by the Chairperson of the Legislature and he shall be an ex-officio member of each. The first named shall be the chairperson of the committee and in the absence of some other designation by majority vote of the committee itself, the second named shall be the vice chairperson thereof. Any vacancy shall be filled by the Chairperson of the Legislature without delay. A standing committee shall consist of members of the Legislature only.

until the committee is discharged.

c. GENERAL EXERCISE OF JURISDICTION. Committees shall familiarize themselves with the subject matter over which jurisdiction has been conferred by these Rules of Procedure. Committees having an office or function in charge shall report any neglect of duty, or failure to comply with rules and directions of the Legislature. They shall render advice and counsel on matters deemed helpful in the performance of the duties of the office or function. Although the Legislature shall always be open for county officers and employees upon any matter involving the office or function, the committee and/or County Manager shall represent them before the Legislature and so far as practical, every county officer and employee shall look to the committee and/or the County Manager for that representation. Criticism and recommendations of State departments or other official bodies shall be considered with the department head or officer. Matters referred to a special committee shall be promptly considered and a report made thereon as soon as practicable.

The Chairperson of the Legislature shall have voting power on a committee. Three Legislators shall constitute a majority of a committee of five; four Legislators shall constitute a majority of a committee of seven; and five Legislators shall constitute a majority of a committee of nine. The affirmative vote of a majority of a committee shall be necessary for any official report; however, a minority report of any committee may be given. The individual voting strength of each member of a committee shall be deemed equal for committee purposes only. Except to the extent as provided by these rules, in the event the committee is authorized or delegated to act on behalf of the entire Legislature, the individual voting strength of each member shall be counted.

All requests for additional appropriations or changes in the schedule of compensation shall be referred by the County Manager to the appropriate Standing Committee and, in turn, such committee shall make its recommendation to the Finance Committee or Administration Committee, as the case may be. Nothing herein shall be deemed to deprive the Finance Committee or Administration Committee of making contrary recommendations to the Legislature.

The Chairperson of each committee shall have the power:

(1). to divide the County into districts and assign territory to the members of his committee, when deemed necessary for the better performance of duties;

(2). to designate one or more members to attend meetings with other committees, boards, or other

groups, whenever the matter being considered comes within the jurisdiction of his committee;

(3). subject to the approval of the Chairperson of the Legislature, to authorize all or any part of his committee to attend a conference or school conducted for the betterment of county government, and

(4). to require such reports and information from the members of his committee as he deems necessary.

d. MEETINGS OF COMMITTEES GENERALLY. The Chairperson of the committee may call meetings of the committee at such times and places as deemed convenient. The notice may be oral or in writing and in compliance with Public Officers Law, Section 104. The Chairperson of the committee shall preside. During the absence or inability of the Chairperson, the Vice Chairperson of the committee may call meetings and preside. Upon request of any member of the committee, the Chairperson of the Legislature, the County Manager and the County Attorney shall attend unless the absence is excusable. Performance of other official duties shall be a valid excuse. Upon request of any member of the committee, any county officer or employee, shall attend and furnish any information pertinent to his office or employment unless the absence is excusable.

Whenever the matter under consideration involves the jurisdiction of more than one committee and the Legislature has not designated any particular committee, the Chairmen of all the committees involved shall be notified and the committees may meet in separate or joint meeting. In a joint meeting, the members of the committees shall, by majority vote, determine the presiding officer.

Meetings are open to the public or to county officers and employees. Members of the public wishing to address a Standing Committee shall submit a request to the Committee Chairperson asking to be placed on the Committee agenda. The Chairperson shall determine the order of business, and, taking into consideration the number of persons desiring to speak and the importance of the subject matter, time may be allotted commensurate with the privilege to appear and be heard.

The Clerk of the Legislature's Office is responsible for ensuring minutes are taken at all committee meetings. If necessary, the Clerk of the Legislature shall make a request to any Department Head to utilize one of their employees for this purpose. Minutes shall consist of a list of all those attending and a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. The minutes shall be filed in the office of the Clerk of the Legislature, and shall be available to the public under the provisions of the Public Officers Law of the State of New York.

e. ADVICE AND COUNSEL OF CITIZENS AND ORGANIZATIONS. Each committee is empowered to seek the advice and counsel of citizens and organizations in making a study of any subject matter. Such persons or representatives of organizations shall not be members of the committee nor have any voting power. Authority to pay any such person or organization for services must be granted by resolution of the Legislature.

The Chairperson of any committee shall have the authority to create sub-committees from within his committee and assign such duties and studies to be performed as are deemed appropriate.

f. INVESTIGATION OF CLAIMS. At the request of the Administration Committee, the County Manager shall have charge of the post-audit of claims and shall have the power to examine a claimant and all other persons on matters relevant to the claim. If a claim requires further action, subpoenas may be issued by the Administration Committee Chairperson and any member may administer the oath. The meeting shall be open to the claimant and his attorney and they shall have the right to cross-examine witnesses. Where more than one claimant or more persons other than the county is involved in a claim, the committee may allow all to be present with their attorney and to examine and cross-examine witnesses. Any refusal of a claimant or witness to testify on a relevant matter shall be referred to the County Attorney.

g. INVESTIGATION OF AUTHORIZED AGENCIES. Each committee in charge of an authorized agency receiving county funds shall have the power to examine the officers of the agency in any matter relevant to the use

of such county money. The Chairperson of the committee may issue subpoenas and any member of the committee may administer the oath. Books, records, documents and other papers pertaining to the use of county money may likewise be subpoenaed. Any refusal of the fiscal officer of the agency to testify or produce the books, records, documents and papers shall be referred to the County Attorney.

h. INVESTIGATION OF MISCONDUCT IN OFFICE. Whenever a committee shall report to the Legislature on any misconduct of any county officer or employee, the Legislature may authorize an investigation and empower the Chairperson of the committee to issue subpoenas and administer the oath to witnesses. The meeting shall be open to the persons involved and their attorney and they shall have the right to examine and cross-examine the witnesses. Any refusal on the part of any witness to testify shall be referred to the District Attorney.

i. POWERS RELATING TO LEGALIZING ACTS. The Chairperson of the committee shall have power to issue subpoenas and any member to administer the oath to witnesses. The minutes of all hearings and testimony must be taken and transcribed. All reports and recommendations shall be in writing.

15. EXPENSES OF LEGISLATORS

All Steuben County Legislators will be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

NECESSARY EXPENSES:

Necessary expenses include mileage to and from the Legislator's home or place of business to the appointed place of normal or special Legislative or committee meetings, as well as meetings with towns, villages and cities that fall under the responsibility of the Legislators.
Necessary expenses also include meetings with outside authorities or committees, both on-going or special, assigned by the Legislative Chair. Additional expenses for meals and/or lodging may be charged if the location of the meeting requires it. Legislators are requested to use vehicles from the motor pool when travel is required.

OPTIONAL EXPENSES:

Legislators are encouraged to attend conferences or training sessions which he/she deems desirable or necessary to improve his/her performance as a Legislator. Attendance at conferences should be scheduled by the Clerk of the Legislature. Legislators should work with the Clerk of the Legislature to limit the number of attendees, optimize travel expense and make the trip most effective.
The Legislative Chair may appoint a Legislator to attend and authorize additional conference expense which he/she deems necessary for effective management of County government.

AUTHORIZATION FOR LEGISLATIVE EXPENSE:

No such expense under all of the above rules shall be reimbursed unless the voucher for same, together with appropriate documentation, has been submitted to the Clerk of the Legislature on or before the 1st day of February of the year next succeeding that year in which the expense was incurred.

The Clerk of the Legislature will submit any such expense vouchers to the Administration Committee for approval if he/she questions their authenticity.

The Clerk of the Legislature will keep the Administration and the Finance Committees appraised of ongoing Legislative expenses in relation to the budget.

LEGISLATIVE EXCLUSIONS:

While the above definitions of legal expenses which may be charged should be adequate, the following exclusions are

identified which may not be charged:

Home Office Expenses - Legislators may consult with their accountant as to legitimate deductions for income tax purposes.

Newspaper articles, such as newsletters.

Expenses related to political functions.

Expenses related to retirement dinners.

Payment of dues. (The County covers those within which it desires membership.)

Luncheon or dinner expense for any non-related or not-for-profit function for which the Legislator is not the requested speaker.

16. REQUEST FOR NEW POSITIONS, UPGRADINGS, OR DOWNGRADINGS OF CREATED POSITIONS

A. APPLICABILITY:

The provisions of this Rule apply to all new positions of employment as an officer or employee, or upgradings or downgradings of existing positions, or reclassifications of existing positions.

B. PROCEDURE:

(1) **Reclassification**: A reclassification is a change in title resulting from a change in duties. It may or may not result in a change in pay grade.

(2) **Upgrade or Downgrade**: An upgrade or downgrade is a change in pay grade of a position with no change in title. An upgrade or downgrade of a position affects all positions with the same title.

(3) **Reclassifications not resulting in a higher grade** must be submitted to the Personnel Officer, the County Manager, the proper standing committee, and the Administration Committee for review and approval. Reclassifications may occur at any time during the year as needed.

(4) **Reclassifications resulting in a higher grade** must be submitted to the Personnel Officer, the County Manager, the proper standing committee, and the Administration Committee for review and the Legislature for approval. If additional funding is required, the Finance Committee must review and approve prior to submission to the Legislature for approval. Reclassifications may occur at any time during the year as needed.

(5) The **request for any new position** must be submitted to the County Personnel Officer for review and to the County Manager for his advice, no later than May 1st. Thereafter it shall be submitted to the appropriate Standing Committee on or before that committee's regular August meeting. The appropriate Standing Committee must review and act on the request for the position prior to submission to the Administration Committee. The Personnel Officer will then consolidate all new position requests into a report for presentation to the Administration Committee not later than their regular September meeting.

(a) The Administration Committee shall review said requests; their review must be completed by the September regular Administration committee.

(b) The Finance Committee shall act on requests during their annual budget workshops held

in October. Said committee shall report its recommendations to the County Manager for inclusion in the tentative budget.

(c) All position requests filed with the tentative budget shall be presented to the County Legislature at the Budget Workshop for discussion and possible revision by the Legislature. Position requests as revised shall be voted on in the form of a resolution at the meeting in which the Budget is formally considered for approval.

(d) Those positions approved shall be effective January 1st of the next fiscal year, unless prior authorization is received by the resolution of the Legislature.

(e) This provision does not apply to new positions that are necessitated by State or Federal law, rule, regulation or other mandate.

(6) The **request for a position upgrade or downgrade** should follow the same procedure as a request for a new position, as detailed in (5) above.

(7) Any request for a new position not submitted in a timely fashion may be considered if so authorized by an affirmative vote of fifteen (15) members of the Legislature or the unanimous consent of all members if there are less than fifteen (15) members present.

17. BUDGET ADOPTION PROCESS

The Budget Officer shall comply with all statutory provisions relative to the presentation of the Tentative Budget and adoption of the Final Budget. In addition, there shall be filed by the Budget Officer an Annual Budget Message with the filing of the Tentative Budget.

The format for the Budget Workshop shall be as follows:

(1) Presentation of the Budget Message by the Budget Officer.

(2) Analysis of the budgetary impact of proposed personnel changes including

a) Personnel changes pursuant to Rule 16B.
b) Personnel changes due to non-16B activities including retirements, consolidations, position eliminations or other facts.
c) An estimate of the net impact on numbers of positions.
d) An estimate of the net dollar impact of collective bargaining agreements.
e) Proposed management salary increases (including public officers).
f) An estimate of the total budgetary impact of all combined personnel changes.

(3) Impact of funding for Capital Projects and Debt Service.

(4) Discussion of other issues of budgetary concern to legislators.

Any salary of a public officer or officers necessitating the presentation of a local law or laws shall be prepared at the direction of the Administration Committee as soon as practicable, but shall be introduced to the full Legislature no later than at the full meeting of the Legislature that is scheduled for the Presentation of the Budget. Said Local Law or Laws shall be published and posted according to Municipal Home Rule Law §20(4). Presentation for final adoption shall be made no later than the full meeting of the Legislature that is scheduled for public hearing and budget approval, following a public hearing on said local law or laws.

Changes to the proposed budget approved in the budget workshop shall be incorporated into the budget prior to the full meeting of the Legislature scheduled subsequently for public hearing and budget approval.

18. CHANGES IN THE RULES

a. AMENDMENT AND REPEAL OF RULES:

No resolution to amend, repeal or supersede these rules, or any provision thereof, shall be adopted at the same meeting at which it is offered, unless the same follows, by operation of law due to an act of the State Legislature. The Legislature shall postpone action thereon not earlier than the next meeting to which the Legislature shall adjourn.

b. SUSPENSION OF RULES:

Suspension of a provision of these Rules, except as prohibited by law.

These Rules may be suspended by unanimous affirmative vote of the members present or as provided by Rule 16 B (7) herein.

c. LEGISLATIVE INTENT:

All rules or procedures heretofore adopted, together with any amendments or renewals thereof, are hereby repealed and suspended by these Rules.

19. STANDING COMMITTEES

County Manager as the Chief Executive Officer for the County, implementing policies and administering daily operations at the direction of the County Legislature. Therefore, all matters requiring action by any Committee should first be approved by the County Manager. As Department Heads are appointed by and responsible to the County Manager, subject to confirmation by the Legislature, they are expected to obtain the approval of the County Manager prior to submitting or presenting any request to the County Legislature or Committee.

The Committee maintains its right to disagree with the County Manager and, if the disagreement is serious enough, it can still be brought before the full Legislature.

The following is a list of the standing committees of this Legislature together with a description of the areas of responsibility with which each is charged. These committees and their responsibilities are subject to change by resolution of this Legislature.

ADMINISTRATION COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature in all matters relating to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, accounts, records or other matters related to the offices, departments and agencies listed below, including those specifically identified as follows:

(1) Clerk of the Legislature: Including all matters relating to the duties and powers of the Clerk of the Legislature, as set forth in Section 475 of the County Law.

(2) County Manager: Including all matters relating to the power and duties of the County Manager as defined in Article III of the County Charter.

(3) Law Department: Including all matters pertaining to County legal actions, lawsuits, damages, claims, or other legal representation of the County.

(4) County Clerk: Including all matters pertaining to the constitutional responsibilities of the Clerk as registrar, the duties of the Clerk as agent of the New York State Department of Motor Vehicles, and the Clerk of the Supreme Court and County Court.

(5) Commissioner of Finance: Including all matters relating to the powers and duties of the Commissioner of Finance as chief fiscal officer, and in any fiduciary capacity, except unpaid taxes and buildings.

(6) Board of Elections: Including all matters relating to the Election Commissioners and County responsibilities under the Election Law.

(7) Information Technology: Including all matters relating to the study, organization, promotion, coordination, purchase or lease of EDP equipment or systems, and development of the County's electronic data processing system for all of the County's Departments, agencies, or administrative units.

(8) Insurance: Including all matters relating to the procurement of all insurance on County-owned personal property, premises, buildings, and all insurance connected with property acquired for public assistance reimbursement, and recommendations to the County Legislature with relation to the amount of official undertakings and the approval thereof, when the amount is fixed by the County Legislature.

(9) Personnel: Personnel administration and policy, including reviewing requests for new positions, setting salary grades, all upgradings, position reclassifications, labor union negotiations, salary schedule adjustments, fringe benefits administration, and Affirmative Action programs and policy and including all matters pertaining to the County's administration of the New York State Civil Service Law.

(10) Purchasing: Including all matters relating to the organization, coordination, and implementation of a uniform system of inventory control and purchasing within the County Departments, agencies, boards, commissions, and administrative units.

(11) Real Property Tax Service Agency: Including all matters relating to the equalization of tax rates for purposes of levying County taxes; representation of the County in all meetings and conferences with local assessors or individuals; and preparation of the assessment and tax rolls.

(12) Risk Management: Including all matters relating to evaluation of Insurance programs for the County and development and implementation of safety programs.

(13) Telephonic Communications: Including all matters relating to researching, analyzing, and implementing telephonic communications service plans for County government departments and related agencies.

(14) Workers' Compensation: Including all matters relating to the Steuben County Self-Insurance Plan, including plan administration, claims, expenses for claimants, apportionment of administrative costs, preparation of reports, and duties of Risk Manager, County Attorney, and Commissioner of Finance.

In addition thereto the responsibilities of said committee shall include:

(A) Representation of and, as appropriate, recommendation to the County Legislature on all matters pertaining to proposed local, State, or Federal legislation, matters relating to internal affairs of the County, its Offices, Departments, functions, including the Rules of Procedure and conduct at meetings of the County Legislature, general administration of Offices and Departments, and matters dealing with the County's participation with Off-Track Betting.

(B) Examination, inspection, preservation, storage, maintenance, and representation of the County Legislature in all matters pertaining to the books and records of accounts of County funds, vouchers, orders, warrants, claims and other papers or documents, which the County Legislature or other County officer or employee may have a power or duty to perform.

(C) Representation, examination and hearings in all matters pertaining to the County's Grievance Procedure for County employees.

(D) Vehicle deployment and management of vehicles owned by the County of Steuben.

AGRICULTURE, INDUSTRY & PLANNING COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, recommendations to the County Legislature regarding all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records or accounts, or other matters related to the offices, departments, agencies or programs listed below, including those specifically identified as follows:

(1) Agriculture: Including all matters related to the Agricultural District Advisory Committee, Cooperative Extension Association and Board of Directors, Fish & Wildlife Management Act Board, Soil & Water Conservation District, Water Resources, and Wildlife and Conservation.

(2) Buildings & Grounds: Including all matters relating to the maintenance and repair of County buildings and grounds, including the former County farm buildings and grounds, allocation of space, and supervision of the construction, reconstruction or remodeling of County buildings. The planning of any construction or reconstruction of County buildings shall be the responsibility of the Agriculture, Industry and Planning Committee.

(3) Planning: Including all matters relating to the promotion of economic and community development, environmental management, efficiency of public service, planning of all new construction, reconstruction or remodeling of County offices and buildings, including the supervision of all phases of the construction, cooperation with all Town, Village and City Planning Boards or Commissions, in relation to local development and preparation of plans, and assisting other Committees of the County Legislature in gathering data, conducting research, and preparing reports and analyses.

(4) Public Relations: Including all matters relating to the cooperation and coordination with any Federal, State or local officials and agencies or Boards, Chambers of Commerce, industrial development agencies, tourism agencies and any other group in the promotion of improved public relations, including but not limited to the retention of existing industry, business, agriculture, dairy, vineyards, recreation, housing, product marketing, civic and educational projects and their expansion and improvement for the benefit of County residents; publicizing the County's locational advantages and resources; and the County exhibit at the annual Steuben County Fair.

(5) County Historian: Including all matters related to the powers and duties of the County Historian and matters relating to the Steuben County Hall of Fame.

(6) Consumer Affairs/Weights & Measures: Including all matters relating to the duties and powers of the County Sealer, consumer affairs and education.

Representation, oversight, and as appropriate, recommendations to the County Legislature regarding the following Boards, Commissions, agencies or organizations:

Environmental Management Council
Workforce Development Board
Steuben County Conference and Visitors Bureau

Steuben County Industrial Development Agency
Resource Conservation and Development Board
Southern Tier Central Regional Planning & Development Board
Finger Lakes Association, Inc.
Steuben County Agricultural Society
Steuben County Dairy Festival
Soil & Water Conservation
Watershed Protection Districts

FINANCE COMMITTEE - To consist of five (5) members with responsibility for:

(1) The consideration of office and departmental estimates and recommendation to this County Legislature of a tentative Budget for the ensuing fiscal year, including estimated expenditures and revenues, according to object and purpose.

(2) Consideration and recommendations to this County Legislature on all applications for additional appropriations, and transfer of funds when authorization is required by the County Legislature.

(3) Representation of this County Legislature in all matters or meetings relating to unpaid taxes, tax sales, collection, and recommendations regarding the disposition thereof, in which the Commissioner of Finance, or the Clerk of this County Legislature, or this County Legislature, may have a duty or power to perform, with the exception of the refund of erroneous taxes.

(4) Make recommendations to this County Legislature with relation to redemptions, compromises, sales, leases, repair, fencing, or other disposition of County-owned property by virtue of tax sale.

(5) Authorization to assign amounts to specific purposes in the assigned fund balance, with the participation of the County Manager and Commissioner of Finance. (Res#181-11)

HUMAN SERVICES, HEALTH & EDUCATION COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature, with regards to all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records and accounts or other matters relating to the offices, departments, agencies or programs listed below, including those specifically identified as follows:

(1) Social Services: Including all matters relating to the duties, powers, and responsibilities of the County Commissioner of Social Services, as defined in Article VIII of the County Charter, in the administration of public assistance and care, or other matters which relate specifically to the administration of the County's Social Services Programs, excluding the Health Care Facility.

(2) Veterans' Services: Including all matters relating to the County Veterans' Service Director or officer, Steuben County War Memorial, claims for soldiers' burial and headstones, and representation of the County Legislature in all matters pertaining to veterans or veterans' affairs.

(3) Youth Bureau: Including all matters relating to the administration of the Steuben County Youth Board and Programs.

(4) Office for the Aging: Including all matters relating to the County-sponsored programs and services for senior citizens, including fiscal and programmatic planning, the Retired Senior Volunteer Program, outreach, information and referral; administration, coordination, and monitoring of contracts for legal, nutrition, home and health care, transportation, senior employment, HEAP, etc; and representation of the County Legislature in all matters pertaining

to services for senior citizens provided through the Office for the Aging.

(5) Education: Including the education of handicapped children and requests for educational assistance.

(6) Public Health: Including all matters pertaining to the Steuben County Public Health and Nursing Services, the Special Children's Services Program, the Steuben County Community Services Clinic, the Steuben County Alcohol Abuse Program, and all matters relating to the Developmental Disabilities Programs, and Steuben ARC.

(7) Health Care Facility: Including all matters relating to the operation, maintenance, and administration of the Steuben County Health Care Facility.

Representation, oversight, and recommendations to the County Legislature on matters pertaining to the following

Pro-Action of Steuben and Yates
STC Steuben Human Services Committee
Family Service Society, Inc.
Community Services Board
Finger Lakes Health Systems Agency
Health Services Advisory Board
Joint Committee on Health Affairs
Southern Tier Sub-Area Council of the Finger Lakes Health Systems Agency
Corning Community College
Southern Tier Association for the Blind, Inc.
Southern Tier Library System
Southern Tier Regional Emergency Medical Services Council

PUBLIC SAFETY & CORRECTIONS COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature, with regards to all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records and accounts, or other matters relating to the offices, departments, agencies or programs listed below, including those specifically identified as follows:

(1) Emergency Management - Including all matters relating to the management and preparedness for catastrophe, natural disaster and other serious emergencies which would require coordination and mutual response. Such emergencies may require the involvement of multiple townships, County or Counties, the State of New York and/or FEMA. All matters pertaining to the powers and duties of the Energy Coordinator in regards to the coordination of fuel supplies, as well as the allocation of these resources with Steuben County.

(2) Fire Coordination, Training and Mutual Aid - Including all matters relating to the Steuben County Fire Advisory Board, coordination of all fire departments, guidance and direction for the administration of local fire departments, all fire training schools. All matters pertaining to the establishment, maintenance, and administration of the county fire mutual aid program, response to emergencies involving fire and emergency rescue situation, as well as cause and origin determination of all fires within Steuben County.

(3) Emergency Medical Services and Mutual Aid - Including all matters relating to the delivery of emergency response to medical situations within Steuben County. To include the coordination of emergency medical response, oversight of emergency medical training, administration of the county mutual aid program, coordination with the Southern Tier Regional Emergency Medical Council (EMSTAR).

(4) Coroner and Coroner Transport Services - Including all matters relating to the establishment and election of the Coroners Office, the coordination of services provided between the various county Coroners, the establishment

of means for the determination of cause of death, and all matters pertaining to the transportation of the deceased to a center for determination.

(5) Radio Communications - Including all matters relating to the operation of the County-wide radio system, the interaction and operation of the radio system and the county users, the maintenance of the system, to include contractual agreements and operations for the radio shop. Also to include the planning necessary for improvements to the county-wide radio system.

(6) Judges, District Attorney and Public Defender: Including all matters relating to the powers, duties and responsibilities or offices of the County Judges, Family Court Judge, Surrogate Judge, District Attorney, and Public Defender.

(7) Probation and Community Corrections: Including all matters relating to the powers, duties and offices of any and all Probation Officers, and their appointment or removal by a County Judge.

(8) Sheriff: Including all matters relating to the Sheriff, Undersheriff, Jail Superintendent, Deputies, Correction Officers, Court Attendants, and all other personnel; matters concerning the Jail, maintenance of prisoners; post audit of court orders, paying jurors, witnesses, and Court Attendants as soon after each term of County Court, Supreme Court or Surrogate's Court with a jury, as is practicable.

(9) 9-1-1 Department (Enhanced): Organization, implementation and operation of the County's emergency 9-1-1 system.

Representation, oversight and/or recommendations to the County Legislature on matters relating to the following Offices, Boards, Commissions, agencies, individuals or Committees:

Justices and Constables
Coroners
Traffic Safety Board
Fire Advisory Board
Local Emergency Planning Committee
E-911 Advisory Board
Southern Tier Emergency Medical Services Council
Environmental Emergency Services, Inc.

PUBLIC WORKS COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature, with regards to all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records or other matters relating to the offices, departments, agencies, or programs, listed below, including those specifically identified as follows:

(1) Public Works: Including inspection, construction, reconstruction, maintenance, and general supervision of the County roads and bridges, including bridges having a span over twenty-five (25) feet on Town roads, as well as all matters pertaining to the duties, powers, and responsibilities of the County Commissioner of Public Works.

(2) Solid Waste Division: Including all matters relating to the operation, administration, site selection and acquisition, and other related activities of the Solid Waste Division of the County Department of Public Works.

(3) Parks: Including all matters relating to the supervision and management of all County parks and recreation areas.

(4) Reforestation: Including all matters relating to reforestation, including purchase, maintenance, fencing, fire line, cutting of and sale of trees, disposition of such lands and all other matters relating thereto, which the County

Legislature may have a power or duty to perform, such as representation on the District Forest Practice Board.

20. **ROBERT'S RULES OF ORDER**

Except as otherwise specifically provided hereby, Roberts Rules of Order shall be applicable to all meetings of the Steuben County Legislature and the Committees thereof.

21. **COUNTY MANAGER**

the Steuben County Charter, the County Manager is recognized as the Chief Executive Officer for Steuben County , having direct supervision of all County Departments, Board, etc. All department and agency heads shall be responsible and report to and through the County Manager.

obtain the approval of the County Manager prior to making such request. An evaluation of such proposed action shall be provided to the Committee or Legislature by the County Manager. As to such request by a department or agency head:

A. Any request by a department or agency head which, under the Administrative Code, requires the County Manager's approval, shall not be placed upon a Committee Agenda prior to receipt of such approval.

Manager prior to being placed on the agenda unless waived by the County Manager. If a department or agency head misses the deadline for agenda item submission, they must receive the approval of the County Manager to be placed on the agenda.

County Legislators requesting action by a Committee or the full Legislature are encouraged to adhere to the above procedure. Nothing contained herein shall be construed to prohibit or otherwise limit a County Legislator from introducing a resolution or legalizing act to the County Legislature for consideration at a meeting thereof.

Disputes or differences of opinion which arise between department or agency heads shall be referred to the County Manager for resolution. The determination of the County Manager shall be binding unless review of that determination is referred to the Administration Committee. That committee shall have the authority to render a determination, which determination may be reviewed by appropriate action of the full Legislature. Said action of the Legislature shall be final and binding.

Vote: Acclamation – Adopted.

RESOLUTION NO. 078-14

Introduced by P. McAllister. Seconded by D. Farrand.

REQUESTING THE ADOPTION OF SENATE BILL NO. S.6945 AND ASSEMBLY BILL NO. A.9302, EXTENDING THE EXPIRATION DATE OF THE MORTGAGE RECORDING TAX FOR THE COUNTY OF STEUBEN.

Pursuant to the Tax Law of the State of New York.

WHEREAS, Steuben County has heretofore, pursuant to Resolution No. 016-08, requested legislation from the State of New York extending Tax Law Section 253-s relative to the mortgage recording tax for the County; and

WHEREAS, Tax Law Section 253-s must be reauthorized; and

WHEREAS, Senate Bill No. S.6945 and Assembly Bill No. A.9302 request the amendment of Section 3 of Chapter 365 of the Laws of 2005, extending the Steuben County mortgage recording tax expiration date from December 1, 2014 to December 1, 2017; and

WHEREAS, the generation of such mortgage recording tax fees are essential revenues for the operation of the County.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby requests the Governor and the New York State Legislature to adopt special Home Rule legislation as presented in Senate Bill No. S.6945 and Assembly Bill No. A.9302, extending Tax Law Section 253-s; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Dean Skelos, NYS Senate Republican Conference Leader And Majority Coalition Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Independent Conference Leader And Majority Coalition Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Sheldon Silver, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248.

Vote: Roll Call – Adopted.

RESOLUTION NO. 079-14

Introduced by M. Hanna. Seconded by B. Schu.

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the Bridge Replacement (BIN 2016370) Seneca Road over Big Creek in the Village of North Hornell, County of Steuben, P.I.N. 6754.59 (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Steuben desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Project.

NOW, THEREFORE, the Steuben County Legislative Board, duly convened does hereby

RESOLVE, that the Steuben County Legislative Board hereby approves the above subject Project; and it is hereby further

RESOLVED, that the Steuben County Legislative Board hereby authorizes the County of Steuben to pay in the first instance 100% of the federal and non-federal share of the cost of Design phase work for the Project or portions thereof; and it is further

RESOLVED, that the sum of $280,000 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the County of Steuben 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 it is further

RESOLVED, that the Chairperson of the Legislature of the County of Steuben be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Steuben with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Department of Transportation, 107 Broadway, Hornell NY 14843 by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 080-14

Introduced by M. Hanna. Seconded by S. Van Etten.

AUTHORIZING THE IMPLEMENTATION AND FUNDING OF A STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE TRANSPORTATION FEDERAL-AID PROJECT, TO FULLY FUND THE LOCAL SHARE OF FEDERAL AND STATE-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the Bridge Replacement (BIN 2016370) Seneca Road over Big Creek in the Village of North Hornell, County of Steuben, P.I.N. 6754.59 (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Steuben desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Right-of-Way Incidentals work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation pursuant to Agreement.

NOW, THEREFORE, the Steuben County Legislature, duly convened does hereby

RESOLVE, that the Steuben County Legislature hereby approves the Project; and it is hereby further

RESOLVED, that the Steuben County Legislature hereby authorizes the County of Steuben to pay in the first instance the full non-federal share of the cost of Right-of-Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of $1,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the non-federal share of the costs of the Project exceeds the amount appropriated above, the County of Steuben 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 it is further

RESOLVED, that the Chairperson of the Legislature of the County of Steuben be and is hereby authorized to

execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Steuben with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of the non-federal share of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Department of Transportation, 107 Broadway, Hornell NY 14843 by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 081-14

Introduced by L. Crossett. Seconded by G. Roush.

AUTHORIZING THE ACCEPTANCE OF $54,000 FROM THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND APPROPRIATING TO THE ECONOMIC DEVELOPMENT FUND.

WHEREAS, Steuben County has received $54,000 from the Steuben County Industrial Development Agency (IDA) from the sale of substation infrastructure related to SemGas property; and

WHEREAS, the Steuben County Finance Committee, upon recommendation of the County Manager, directs these funds to the Economic Development Fund for future use of promoting innovation and growth in the County.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to appropriate the sum of $54,000 from the Steuben County IDA to the Economic Development Fund (868707-42770000); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 082-14

Introduced by B. Schu. Seconded by D. Farrand.

AMENDING RESOLUTION NO. 019-14 TO ACCEPT A DONATION FROM GOODRICH AUTO WORKS.

WHEREAS, the Steuben County Legislature previously authorized the Emergency Management Office to accept a donation in the amount of $11,000 from Goodrich Auto Works for work to be done on the mobile command vehicle; and

WHEREAS, the mobile command vehicle required more work than what was originally anticipated, increasing the total cost of labor and materials to $17,509.

NOW THEREFORE, BE IT

RESOLVED, Resolution No. 019-14 is hereby amended; replacing the donation amount of $11,000 with $17,509, to reflect the actual cost of labor and materials; and be it further

RESOLVED, that the Director of the Emergency Management Office is hereby authorized to accept the amended donation amount totaling $17,509.00 from Goodrich Auto Works; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Emergency Management and to Mr. Chris Goodrich, Goodrich Auto Works, 7225 Worth Road, Bath, NY 14810.

Mr. Swackhamer asked if a thank you note could be sent to Goodrich on behalf of all of us? Mr. Wheeler replied we can issue a letter to them. Mr. Swackhamer stated that he would like that done.

Vote: Roll Call – Adopted.

RESOLUTION NO. 083-14

Introduced by R. Weaver. Seconded by R. Lattimer.

CONFIRMING THE APPOINTMENT OF THE COUNTY HISTORIAN.

Pursuant to Section 12.09 of the Steuben County Charter.

WHEREAS, **Eleanor Silliman** of Bath, New York, has been appointed by the County Manager as the Steuben County Historian in accordance with the Management Salary Plan under miscellaneous titles; and

WHEREAS, the A.I.P. Committee has recommended the Steuben County Legislature confirm said appointment.

NOW THEREFORE, BE IT

RESOLVED, **Eleanor Silliman** of Bath, New York, appointed as Steuben County Historian, is hereby confirmed by the Steuben County Legislature; and be it further

RESOLVED, that certified copies of this resolution be sent to the above-named appointee and the Personnel Officer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 084-14

Introduced by R. Weaver. Seconded by G. Swackhamer.

AUTHORIZING A PUBLIC HEARING ON LAND SUBMITTED FOR INCLUSION IN CERTIFIED AGRICULTURAL DISTRICTS.

Pursuant to Article 25-AA, Section 303-b, of the Agriculture and Markets Law of the State of New York.

WHEREAS, the Steuben County Legislature established a required annual period from January 15 to February 15 for landowners to submit requests to add agricultural land to certified Agricultural Districts; and

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

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

NOW THEREFORE, BE IT

RESOLVED, that in accordance with Section 303-b of the Agriculture and Markets Law of the State of New York, a Public Hearing on this matter shall be held by this County Legislature on the 19th day of May, 2014, at 10:00 a.m.; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the Chairman of the County Agricultural and Farmland Protection Board, William Brown, 9230 W Waneta Lake Rd, Hammondsport, NY 14840; and the Director of the Steuben County Planning Department.

Vote: Acclamation – Adopted.

RESOLUTION NO. 085-14

Introduced by L. Crossett. Seconded by G. Roush.

RATIFYING AND CONFIRMING THE NOTICE TO BIDDERS AND TERMS OF SALE 2014.

WHEREAS on February 24, 2014 the Steuben County Commissioner of Finance was authorized and directed to establish and publish the terms and conditions of the 2014 Delinquent Tax Auction; and

WHEREAS on April 1, 2014 the Steuben County Commissioner of Finance did present the revised *Notice to Bidders and Terms of Sale 2014* to the Finance Committee of the County Legislature for review and approval; and

WHEREAS on April 8, 2014 the said Finance Committee did unanimously approve the said revised *Notice to Bidders and Terms of Sale 2014.*

NOW THEREFORE, BE IT

RESOLVED, that the revised *Notice to Bidders and Terms of Sale 2014* be and the same hereby is ratified and confirmed; and be it further

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

Mr. Swackhamer asked where will the tax auction be held? Mr. Wheeler replied this year it will be held at the Campbell-Savona High School as the Bath High School is being renovated.

Vote: Roll Call – Adopted.

Motion to combine Resolutions 13 – 19 as one and dispensing with the reading made by Mr. Mullen, seconded by Mr. McAllister and duly carried.

RESOLUTION NO. 086-14

Introduced by R. Weaver. Seconded by P. McAllister.

APPOINTING MEMBERS TO THE MARSH DITCH WATERSHED PROTECTION DISTRICT ADMINISTRATIVE BOARD.

WHEREAS, vacancies have occurred on the Marsh Ditch Watershed Protection District Administrative Board; and

WHEREAS, the following appointee has been recommended for appointment by the District's Board of Directors, the Soil and Water Conservation District, and the Agriculture, Industry & Planning Committee of the Steuben County Legislature for the term indicated:

Dennis Acomb 01/01/14 – 12/31/17
10498 CR 46, Dansville, NY 14437

RESOLVED, that the above-named appointee is hereby appointed to the Marsh Ditch Watershed Protection District Administrative Board for term as indicated; and be it further

RESOLVED, member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Marsh Ditch Watershed Protection District Administrative Board; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the above-named appointee; the Steuben County Auditor; and the Steuben County Soil & Water Conservation District.

Vote: Acclamation – Adopted.

RESOLUTION NO. 087-14

Introduced by J. Hauryski. Seconded by P. McAllister.

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

WHEREAS, the Steuben County Legislature adopted Resolution No. 056-93 on October 25, 1993, authorizing and directing the creation of the Steuben County Conference and Visitors' Bureau and establishing the appointment of voting members on the Board of Directors as staggered three (3) year terms; and

WHEREAS, the term for some Board members expired December 31, 2013.

NOW THEREFORE, BE IT

RESOLVED, the following individuals, as recommended by the Chairman of the Legislature, are hereby appointed as members of the Steuben County Conference and 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	**TERMS**
Jan Ebeling, President/COO, Radisson Hotel, Corning	01/01/14 – 12/31/16
Edward Marden, Owner/General Partner, Camp Bell Campground	01/01/13 – 12/31/15
Linda Wright, General Manager, Fairfield Inn by Marriott	01/01/12 – 12/31/14
Attractions	
Coleen Fabrizi, Executive Director, Corning's Gaffer District	01/01/13 – 12/31/15
Kerry Miller, Tourism Sales Specialist, Corning Museum of Glass	01/01/14 – 12/31/16
Erin Rafalwoski, Marketing Manager, Heron Hill (*filling unexpired term of Kara Smith*)	01/01/12 – 12/31/14

Community-at-Large

Marian Crawford, President, Wayland Area Revitalization, Inc. (*filling unexpired term of Mary Shupp*)	01/01/13 – 12/31/15
Kirk House, Travel Writer & Step-On Guide	01/01/12 – 12/31/14
Ronald F. Leonard, President, Keuka Lakeside Inn	01/01/14 – 12/31/16

Chamber of Commerce Representative

Denise Ackley, President, Corning Area Chamber of Commerce	01/01/14 – 12/31/14

County Manager Designee

Amy Dlugos, Planning Director	01/01/13 – 12/31/15

County Legislators

K. Michael Hanna, District 5	01/01/13 – 12/31/15
Hilda T. Lando, District 2	01/01/12 – 12/31/14

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 Peggy Coleman, Executive Director, Steuben County Conference and Visitors' Bureau, Inc., 1 West Market Street, Baron Steuben Building, Suite 301, Corning, New York 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 088-14

Introduced by J. Hauryski. Seconded by P. McAllister.

APPOINTING THE STEUBEN COUNTY REPRESENTATIVE TO THE BOARD OF DIRECTORS OF THE FINGER LAKES TOURISM ALLIANCE, INC.

Pursuant to Section 224 of the County Law of the State of New York.

BE IT RESOLVED, upon the recommendation of the Chairman of the Steuben County Legislature, **Coleen Fabrizi**, Executive Director of Corning's Gaffer District, be and the same hereby is appointed as the Legislature's representative to serve on the Board of Directors of the Finger Lakes Tourism Alliance, Inc., for a term of three (3) years commencing January 1, 2014 through December 31, 2016; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee at 114 Pine Street, Suite 202, Corning, NY 14830; Peggy Coleman, Executive Director, Steuben County Conference & Visitors' Bureau, Inc., 1 West Market Street, Baron Steuben Building, Suite 301, Corning, NY 14830; and Cynthia Kimble, Executive Director, Finger Lakes Tourism Alliance, Inc., 309 Lake Street, Penn Yan, NY 14527-1831.

Vote: Acclamation – Adopted.

RESOLUTION NO. 089-14

Introduced by J. Hauryski. Seconded by P. McAllister.

APPOINTING MEMBERS TO THE COMMUNITY SERVICES BOARD AND SUBCOMMITTEES.

WHEREAS, vacancies exist on the Steuben County Community Services Board and Subcommittees; and

WHEREAS, Article 41.11 of the Mental Hygiene Law requires that said appointments be made by local government; and

WHEREAS, the County Manager has recommended the following appointments, subject to confirmation by the Steuben County Legislature:

Community Services Board	**TERMS**
1. Vicki Fuerst 7863 Miller Road Avoca, NY 14809	01/01/13 – 12/31/16
2. Robert Cole, M.D. 10101 Grandview Lane Hammondsport, NY 14840	01/01/12 – 12/31/15
3. Nancy Bartell 7 Pearl Street Hornell, NY 14843	01/01/12 – 12/31/15
4. The Honorable Gary D. Swackhamer Steuben County Legislature 3 East Pulteney Square Bath, NY 14810	01/01/14 – 12/31/17
5. Cora Saxton 310 East Naples Street Wayland, NY 14572	01/01/13 – 12/31/16
6. Mark Recktenwald (***filling the unexpired term of Wendy Dresser-Recktenwald***) 8596 Oak Hill Road Arkport, NY 14807	01/01/12 – 12/31/14
7. Mark R. Alger Steuben County Manager 3 East Pulteney Square Bath, NY 14810	01/01/14 – 12/31/17
8. Michael Morrongiello, Ph.D. 44 West Market Street, Suite 201 Corning, NY 14830	01/01/12 – 12/31/15
9. VACANT	01/01/14 – 12/31/17

Mental Health Subcommittee

1. Kathryn Muller, Commissioner Steuben County Department of Social Services 3 East Pulteney Square Bath, NY 14810	01/01/14 – 12/31/17

2.	Gina Reagan St. James Mercy Hospital 411 Canisteo Street Hornell, NY 14843	01/01/12 – 12/31/15
3.	Cora Saxton 310 East Naples Street Wayland, NY 14572	01/01/13 – 12/31/16
4.	Nancy Bartell 7 Pearl Street Hornell, NY 14843	01/01/12 – 12/31/15
5.	Barbara Eskridge P.O. Box 1404 Corning, NY 14830	01/01/14 – 12/31/17
6.	Sylvia Radford 11180 Haradon Road Corning, NY 14830	01/01/13 – 12/31/16
7.	Marcia Ribble Arbor Development 16 West William Street PO Box 31 Bath, NY 14810	01/01/12 – 12/31/15
8.	James F. Agan, Jr. Pathways, Inc. 33 Denison Parkway East Corning, NY 14830	01/01/12 – 12/31/15
9.	Michael Morrongiello, Ph.D. 44 West Market Street, Suite 201 Corning, NY 14830	01/01/12 – 12/31/15
10.	VACANT	01/01/12 – 12/31/15

<u>Chemical Dependency Subcommittee</u>

1.	VACANT	01/01/13 – 12/31/16
2.	VACANT	01/01/14 – 12/31/17
3.	Susan Hooker Hornell Area Concern for Youth 76 East Main Street Hornell, NY 14843	01/01/12 – 12/31/14
4.	VACANT	01/01/14 – 12/31/17

5. James Bassage
Bath Area Hope for Youth
8 Pulteney Square — 01/01/12 – 12/31/15
Bath, NY 14810

6. Gina Reagan
St. James Mercy Hospital
411 Canisteo Street — 01/01/12 – 12/31/15
Hornell, NY 14843

7. Robert Cole, M.D.
10101 Grandview Lane — 01/01/12 – 12/31/15
Hammondsport, NY 14840

8. Mark Recktenwald
8596 Oak Hill Road — 01/01/13 – 12/31/16
Arkport, NY 14807

9. VACANT — 01/01/12 – 12/31/14

Development Disabilities Subcommittee

1. Vicki Fuerst
7863 Miller Road — 01/01/13 – 12/31/16
Avoca, NY 14809

2. VACANT — 01/01/13 – 12/31/16

3. Bernard Burns
Steuben ARC
6838 Industrial Park Road — 01/01/14 – 12/31/17
Bath, NY 14810

4. Mark R. Alger
Steuben County Manager
3 East Pulteney Square — 01/01/12 – 12/31/14
Bath, NY 14810

5. The Honorable Gary D. Swackhamer
Steuben County Legislator
3 East Pulteney Square — 01/01/14 – 12/31/17
Bath, NY 14810

6. Mary Perham
1976 West Shore Road — 01/01/12 – 12/31/15
Bath, NY 14810

7. Michael Okoniewski
Fawn Hill Drive — 01/01/12 – 12/31/14
Hornell, NY 14843

8. Lynn Goodman
Pathways, Inc.
33 Denison Parkway West — 01/01/12 – 12/31/14
Corning, NY 14830

9. VACANT 01/01/12 – 12/31/15

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature shall confirm the appointment of the aforesaid persons to the Community Services Board for the terms indicated; 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 Community Services Board and subcommittees; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; Henry W. Chapman, Psy.D., Director of Community Services; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 090-14

Introduced by C. Ferratella. Seconded by P. McAllister.

OPPOSING THE PRESIDENT'S ELIMINATION OF THE RSVP PROGRAM.

WHEREAS, Steuben County has participated in the RSVP Program for 40 years; and

WHEREAS, the President's proposed FY 2015 budget would eliminate two-thirds of the RSVP Programs allowing only the most competitive one-third to compete for the remaining funding and the Volunteer Generation Fund; and

WHEREAS, the Steuben County RSVP Program has logged more than 69,026 hours of volunteer services to the local community in 2013; and

WHEREAS, 75 Steuben County agencies would no longer benefit from the RSVP volunteer services resulting in reduced services for those most in need within our communities; and

WHEREAS, Steuben County's RSVP volunteers provided over $1,528,247 in value for the hours contributed in 2013 while serving our community with activities varying from volunteer transportation services, medical & non-medical, home delivered meals, tax counseling, family budgeting, disaster mitigation and response services, veteran outreach, library services, museum and historical restoration services, office support workers, and food pantry workers.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature urges the President and Congress to reinstate the funding for the RSVP Program; and be it further

RESOLVED, that the funding levels be reinstated to the pre-2010 levels to maximize the availability of experienced and dedicated volunteer service to our communities; and be it further

RESOLVED, that Steuben County recognizes the invaluable resource volunteers are in everyday activities within our communities; and be it further

RESOLVED, the Clerk of the Legislature shall forward certified copies of this resolution to Honorable Thomas Reed, U.S. Congressman, 80 W. Market Street, Corning, NY 14830; Honorable Kirsten Gillibrand, U.S. Senator, 100 State Street, Room 4195, Rochester, NY 14614; and Honorable Charles E. Schumer, U.S. Senator, 15 Henry Street, Room 100 AF, Binghamton, NY 13901.

<u>Vote</u>: Acclamation – Adopted.

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

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

Motion to Adjourn made by Mr. McAllister, seconded by Mr. Crossett and duly carried.

REGULAR MEETING
Morning Session
Monday, May 19, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on the 19th day of May, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present except Legislators Ferratella, McAllister, Swackhamer and Van Etten.

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

Chairman Hauryski asked Jack Roche and Kathryn Muller to come forward. Mr. Roche is an employee in the Department of Social Services. Ms. Muller thanked the Legislature for the opportunity to say a few words about Jack Roche. Jack began with the Department of Social Services December 12, 1983. He came in as a Social Welfare Examiner working in the Food Stamps Unit. He was three years in when he had the opportunity to hold the title of Caseworker. The Services Division was Jack's calling. Over the years he progressed in his career path, ending his tenure in his current position as Assistant Director of Social Services. As an aside, and Jack I am not sure if you even know this, Jack was promoted to his current position of Assistant Director of Social Services 22 years to the day from his initial start date.

What does this mean to be the Assistant Director of Social Services? What it means is Jack has been overseeing Foster Care, Adoption, Home Care, Adult Protective, Juvenile Justice Services and whatever else is thrown his way. It means long hours, often leaving late, getting called nights and weekends. It means supervising an extensive team, making sure children are protected, safe and receiving services they need. It means making sure families are reunified or termination of parental rights is implemented. It means being professional, polite, patient. It means being kind, driven and flexible. It means being rationale, having fortitude and especially resiliency. It means dedication often at your own expense. Jack Roche has done this, been this and more. He is a man well respected by staff, colleagues, coworkers, outside agencies and administration.

Jack has been on the forefront of reducing foster care placements, detention placements and reducing the lengths of stays. Jack has been a leader in creating permanency for kids and is leaving Steuben County far ahead of the rest of the State. Placements have been reduced by nearly 50 percent, and the average length of stay in Foster Care is 14 months, while the statewide average is 30 months. This has not only saved money, but more importantly, improved the quality of life for the children served. Jack has been a rock and he will leave a hole…he will be missed. I would like to say think you Jack and your family. Thank you for all of your work, your patience, your sense of humor when we needed it most. Thank you for riding the waves, knowing the only consistency was, and is, the inconsistency. You have given over 31 years to public service. While we have fought you on this day, know it is because we will really miss you. Thank you for who you are and for all you have done. Best wishes as you move into the next chapter of your life and we can only hope it is as unpredictable, only in a good way, as the last 31 years have been!

Chairman Hauryski presented Mr. Roche with a Certificate of Appreciation and a plaque in recognition of his over 30 years of service to Steuben County. *CONGRATULATIONS!*

Chairman Hauryski asked Kimberly Stone and Kathryn Muller to come forward. Ms. Stone is an employee in the Department of Social Services. Ms. Muller stated once again I thank you for the opportunity to say a few words about Kim Stone. Both Jack and Kim fought me on a retirement celebration, which goes against every grain in my person, so I do appreciate this opportunity to give them

both some well-deserved recognition. Kim Stone began as a Key Punch Operator working in Medicaid for the Department of Social Services on August 24, 1981. She was promoted to Social Welfare Examiner four years into her career and from there continued to progress, transferring to the Child Support Enforcement Unit in 1990; ultimately assuming the job as Coordinator in 2004.

For the past ten years, Kim has been responsible for the administration of the Child Support Enforcement Unit. Kim has done this effectively, efficiently and with devotion. She is very detail oriented and has brought the Steuben County unit to the forefront of the State. Under Kim's direction and supervision, Steuben County has been consistently ranked 24th in the State for total collections; an impressive ranking for our small to medium size County. Our State and Federal revenues are distributed to local districts based on performance measures. There are five categories; paternity establishment, support establishment for private cases, support establishment for families receiving some form of public welfare benefit, total current support collection and collection of the arrears cases.

Steuben County's performance has exceeded the statewide average for the past ten years by 16 points in all five categories. In the category measuring collections for custodial parents receiving public welfare benefits, Steuben exceeded the statewide average by 31 percent. This is impressive. What this means is non-custodial parents are paying financial support for those families being supported by public assistance programs. We exceeded the statewide average by 31 percent because under Kim's leadership, the staff is diligent in pursuing support, finding absent parents, and finding hidden resources. The benefits are two-fold. Some cases will close, preventing further costs to the County. In cases where there is no closure, the support payment is assigned to the County. Equally important is the benefit to the children. Their families are in a better economic position and frequently there is improved healthcare coverage. Often child support is thought of in terms of money. We must not lose sight of the quality of life improvements for families that comes with this work.

I commend Kim on her leadership. Her passion and her style of management has fostered enthusiasm, dedication and a level of competence demonstrated by statewide statistics. Kim will also leave a hole. She brought a unique perspective and a great sense of humor. She will forever be remembered for her constant reminder that what happens in staff meetings stays in staff meetings. Thank you, Kim, for your 32 plus years of service to Steuben County. We wish you only the best as you move into your next chapter.

Chairman Hauryski presented Ms. Stone with a Certificate of Appreciation and a plaque in recognition of her 32 years of service to Steuben County. *CONGRATULATIONS!*

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

Terrence O'Neill stated that he is the Program Manager for the ProAct, prescription discount card program. Statewide, in 2005, residents filled 4.5 million prescriptions for a savings of $171 million. This shows there is a need for this program across the State and that it is doing what it was intended to do. Our goal for 2014 is to continue to increase awareness of this program to residents to enable them to get the best available price for their prescriptions. Steuben County implemented this program in October of 2008. Over the past six years, residents in Steuben County have filled 86,000 prescriptions. They have seen a savings of 59 percent on every prescription which totaled $3.4 million. Mr. O'Neill sated that representatives from ProAct will be contacting pharmacies throughout the County and providing them with additional cards and information sheets. We are also reaching out to local organizations such as community centers. Thank you for your efforts and your support of this program.

Mr. Booth stated as a pharmacist, it is very difficult to process the claims. That is a big issue with almost all of the discount card programs. Mr. O'Neill stated that they are in the process of reprinting the cards to help solve that problem. Additionally, if the pharmacy can offer a lower cash price, it will automatically

go through the system. Mr. Weaver commented that he, too, is a pharmacist and the program is very good and he uses it for people who come in and do not have insurance.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing relative to land submitted for inclusion in certified agricultural districts 3,6 and 10 during the 2014 annual thirty-day review period. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

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

Mrs. Lando announced that she distributed a flyer advertising the upcoming Memorial Day Celebration that will be held in Corning on May 26, 2014 from 4pm – 7pm. She encouraged all to attend.

RESOLUTION NO. 091-14

Introduced by L. Crossett. Seconded by D. Farrand.

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

RESOLVED, as it appears to be in the best interest of the County to sell the properties listed on Schedule "A" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof; and be it further

RESOLVED, the said grantee(s) must accept the parcel "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel if need be; and be it further

RESOLVED, that certified copies of this resolution contained in Schedule "A" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1
Former Owner	Harold Wyant
In Rem Index No.	2010-1966CV, Judgment Filed 04/29/2014
Parcel No.	213.00-01-054.100
Municipality	Hartsville Town
Grantee(s)	Harold Wyant, Attn: Michael Carbone
Grantee(s) Address	5123 Henry Jenkins Rd., Hornell, NY 14843
Consideration	$15,989.20, together with $180.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	A-2
Former Owner	Raymond W. Conner & Earle J. Robbins, Jr.
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	401.00-01-009.000
Municipality	Woodhull Town
Grantee(s)	Raymond W. Conner & Earle J. Robbins, Jr.
Grantee(s) Address	101 Columbia St., Apt. 310, Corning, NY 14830
Consideration	$712.22, together with $180.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	A-3
Former Owner	Mark Gurnsey
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	205.00-01-026.000
Municipality	Thurston Town
Grantee(s)	Mark Gurnsey
Grantee(s) Address	47 Church St., Savona, NY 14879
Consideration	$2,270.00, together with $305.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	A-4
Former Owner	Nelson & Linda Norton
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	109.00-01-029.000
Municipality	Fremont Town
Grantee(s)	Nelson & Linda Norton
Grantee(s) Address	49 Catherine St., Hornell, NY 14843
Consideration	$1,315.44, together with $180.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	A-5
Former Owner	Morris O. Weidenhammer
In Rem Index No.	2011-1564CV, Judgment Filed 04/29/2014
Parcel No.	310.00-03-017.000
Municipality	Rathbone Town
Grantee(s)	Joseph D. Jones
Grantee(s) Address	70 Korman Rd., Bayville, NJ 08721
Consideration	$13,795.00, including $180.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	A-6
Former Owner	Samuel A. Nesbit
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	234.00-01-002.000
Municipality	Canisteo Town
Grantee(s)	Samuel A. Nesbit
Grantee(s) Address	4781 Bush Hill Rd., Canisteo, NY 14823
Consideration	$8,353.14, together with $180.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	A-7
Former Owner	Harold K. Bulkley & Deborah K. Bulkley
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	225.03-01-003.000
Municipality	Campbell Town
Grantee(s)	Phyllis Gurnsey
Grantee(s) Address	4932 County Rd. 17, Campbell, NY 14821
Consideration	$3,820.00, together with $180.00 recording fees

Resolution No.	A-8
Former Owner	Charles L. Stever
In Rem Index No.	104021, Judgment Filed 05/06/2013
Parcel No.	141.00-03-018.000
Municipality	Howard Town
Grantee(s)	Charles L. Stever
Grantee(s) Address	4581 Arnold Rd., Bath, NY 14810
Consideration	$6,837.16, together with $180.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Vote: Roll Call – Adopted.

RESOLUTION NO. 092-14

Introduced by J. Hauryski. Seconded by R. Weaver.

RECEIVING AND ACCEPTING THE MAY 19, 2014 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY MANAGER'S OFFICE.

BE IT RESOLVED, that the following communications were received, accepted and filed by the County of Steuben, and **referred to the appropriate Standing Committee and/or Department Head for information and/or action,** to wit:

April 18, 2014

New York State Office of Parks, Recreation and Historic Preservation – Re: Notification of the Martin A. Quick House located at 123 W. Morris Street, Bath, NY in Steuben County is now listed on the National Register of Historic Places as of March 31, 2014. ***Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Eleanor Silliman, Historian.***

New York State Homes & Community Renewal – Re: Notification of award for the 2013 New York State Community Development Block Grant (CDBG) Project#1115HR3-13 in the amount of $198,000 as part of the 2013 Competitive Housing Round to assist in addressing the affordable housing needs. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

April 22, 2014
New York State Homes & Community Renewal – Re: New York State Community Development Block Grant (CDBG) Project#1115HR3-13 Grant Agreement. The signed grant needs to be returned within 45 days. Referred to: ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

April 23, 2014
New York State Division of Homeland Security and Emergency Services – Re: Notification of being awarded $42,358 under the FY2014 Emergency Management Performance Grant (EMPG). ***Referred to: Public Safety & Corrections Committee; and Tim Marshall, EMO Director.***

April 24, 2014
Town of Thurston – Re: Letter on an animal cruelty matter not pursued by the Steuben County Animal Cruelty Investigator. ***Referred to: A.I.P. Committee; and Mark Alger, County Manager.***

April 29, 2014
Finger Lakes SPCA – Re: Correspondence letter on an ongoing matter with the SPCA. ***Referred to: A.I.P. Committee; and Mark Alger, County Manager.***

May 2, 2014
Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and CFA Apartments, LLC is scheduled for Tuesday, May 20, 2014 @ 10:00 am at the Corning Area Chamber of Commerce, 1 West Market Street, Suite 202, Corning, New York. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

Steuben County Rural Ministry – Re: Thank you letter for the donation to the Food Bank of the Southern Tier. ***Referred to: Steuben County Legislature.***

May 5, 2014
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $3,290 which represents the March 2014 surcharge revenue for Steuben County. ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 093-14

Introduced by L. Crossett. Seconded by R. Lattimer.

ADOPTING THE REVISED *RULES OF PROCEDURE* OF THE STEUBEN COUNTY LEGISLATURE.

WHEREAS, by draft dated April 8, 2014, a comprehensive proposed revision of the *Rules of Procedure* of the Steuben County Legislature was proposed; and

WHEREAS, said draft has been filed with the Clerk of the Legislature of the County of Steuben and distributed to the individual members of the Legislature, distribution of same being acknowledged and recorded as a matter of record; and

WHEREAS, said draft *Rules of Procedure* was presented to the Steuben County Legislature by resolution duly adopted April 28, 2014.

NOW THEREFORE, BE IT

RESOLVED, that the revisions and amendments contained in the draft *Rules of Procedure* of the Steuben County Legislature dated April 8, 2014, are hereby adopted; and be it further

RESOLVED, a copy of the adopted *Rules of Procedure* shall be forwarded to each County Legislator and each County Department.

(AMENDED 10/26/09)

DRAFT – APPROVED BY ADMINISTRATION COMMITTEE 4/8/2014

RULES OF PROCEDURE
STEUBEN COUNTY
LEGISLATURE

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STEUBEN COUNTY LEGISLATURE
Effective August 23, 1993

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1. ORGANIZATION OF THE LEGISLATURE

Each even numbered year the Clerk of the Legislature shall take the Chair at the hour to which the members were summoned to meet and organize. Presence of Legislators sufficient to constitute a majority of the voting strength of the entire Legislature shall constitute a quorum and a majority vote of the legislative membership necessary for the election of a chairperson to serve for the period prescribed by law and these Rules of Procedure for two years and for the transaction of business, but a less number may adjourn. The Clerk shall call the meeting to order and open the meeting for the election of one of its members as temporary chairperson by a majority vote of the voting strength. According to the will of such majority, the temporary chairperson, majority or minority leader, shall open the meeting for nominations and elections, or declare an Executive Session or Caucus. After such Caucus or Executive Session, the Legislature shall again meet in open session.

a. The procedure to nominate, vote and declare the result shall be as follows:

(1). Nominations of candidates shall be made from the membership of the Legislature and each nomination shall be seconded.

(2). After nominations have been duly closed, the procedure of voting shall be by roll call vote. The roll will be called for each candidate in alphabetical order. In the event no candidate receives an affirmative vote of the majority of the voting strength of the legislative membership on the first roll call vote and there should be no declared winner after the second roll call vote on the candidates originally voted on then, in such event, the candidate with the fewest votes shall be eliminated after the second roll call vote. If there shall not have been a majority vote for a candidate after the taking of a third roll call vote, the same provision would apply after the fourth roll call vote and any further votes which may be necessary depending upon the number of candidates in nominations, for election of the Chairperson of the Legislature.

If, after any even numbered vote, there is no one candidate with fewer votes, then every candidate shall remain in contention until one person receives fewer votes than all the other candidates. In any event, should there be two (2) Legislators in contention for election as Chairperson, they shall continue to remain in contention until such time as one receives the requisite affirmative vote of the majority of the voting strength of the Legislature.

In the absence of the Clerk of the Legislature, the Deputy Clerk of the Legislature shall perform the duties of the Clerk.

. The acting chairperson shall possess no powers nor perform any duties other than to preside over a meeting. In the event a chairperson is not elected before February 1 in an organizational year, or if a vacancy shall occur for more than 30 days, the chairperson shall be appointed by the County Clerk.

b. The election of the Vice-Chairperson of the County Legislature shall follow the same procedure as the election of the Chairperson of the County Legislature, provided above. The Vice Chairperson shall be vested with the powers, duties and responsibilities as provided in County Law Section 151, Subdivision 6-a. and in accordance therewith. In the absence of the Chairperson and Vice Chairperson, the Majority Leader shall preside over a meeting of the Legislature. In the absence of the Chairperson, Vice Chairperson and Majority Leader, the Minority Leader shall preside over a meeting of the Legislature. In the event the Vice-Chairman position is not filled on or before February 1 in an organizational year, or if a vacancy shall occur for more than 30 days, the position shall be filled in the same manner as Chairperson of the Legislature.

c. In the absence of the Chairperson, Vice Chairperson, Majority Leader and the Minority Leader, the Legislature by a majority vote may elect a temporary chairperson to preside over meetings during the absence of the Chairperson, Vice Chairperson, Majority Leader and Minority Leader. The temporary chairperson shall be elected in the same manner as the chairperson to serve for that meeting only.

In the event of a vacancy in the office of Chairperson, the Vice-Chairperson, Majority Leader or Minority Leader, as provided above, of the Legislature shall summon the members of the Legislature to a meeting for the purpose of filling the vacancy. The successor shall be elected in the same manner as at the meeting to organize. In the absence of the Vice-Chairperson, Majority Leader or Minority Leader of the Legislature, the summons shall be given by the Clerk of the Legislature and (s)he shall preside. The Legislator receiving the requisite affirmative vote of the weighted voting strength of the membership of the Legislature shall be declared elected and shall serve for the unexpired term of chairperson.

In the event no successor chairperson is elected, the Legislature by majority vote shall have the power to name an acting chairperson, who shall preside over meetings until a chairperson is elected by the Legislature or appointed by the County Clerk. The acting chairperson shall possess no powers nor perform any duties other than to preside over a meeting.

d. The procedure for designation of majority and minority leaders shall be as follows:

Each even numbered year the political parties having the largest and next to largest membership represented on the County Legislature shall elect from among their members a leader. The leader of the political party having the greatest membership on the Legislature shall be known as the "majority leader", and the leader of the political party having the next greatest membership on the Legislature shall be known as the "minority leader". A resolution appointing the Majority Leader shall be presented and approved by the majority of the members of the political party having the greatest membership on the Legislature. A resolution appointing the Minority Leader shall be presented and approved by the majority of the members of the political party having the next greatest membership on the Legislature. Said resolutions shall be adopted by roll call vote. The appointment of the Majority Leader and Minority Leader must be accomplished before February 1 of the year in which the Legislature is organized.

If either or both such leader(s) is/are not elected on or before said February 1, then the Clerk of the Legislature shall solicit nominations for same from the Chairperson of the affected party or parties. That nomination shall be placed before the Legislature at the next regular meeting and shall, upon vote of the membership of the members of that party or parties, be elected to said position by a simple majority vote of the Legislators of that party then in attendance. Such nomination shall be of a member of the party so nominated and a member of the Legislature.

2. TIME OF MEETINGS, AGENDA AND PRESENTATION OF RESOLUTIONS

Regular meetings shall be convened on the fourth Monday of each month at 10:00 A. M., in the Legislative Chambers located in the County Office Building, Village of Bath, New York, unless the Legislature or Chairperson of the Legislature specify another meeting day, time or place in a notice mailed at least one week previous to the meeting. At least four days previous to the meeting, the Clerk shall prepare and post on the County website an agenda containing the titles of all resolutions, legalizing acts and local laws or other business contemplated for consideration at such meeting under general orders for the day. Notification of the posting of said agenda shall be made by email to each Legislator, county department official, media and the Presidents of the three bargaining units representing the employees of Steuben County. There shall be at least one regular meeting per calendar month.

Special meetings may be convened at any time in compliance with Section 152 of the County Law of the State of New York.

Legislature’s agenda, each Legislator may submit the same to be approved by the appropriate Standing Committee. In order for a county officer to place a resolution on the Legislature’s agenda, each county officer must review the item with the County Manager prior to submitting the resolution to the appropriate Standing Committee for approval. It is recommended that resolutions be in written form when submitted to Committees for approval . A resolution that involves an additional appropriation or a transfer of funds shall also be presented to and approved by the Finance Committee prior to being placed on the agenda. A resolution that involves the salaries and compensation of county employees shall also be presented to and approved by the Administration Committee prior to being placed on the agenda. When requested by a Legislator, the Clerk of the Legislature shall prepare proposed resolutions. Resolutions shall be written by the Department Head presenting the item in Standing Committee. Any proposed Local Laws shall be written by the County Attorney. All resolutions shall be

approved as to form by the County Attorney prior to being presented. All resolutions shall be provided to the County Attorney at least eleven (11) days prior to the regular meeting.

Any resolutions requiring action by the Legislature at such meeting which are not filed as above stated and not on the agenda for such meeting will not be entertained unless of an emergent nature requiring immediate action duly authorized by unanimous, affirmative vote of the Legislators attending such meeting of the Legislature, or the number required pursuant to Rule 16B (7).

3. **CALL TO ORDER OF OPEN MEETINGS**

The Chairperson shall take the chair at the hour to which the Legislature shall have adjourned, recessed, or called to convene. The statement by him that "the Legislature will come to order" shall open the meeting. Presence of Legislators sufficient to constitute a majority of the voting strength of the entire Legislature shall constitute a quorum and a majority vote of the membership of the Legislature necessary for the transaction of business. A lesser number may recess or adjourn. The Chairperson shall cause the roll to be called of those present. The Clerk shall enter in the minutes "quorum present", and subsequently record late arrivals.

4. **ORDER AND DECORUM AT OPEN MEETINGS**

The Chairperson shall preserve order and decorum at all times. In the event of demonstrations interfering with the orderly conduct of business, the Legislature may recess, or the Chairperson may call upon the office of the Sheriff to restore order.

5. **PRESENCE OF PUBLIC AT OPEN MEETINGS**

The meeting shall be open to the public and the Chairperson may designate the places where the public and press may be seated.

Members of the public wishing to address the Legislature must sign in at least 5 minutes prior to the start of the meeting and provide their name, address and the subject matter. The Chairperson of the Legislature shall decide if a member of the public shall be entitled to address the Legislature subject to a majority vote of the Legislature to the contrary. In any event, ten (10) minutes of each regular meeting shall be made available to the public to address the Legislature.

In bringing matters before the Legislature for consideration, the Chairperson shall consider the number desiring to speak and its importance, in order that the number and time may be allotted commensurate with courteous recognition of the privilege of the public to attend and be heard. The Chairperson shall determine the order in which matters shall be presented and those speaking shall confine their remarks to the subject matter and refrain from personal reflections other than to explore an ulterior motive, and shall be of no more than five (5) minutes duration. Subject to a majority vote of the Legislature to the contrary, the speaker shall take his seat upon request of the Chairperson.

6. **PRESENCE OF COUNTY OFFICERS AND EMPLOYEES AT OPEN MEETINGS**

request of the Chairperson, or of any Legislator, a designated county officer or employee shall attend the meeting and answer any questions pertinent to his office or employment. Any county officer may attend and present upon any matter pertaining to their office under “Reports of County Officers”. Subject to a majority vote of the Legislature to the contrary, the Chairperson shall determine the order in which the matters are to be presented. The Clerk shall enter in the minutes the presence of the officer or employee and in brief the subject matter. The County Attorney and County Manager shall be present during all of the meeting, unless excused by the Chairperson. Department Heads need not be in attendance at said meetings unless an item pertaining to their department is contained in the agenda.

7. **ORDER OF BUSINESS AT OPEN MEETINGS**

Subject to a majority vote of the Legislature to the contrary, the Chairperson shall decide all questions on the order in which business is to be transacted. "I rise to the point of order", or similar statement on the part of a Legislator shall require the

Chairperson to decide the question of order and he will assign his reasons therefore. Upon a Legislator saying he appeals the decision, the Chairperson shall put the question of order to a vote of the Legislature. The result of a majority vote of the Legislature shall be final. The Clerk shall enter in the minutes that the Chairperson was "sustained" or "reversed", as the case may be.

Unless otherwise determined, the order of business shall be as follows:

a. INVOCATION shall be offered at the beginning of each and every open meeting of the Steuben County Legislature on a rotating basis of all Legislators wishing to participate.

b. THE PLEDGE OF ALLEGIANCE to the Flag of the United States of America shall follow the Invocation at each and every open meeting of the Steuben County Legislature on a rotating basis of all Legislators wishing to participate.

c. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING. The Chairperson shall inquire of the Legislature whether or not there are any errors or omissions in the printed minutes. Correction of any error or omissions shall be made. The Chairperson shall announce that the minutes as printed or as corrected are approved and the Clerk shall enter in the minutes a statement to that effect.

d. PRESENTATION OF REPORTS OF STANDING COMMITTEES. Written reports shall be signed by a majority of the committee membership. In the event of a divided recommendation, the majority and minority reports shall be signed by the respective committee membership. Written reports shall be received and directed to be printed in the annual proceedings of the Legislature unless it contains slanderous or defamatory statements. The Legislature by majority vote may require oral reports to be reduced to writing.

e. PRESENTATION OF REPORTS OF SPECIAL COMMITTEES. The foregoing provision relative to standing committees shall apply to the reports of special committees.

f. PRESENTATION OF REPORTS OF COUNTY OFFICERS AND AUTHORIZED AGENCIES. The foregoing provision relative to reports of standing committees shall apply to the reports of county officers and authorized agencies. Except for the County Manager, all oral reports shall in no event exceed ten (10) minutes duration. However, the Chairman shall have discretion to grant an extension of such time limit, as he deems appropriate. The limitation of ten (10) minutes shall not apply to presentations requested pursuant to subparagraph "g" herein, "GENERAL ORDERS FOR THE DAY AND INTRODUCTION OF RESOLUTIONS, LEGALIZING ACTS AND LOCAL LAWS".

g. GENERAL ORDERS FOR THE DAY AND INTRODUCTION OF RESOLUTIONS, LEGALIZING ACTS AND LOCAL LAWS. The Chairperson shall call for consideration such matters as are included on the agenda. The Chairperson may call for consideration of any matter included within his powers and duties as the administrative head of the county government. The Legislature may consider any matter not included on the agenda, except that any subject matter theretofore laid upon the table shall not be considered under general orders for the day.

h. UNFINISHED BUSINESS. The Chairperson shall call for the reconsideration of any subject matter therefore laid upon the table if in the resolution it was directed to be brought up at the meeting. When, in the previous resolution, no time was specified for its reconsideration, it can be called for reconsideration upon a majority vote of the Legislature.

i. ADJOURNMENT. Adjournments shall be taken to a certain date or to the date of the next regular meeting, except that the last meeting of the year shall be adjourned.

8. **PROCEDURE ON ADOPTION OF RESOLUTIONS, LEGALIZING ACTS AND LOCAL LAWS**

In proposing an oral resolution, the Legislator shall state the contents of his resolution, together with a statement in substance, "I offer the resolution and move its adoption". The reading of the title of a written resolution, legalizing act or local law, together with the name of the sponsoring Legislator shall constitute a motion for its adoption. All motions must be seconded. In proposing an oral resolution, the Legislator shall state the contents of his resolution, together with a statement in substance, "I offer the resolution and move its adoption". In the absence of a motion to withdraw, to amend, to table or to substitute, the Chairperson shall put the resolution to a vote of the legislative membership.

Except as hereinafter provided, the vote shall be by acclamation, with the Chairperson announcing, "you have considered the resolution, all in favor signify by saying aye, opposed no". The Chairperson shall declare the results and the Clerk shall enter the result in the minutes. Upon request of any Legislator, the Clerk shall enter in the minutes the manner in which he voted.

The ayes and nays shall be taken on all resolutions or questions requiring a roll call vote of the Legislature when required by statute, or demanded by any member of the Legislature. In general the vote of the Legislature shall be taken by roll call on all resolutions or on questions involving appropriation or expenditure of money and on all money or financial matters of the county, and the following types of resolutions or questions:

a. Final Adoption of Local Laws.

b. Legalizing acts.

c. Levying taxes on all tax matters.

d. Making or confirming appointments, except those in the exclusive discretion of the Chairperson the Legislature and for those which no compensation or salary is made.

e. Pertaining to any and all real and personal property of the county, now owned or acquired in any manner.

f. Creating any office or commission, by whatever title known, when not required by local law; or creating a standing committee.

g. Regulations concerning any and all county officers and employees including the Chairperson of the Legislature and Legislators.

h. Designating official newspapers and depositories.

i. Amending County Highway system map.

l. Proposing legislation requested of the State of New York when it relates to Municipal Home Rule Requests for the benefit of the County of Steuben.

m. Submission of any proposition to the electors of the county.

l. Relating to public records.

m. Amendments, repeal or superseding of these Rules.

Upon a roll call vote the Chairperson shall announce that the Legislature has considered the resolution, legalizing act or local law, as the case may be, and as each name is called, the Legislator shall answer aye or no. The Clerk shall record the vote of each Legislator. The names of absent Legislators need not be called more than once. Any Legislator may decline to vote and shall state his reason, subject to a majority vote of the Legislature to the contrary. The Clerk shall use a revolving alphabetical order on all roll call votes.

No Legislator may vote upon a resolution in which he has a personal interest.

Every resolution, legalizing act, local law and proposition for its adoption by the Legislature shall require the affirmative vote of a majority of the voting strength of the entire Legislature. A majority of the voting strength is hereby defined as 4,937 votes of the membership of the Legislature except as otherwise provided by law or these rules. An affirmative vote of 5,924 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a three-fifths vote of the legislative membership; an affirmative vote of 6,582 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a two-thirds vote of the legislative membership; an affirmative vote of 7,404 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a three-fourths vote of the legislative membership; and an affirmative vote of 7,898 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a four-fifths vote of the legislative membership.

The vote shall be counted and the Chairperson shall declare the result. The Clerk shall enter in the minutes and shall cause to be printed in the annual proceedings the vote of each Legislator and the declaration of the Chairperson on the result. When the vote is not unanimous the names of those voting in the minority and the names of absentees will be printed.

While a vote is being taken, no Legislator or person shall leave his seat nor engage in conversation.

A resolution duly moved for adoption and seconded may not be withdrawn by the sponsoring Legislator except in conformity with Robert's Rules of Order permitting the withdrawal of a motion. A motion to lay on the table, or to refer to a committee or to recess, or to adjourn, which is duly seconded shall be put to a vote of the legislative membership before any further business is transacted and the result of a majority vote of the legislative membership shall be final.

After a resolution has been duly moved for adoption and seconded and before it is put to a vote of the legislative membership, any Legislator may move to modify the terms of the resolution in one or more particulars. If the sponsoring Legislator(s) accept(s) the amendment, the resolution shall be put to a vote of the legislative membership as if the original resolution had been so amended. If an amendment is not accepted by the sponsoring Legislator and it has been seconded, the Chairperson shall first put an amendment to a vote of the legislative membership. In the event of more than one amendment duly made and seconded, the Chairperson shall put the amendments to a vote of the legislative membership in the reverse order thereof. If the amendments are not voted by the required number of the legislative membership, the Chairperson shall then put to a vote the original resolution without amendment.

Resolutions may be amended, repealed or superseded.

Following presentation of a Local Law to the full Legislature, said Local Law shall be laid upon the desks of members of the Legislature until the next regularly-scheduled meeting where it will be presented for Final Adoption following the holding of a public hearing. If the proposed local law is amended, it shall be rewritten and reproduced in its amended form. Pursuant to Municipal Home Rule §20(4), said local law, as amended, shall be laid upon the desks of members of the Legislature (proposed Local Laws shall be deemed laid upon the desk of a member of the Legislature when it is either: deposited in the Legislator’s mail box maintained by the Steuben County Legislature; sent via email; and/or posted on the County website) at least seven calendar days, exclusive of Sunday, before it may be acted upon.

The Chairman of the Legislature shall have authority to certify as to the necessity for a Local Law’s immediate passage. Upon the declaration of a message of necessity, the required waiting time can be waived and such Local Law may be passed by the affirmative vote of two-thirds of the total voting weight of the Legislature, following the holding of a public hearing. Simultaneously with the placement and mailing of the proposed Local Law to members of the Legislature, a public hearing shall be set by the Clerk of the Legislature relative to the adoption of said proposed Local Law for the next scheduled meeting of the Legislature and, in no case, sooner than five calendar days.

9. **FORM AND CONTENTS OF RESOLUTIONS**

All resolutions required to be voted upon by roll call vote shall be in writing. There shall be a title prefixed concisely stating the contents and a recital of the provision of law authorizing its adoption and whether it amends, repeals, or supersedes a

previous resolution.

The contents shall embrace but one subject. A provision therein relative to the manner of financing necessary to make its object effective shall not be deemed another subject.

When a committee resolution sponsored by a Committee Chairperson is introduced to the full Legislature it will include a notation of the vote of each committee to which it has been presented, i.e., 5-0, 4-1, 3-2, 3-0, 3-1, or submitted to the Legislature for their consideration without committee recommendation of any nature.

10. **RIGHT OF DEBATE IN OPEN MEETINGS**

All motions duly made and seconded are debatable. No debate shall be allowed upon the main question, when the motion is to refer to a committee, go into an executive session or caucus, lay a resolution on the table, recess, or adjourn. No person other than a Legislator may debate a question without permission of all the Legislators present. The County Attorney shall advise the Legislature on legal questions. No Legislator shall speak more than once on the same question until every member desiring to speak on such question shall have spoken. No Legislator may speak more than twice on any question without permission of a majority vote of the legislative membership. Before speaking a Legislator must be recognized by the Chairperson and, when two or more Legislators shall rise at the same time, the Chairperson shall determine whom he will recognize. In speaking, the Legislator shall confine his remarks to the question and refrain from personal reflections other than to expose an ulterior motive. While speaking, any other Legislator may rise and ask if the speaking Legislator will yield to a question. If the speaking Legislator yields, the question may be asked and answered without prejudice to the Legislator in continuing his remarks. While a Legislator is speaking no other Legislator or other person shall engage in any conversation nor pass between him and the Chair. If a Legislator rises to the point of order, the Chairperson shall decide and may assign his reasons therefore. Upon a Legislator appealing from the decision, the Chairperson shall put the question of a violation to the vote of the Legislature. The majority vote of the legislative membership shall be final and the Clerk shall enter in the minutes that the Chairperson was "sustained" or "reversed", as the case may be. Pending the rising to the point of order, and until the decision or vote is taken and declared, the speaking Legislator shall sit down and refrain from talking.

When the Legislators are ready for the question, the Chairperson shall put the main question to a vote of the legislative membership. When it appears that a question should be divided, a motion may be made dividing the question and such motion shall take precedence.

11. **USE OF A GAVEL IN OPEN MEETINGS**

The Chairperson shall rap the gavel three times to bring all Legislators to their seats upon call of the Legislature, or to restore order; two raps for the legislative members to stand and one rap to sit down and in the announcement of the result of a vote by the legislative membership.

12. **CHAIRPERSON TAKING THE FLOOR IN OPEN MEETINGS**

Whenever the Chairperson desires to make a motion or be recognized in entering into a debate, he shall step down from the chair. The Vice-Chairperson of the Legislature shall take the chair and he shall preside as in the case of a temporary chairman. In the absence of the Vice-Chairperson, the Chairperson the Legislature shall designate a Legislator to take the chair and he shall preside as in the case of a temporary chairperson.

13. **CLOSED MEETINGS IN EXECUTIVE SESSIONS**

Any Legislator may move to go into Executive Session for matters authorized under Public Officers Law, Section 105. Each motion to go into executive session shall contain a specific statutory reference for the exemption to Open Meetings Law requirements. If the executive session pertains to more than one topic of discussion, the number of topics and the specific statutory exemptions for each topic shall be made a part of the motion to go into executive session. Once the executive session has been convened, the first order of business is to confirm that the subject for which the executive session was called is legal and necessary. The County Attorney will make a decision as to the legality of the executive session.

No official action, except as authorized by statute, shall be transacted and no part shall be construed as limiting the exemptions available under Public Officers Law, Section 108, including, but not limited to, deliberations of political committees, conferences and caucuses.

Whenever practicable, motions pertaining to the outcome of topics discussed in executive session shall be made in open session immediately after the executive session has ended.

NO EXECUTIVE SESSION PARTICIPANT IN OPEN SESSION SHALL DISCLOSE WHAT BUSINESS MAY HAVE BEEN TRANSACTED IN SUCH EXECUTIVE SESSION OR THE REMARKS OF ANY EXECUTIVE SESSION PARTICIPANT.

14. **GENERAL FUNCTION OF COMMITTEES**

All committees shall aid in the performance of the powers and duties of the Legislature.

the Chairperson of the Legislature. All Legislator members of a committee shall be appointed by the Chairperson of the Legislature and he shall be an ex-officio member of each. The first named shall be the chairperson of the committee and in the absence of some other designation by majority vote of the committee itself, the second named shall be the vice chairperson thereof. Any vacancy shall be filled by the Chairperson of the Legislature without delay. A standing committee shall consist of members of the Legislature only.

until the committee is discharged.

c. GENERAL EXERCISE OF JURISDICTION. Committees shall familiarize themselves with the subject matter over which jurisdiction has been conferred by these Rules of Procedure. Committees having an office or function in charge shall report any neglect of duty, or failure to comply with rules and directions of the Legislature. They shall render advice and counsel on matters deemed helpful in the performance of the duties of the office or function. Although the Legislature shall always be open for county officers and employees upon any matter involving the office or function, the committee and/or County Manager shall represent them before the Legislature and so far as practical, every county officer and employee shall look to the committee and/or the County Manager for that representation. Criticism and recommendations of State departments or other official bodies shall be considered with the department head or officer. Matters referred to a special committee shall be promptly considered and a report made thereon as soon as practicable.

The Chairperson of the Legislature shall have voting power on a committee. Three Legislators shall constitute a majority of a committee of five; four Legislators shall constitute a majority of a committee of seven; and five Legislators shall constitute a majority of a committee of nine. The affirmative vote of a majority of a committee shall be necessary for any official report; however, a minority report of any committee may be given. The individual voting strength of each member of a committee shall be deemed equal for committee purposes only. Except to the extent as provided by these rules, in the event the committee is authorized or delegated to act on behalf of the entire Legislature, the individual voting strength of each member shall be counted.

All requests for additional appropriations or changes in the schedule of compensation shall be referred by the County Manager to the appropriate Standing Committee and, in turn, such committee shall make its recommendation to the Finance Committee or Administration Committee, as the case may be. Nothing herein shall be deemed to deprive the Finance Committee or Administration Committee of making contrary recommendations to the Legislature.

The Chairperson of each committee shall have the power:

(1). to divide the County into districts and assign territory to the members of his committee, when deemed necessary for the better performance of duties;

(2). to designate one or more members to attend meetings with other committees, boards, or other

groups, whenever the matter being considered comes within the jurisdiction of his committee;

(3). subject to the approval of the Chairperson of the Legislature, to authorize all or any part of his committee to attend a conference or school conducted for the betterment of county government, and

(4). to require such reports and information from the members of his committee as he deems necessary.

d. MEETINGS OF COMMITTEES GENERALLY. The Chairperson of the committee may call meetings of the committee at such times and places as deemed convenient. The notice may be oral or in writing and in compliance with Public Officers Law, Section 104. The Chairperson of the committee shall preside. During the absence or inability of the Chairperson, the Vice Chairperson of the committee may call meetings and preside. Upon request of any member of the committee, the Chairperson of the Legislature, the County Manager and the County Attorney shall attend unless the absence is excusable. Performance of other official duties shall be a valid excuse. Upon request of any member of the committee, any county officer or employee, shall attend and furnish any information pertinent to his office or employment unless the absence is excusable.

Whenever the matter under consideration involves the jurisdiction of more than one committee and the Legislature has not designated any particular committee, the Chairmen of all the committees involved shall be notified and the committees may meet in separate or joint meeting. In a joint meeting, the members of the committees shall, by majority vote, determine the presiding officer.

Meetings are open to the public or to county officers and employees. Members of the public wishing to address a Standing Committee shall submit a request to the Committee Chairperson asking to be placed on the Committee agenda. The Chairperson shall determine the order of business, and, taking into consideration the number of persons desiring to speak and the importance of the subject matter, time may be allotted commensurate with the privilege to appear and be heard.

The Clerk of the Legislature's Office is responsible for ensuring minutes are taken at all committee meetings. If necessary, the Clerk of the Legislature shall make a request to any Department Head to utilize one of their employees for this purpose. Minutes shall consist of a list of all those attending and a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. The minutes shall be filed in the office of the Clerk of the Legislature, and shall be available to the public under the provisions of the Public Officers Law of the State of New York.

e. ADVICE AND COUNSEL OF CITIZENS AND ORGANIZATIONS. Each committee is empowered to seek the advice and counsel of citizens and organizations in making a study of any subject matter. Such persons or representatives of organizations shall not be members of the committee nor have any voting power. Authority to pay any such person or organization for services must be granted by resolution of the Legislature.

The Chairperson of any committee shall have the authority to create sub-committees from within his committee and assign such duties and studies to be performed as are deemed appropriate.

f. INVESTIGATION OF CLAIMS. At the request of the Administration Committee, the County Manager shall have charge of the post-audit of claims and shall have the power to examine a claimant and all other persons on matters relevant to the claim. If a claim requires further action, subpoenas may be issued by the Administration Committee Chairperson and any member may administer the oath. The meeting shall be open to the claimant and his attorney and they shall have the right to cross-examine witnesses. Where more than one claimant or more persons other than the county is involved in a claim, the committee may allow all to be present with their attorney and to examine and cross-examine witnesses. Any refusal of a claimant or witness to testify on a relevant matter shall be referred to the County Attorney.

g. INVESTIGATION OF AUTHORIZED AGENCIES. Each committee in charge of an authorized agency receiving county funds shall have the power to examine the officers of the agency in any matter relevant to the use

of such county money. The Chairperson of the committee may issue subpoenas and any member of the committee may administer the oath. Books, records, documents and other papers pertaining to the use of county money may likewise be subpoenaed. Any refusal of the fiscal officer of the agency to testify or produce the books, records, documents and papers shall be referred to the County Attorney.

h. INVESTIGATION OF MISCONDUCT IN OFFICE. Whenever a committee shall report to the Legislature on any misconduct of any county officer or employee, the Legislature may authorize an investigation and empower the Chairperson of the committee to issue subpoenas and administer the oath to witnesses. The meeting shall be open to the persons involved and their attorney and they shall have the right to examine and cross-examine the witnesses. Any refusal on the part of any witness to testify shall be referred to the District Attorney.

i. POWERS RELATING TO LEGALIZING ACTS. The Chairperson of the committee shall have power to issue subpoenas and any member to administer the oath to witnesses. The minutes of all hearings and testimony must be taken and transcribed. All reports and recommendations shall be in writing.

15. EXPENSES OF LEGISLATORS

All Steuben County Legislators will be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

NECESSARY EXPENSES:

Necessary expenses include mileage to and from the Legislator's home or place of business to the appointed place of normal or special Legislative or committee meetings, as well as meetings with towns, villages and cities that fall under the responsibility of the Legislators.

Necessary expenses also include meetings with outside authorities or committees, both on-going or special, assigned by the Legislative Chair. Additional expenses for meals and/or lodging may be charged if the location of the meeting requires it. Legislators are requested to use vehicles from the motor pool when travel is required.

OPTIONAL EXPENSES:

Legislators are encouraged to attend conferences or training sessions which he/she deems desirable or necessary to improve his/her performance as a Legislator. Attendance at conferences should be scheduled by the Clerk of the Legislature. Legislators should work with the Clerk of the Legislature to limit the number of attendees, optimize travel expense and make the trip most effective.

The Legislative Chair may appoint a Legislator to attend and authorize additional conference expense which he/she deems necessary for effective management of County government.

AUTHORIZATION FOR LEGISLATIVE EXPENSE:

No such expense under all of the above rules shall be reimbursed unless the voucher for same, together with appropriate documentation, has been submitted to the Clerk of the Legislature on or before the 1st day of February of the year next succeeding that year in which the expense was incurred.

The Clerk of the Legislature will submit any such expense vouchers to the Administration Committee for approval if he/she questions their authenticity.

The Clerk of the Legislature will keep the Administration and the Finance Committees appraised of ongoing Legislative expenses in relation to the budget.

LEGISLATIVE EXCLUSIONS:

While the above definitions of legal expenses which may be charged should be adequate, the following exclusions are identified which may not be charged:

Home Office Expenses - Legislators may consult with their accountant as to legitimate deductions for income tax purposes.

Newspaper articles, such as newsletters.

Expenses related to political functions.

Expenses related to retirement dinners.

Payment of dues. (The County covers those within which it desires membership.)

Luncheon or dinner expense for any non-related or not-for-profit function for which the Legislator is not the requested speaker.

16. **REQUEST FOR NEW POSITIONS, UPGRADINGS, OR DOWNGRADINGS OF CREATED POSITIONS**

A. APPLICABILITY:

The provisions of this Rule apply to all new positions of employment as an officer or employee, or upgradings or downgradings of existing positions, or reclassifications of existing positions.

B. PROCEDURE:

(8) **Reclassification**: A reclassification is a change in title resulting from a change in duties. It may or may not result in a change in pay grade.

(9) **Upgrade or Downgrade**: An upgrade or downgrade is a change in pay grade of a position with no change in title. An upgrade or downgrade of a position affects all positions with the same title.

(10) **Reclassifications not resulting in a higher grade** must be submitted to the Personnel Officer, the County Manager, the proper standing committee, and the Administration Committee for review and approval. Reclassifications may occur at any time during the year as needed.

(11) **Reclassifications resulting in a higher grade** must be submitted to the Personnel Officer, the County Manager, the proper standing committee, and the Administration Committee for review and the Legislature for approval. If additional funding is required, the Finance Committee must review and approve prior to submission to the Legislature for approval. Reclassifications may occur at any time during the year as needed.

(12) The **request for any new position** must be submitted to the County Personnel Officer for review and to the County Manager for his advice, no later than May 1st. Thereafter it shall be submitted to the appropriate Standing Committee on or before that committee's regular August meeting. The appropriate Standing Committee must review and act on the request for the position prior to submission to the Administration Committee. The Personnel Officer will then consolidate all new position requests into a report for presentation to the Administration Committee not later than their regular September meeting.

(f) The Administration Committee shall review said requests; their review must be

completed by the September regular Administration committee.

(g) The Finance Committee shall act on requests during their annual budget workshops held in October. Said committee shall report its recommendations to the County Manager for inclusion in the tentative budget.

(h) All position requests filed with the tentative budget shall be presented to the County Legislature at the Budget Workshop for discussion and possible revision by the Legislature. Position requests as revised shall be voted on in the form of a resolution at the meeting in which the Budget is formally considered for approval.

(i) Those positions approved shall be effective January 1st of the next fiscal year, unless prior authorization is received by the resolution of the Legislature.

(j) This provision does not apply to new positions that are necessitated by State or Federal law, rule, regulation or other mandate.

(13) The **request for a position upgrade or downgrade** should follow the same procedure as a request for a new position, as detailed in (5) above.

(14) Any request for a new position not submitted in a timely fashion may be considered if so authorized by an affirmative vote of fifteen (15) members of the Legislature or the unanimous consent of all members if there are less than fifteen (15) members present.

17. BUDGET ADOPTION PROCESS

The Budget Officer shall comply with all statutory provisions relative to the presentation of the Tentative Budget and adoption of the Final Budget. In addition, there shall be filed by the Budget Officer an Annual Budget Message with the filing of the Tentative Budget.

The format for the Budget Workshop shall be as follows:

(1) Presentation of the Budget Message by the Budget Officer.

(2) Analysis of the budgetary impact of proposed personnel changes including

a) Personnel changes pursuant to Rule 16B.
b) Personnel changes due to non-16B activities including retirements, consolidations, position eliminations or other facts.
c) An estimate of the net impact on numbers of positions.
d) An estimate of the net dollar impact of collective bargaining agreements.
e) Proposed management salary increases (including public officers).
f) An estimate of the total budgetary impact of all combined personnel changes.

(3) Impact of funding for Capital Projects and Debt Service.

(4) Discussion of other issues of budgetary concern to legislators.

Any salary of a public officer or officers necessitating the presentation of a local law or laws shall be prepared at the direction of the Administration Committee as soon as practicable, but shall be introduced to the full Legislature no later than at the full meeting of the Legislature that is scheduled for the Presentation of the Budget. Said Local Law or Laws shall be published and posted according to Municipal Home Rule Law §20(4). Presentation for final adoption shall be made no later than the full meeting of the Legislature that is scheduled for public hearing and

budget approval, following a public hearing on said local law or laws.

Changes to the proposed budget approved in the budget workshop shall be incorporated into the budget prior to the full meeting of the Legislature scheduled subsequently for public hearing and budget approval.

18. CHANGES IN THE RULES

a. AMENDMENT AND REPEAL OF RULES:

No resolution to amend, repeal or supersede these rules, or any provision thereof, shall be adopted at the same meeting at which it is offered, unless the same follows, by operation of law due to an act of the State Legislature. The Legislature shall postpone action thereon not earlier than the next meeting to which the Legislature shall adjourn.

b. SUSPENSION OF RULES:

Suspension of a provision of these Rules, except as prohibited by law.

These Rules may be suspended by unanimous affirmative vote of the members present or as provided by Rule 16 B (7) herein.

c. LEGISLATIVE INTENT:

All rules or procedures heretofore adopted, together with any amendments or renewals thereof, are hereby repealed and suspended by these Rules.

19. STANDING COMMITTEES

County Manager as the Chief Executive Officer for the County, implementing policies and administering daily operations at the direction of the County Legislature. Therefore, all matters requiring action by any Committee should first be approved by the County Manager. As Department Heads are appointed by and responsible to the County Manager, subject to confirmation by the Legislature, they are expected to obtain the approval of the County Manager prior to submitting or presenting any request to the County Legislature or Committee.

The Committee maintains its right to disagree with the County Manager and, if the disagreement is serious enough, it can still be brought before the full Legislature.

The following is a list of the standing committees of this Legislature together with a description of the areas of responsibility with which each is charged. These committees and their responsibilities are subject to change by resolution of this Legislature.

ADMINISTRATION COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature in all matters relating to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, accounts, records or other matters related to the offices, departments and agencies listed below, including those specifically identified as follows:

(1) Clerk of the Legislature: Including all matters relating to the duties and powers of the Clerk of the Legislature, as set forth in Section 475 of the County Law.

(2) County Manager: Including all matters relating to the power and duties of the County Manager as defined in Article III of the County Charter.

(3) Law Department: Including all matters pertaining to County legal actions, lawsuits, damages, claims, or other legal representation of the County.

(4) County Clerk: Including all matters pertaining to the constitutional responsibilities of the Clerk as registrar, the duties of the Clerk as agent of the New York State Department of Motor Vehicles, and the Clerk of the Supreme Court and County Court.

(5) Commissioner of Finance: Including all matters relating to the powers and duties of the Commissioner of Finance as chief fiscal officer, and in any fiduciary capacity, except unpaid taxes and buildings.

(6) Board of Elections: Including all matters relating to the Election Commissioners and County responsibilities under the Election Law.

(7) Information Technology: Including all matters relating to the study, organization, promotion, coordination, purchase or lease of EDP equipment or systems, and development of the County's electronic data processing system for all of the County's Departments, agencies, or administrative units.

(8) Insurance: Including all matters relating to the procurement of all insurance on County-owned personal property, premises, buildings, and all insurance connected with property acquired for public assistance reimbursement, and recommendations to the County Legislature with relation to the amount of official undertakings and the approval thereof, when the amount is fixed by the County Legislature.

(9) Personnel: Personnel administration and policy, including reviewing requests for new positions, setting salary grades, all upgradings, position reclassifications, labor union negotiations, salary schedule adjustments, fringe benefits administration, and Affirmative Action programs and policy and including all matters pertaining to the County's administration of the New York State Civil Service Law.

(10) Purchasing: Including all matters relating to the organization, coordination, and implementation of a uniform system of inventory control and purchasing within the County Departments, agencies, boards, commissions, and administrative units.

(11) Real Property Tax Service Agency: Including all matters relating to the equalization of tax rates for purposes of levying County taxes; representation of the County in all meetings and conferences with local assessors or individuals; and preparation of the assessment and tax rolls.

(12) Risk Management: Including all matters relating to evaluation of Insurance programs for the County and development and implementation of safety programs.

(13) Telephonic Communications: Including all matters relating to researching, analyzing, and implementing telephonic communications service plans for County government departments and related agencies.

(14) Workers' Compensation: Including all matters relating to the Steuben County Self-Insurance Plan, including plan administration, claims, expenses for claimants, apportionment of administrative costs, preparation of reports, and duties of Risk Manager, County Attorney, and Commissioner of Finance.

In addition thereto the responsibilities of said committee shall include:

(A) Representation of and, as appropriate, recommendation to the County Legislature on all matters pertaining to proposed local, State, or Federal legislation, matters relating to internal affairs of the County, its Offices, Departments, functions, including the Rules of Procedure and conduct at meetings of the County Legislature, general administration of Offices and Departments, and matters dealing with the County's participation with Off-Track Betting.

(B) Examination, inspection, preservation, storage, maintenance, and representation of the County Legislature in all matters pertaining to the books and records of accounts of County funds, vouchers, orders, warrants, claims and other papers or documents, which the County Legislature or other County officer or employee may have a power or duty to perform.

(C) Representation, examination and hearings in all matters pertaining to the County's Grievance Procedure for County employees.

(D) Vehicle deployment and management of vehicles owned by the County of Steuben.

AGRICULTURE, INDUSTRY & PLANNING COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, recommendations to the County Legislature regarding all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records or accounts, or other matters related to the offices, departments, agencies or programs listed below, including those specifically identified as follows:

(1) Agriculture: Including all matters related to the Agricultural District Advisory Committee, Cooperative Extension Association and Board of Directors, Fish & Wildlife Management Act Board, Soil & Water Conservation District, Water Resources, and Wildlife and Conservation.

(2) Buildings & Grounds: Including all matters relating to the maintenance and repair of County buildings and grounds, including the former County farm buildings and grounds, allocation of space, and supervision of the construction, reconstruction or remodeling of County buildings. The planning of any construction or reconstruction of County buildings shall be the responsibility of the Agriculture, Industry and Planning Committee.

(3) Planning: Including all matters relating to the promotion of economic and community development, environmental management, efficiency of public service, planning of all new construction, reconstruction or remodeling of County offices and buildings, including the supervision of all phases of the construction, cooperation with all Town, Village and City Planning Boards or Commissions, in relation to local development and preparation of plans, and assisting other Committees of the County Legislature in gathering data, conducting research, and preparing reports and analyses.

(4) Public Relations: Including all matters relating to the cooperation and coordination with any Federal, State or local officials and agencies or Boards, Chambers of Commerce, industrial development agencies, tourism agencies and any other group in the promotion of improved public relations, including but not limited to the retention of existing industry, business, agriculture, dairy, vineyards, recreation, housing, product marketing, civic and educational projects and their expansion and improvement for the benefit of County residents; publicizing the County's locational advantages and resources; and the County exhibit at the annual Steuben County Fair.

(5) County Historian: Including all matters related to the powers and duties of the County Historian and matters relating to the Steuben County Hall of Fame.

(6) Consumer Affairs/Weights & Measures: Including all matters relating to the duties and powers of the County Sealer, consumer affairs and education.

Representation, oversight, and as appropriate, recommendations to the County Legislature regarding the following Boards, Commissions, agencies or organizations:

Environmental Management Council
Workforce Development Board

Steuben County Conference and Visitors Bureau
Steuben County Industrial Development Agency
Resource Conservation and Development Board
Southern Tier Central Regional Planning & Development Board
Finger Lakes Association, Inc.
Steuben County Agricultural Society
Steuben County Dairy Festival
Soil & Water Conservation
Watershed Protection Districts

FINANCE COMMITTEE - To consist of five (5) members with responsibility for:

(1) The consideration of office and departmental estimates and recommendation to this County Legislature of a tentative Budget for the ensuing fiscal year, including estimated expenditures and revenues, according to object and purpose.

(2) Consideration and recommendations to this County Legislature on all applications for additional appropriations, and transfer of funds when authorization is required by the County Legislature.

(3) Representation of this County Legislature in all matters or meetings relating to unpaid taxes, tax sales, collection, and recommendations regarding the disposition thereof, in which the Commissioner of Finance, or the Clerk of this County Legislature, or this County Legislature, may have a duty or power to perform, with the exception of the refund of erroneous taxes.

(4) Make recommendations to this County Legislature with relation to redemptions, compromises, sales, leases, repair, fencing, or other disposition of County-owned property by virtue of tax sale.

(5) Authorization to assign amounts to specific purposes in the assigned fund balance, with the participation of the County Manager and Commissioner of Finance. (Res#181-11)

HUMAN SERVICES, HEALTH & EDUCATION COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature, with regards to all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records and accounts or other matters relating to the offices, departments, agencies or programs listed below, including those specifically identified as follows:

(1) Social Services: Including all matters relating to the duties, powers, and responsibilities of the County Commissioner of Social Services, as defined in Article VIII of the County Charter, in the administration of public assistance and care, or other matters which relate specifically to the administration of the County's Social Services Programs, excluding the Health Care Facility.

(2) Veterans' Services: Including all matters relating to the County Veterans' Service Director or officer, Steuben County War Memorial, claims for soldiers' burial and headstones, and representation of the County Legislature in all matters pertaining to veterans or veterans' affairs.

(3) Youth Bureau: Including all matters relating to the administration of the Steuben County Youth Board and Programs.

(4) Office for the Aging: Including all matters relating to the County-sponsored programs and services for senior citizens, including fiscal and programmatic planning, the Retired Senior Volunteer Program, outreach, information and referral; administration, coordination, and monitoring of contracts for legal, nutrition, home and health care,

transportation, senior employment, HEAP, etc; and representation of the County Legislature in all matters pertaining to services for senior citizens provided through the Office for the Aging.

(5) Education: Including the education of handicapped children and requests for educational assistance.

(6) Public Health: Including all matters pertaining to the Steuben County Public Health and Nursing Services, the Special Children's Services Program, the Steuben County Community Services Clinic, the Steuben County Alcohol Abuse Program, and all matters relating to the Developmental Disabilities Programs, and Steuben ARC.

(7) Health Care Facility: Including all matters relating to the operation, maintenance, and administration of the Steuben County Health Care Facility.

Representation, oversight, and recommendations to the County Legislature on matters pertaining to the following

Pro-Action of Steuben and Yates
STC Steuben Human Services Committee
Family Service Society, Inc.
Community Services Board
Finger Lakes Health Systems Agency
Health Services Advisory Board
Joint Committee on Health Affairs
Southern Tier Sub-Area Council of the Finger Lakes Health Systems Agency
Corning Community College
Southern Tier Association for the Blind, Inc.
Southern Tier Library System
Southern Tier Regional Emergency Medical Services Council

PUBLIC SAFETY & CORRECTIONS COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature, with regards to all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records and accounts, or other matters relating to the offices, departments, agencies or programs listed below, including those specifically identified as follows:

(6) Emergency Management - Including all matters relating to the management and preparedness for catastrophe, natural disaster and other serious emergencies which would require coordination and mutual response. Such emergencies may require the involvement of multiple townships, County or Counties, the State of New York and/or FEMA. All matters pertaining to the powers and duties of the Energy Coordinator in regards to the coordination of fuel supplies, as well as the allocation of these resources with Steuben County.

(7) Fire Coordination, Training and Mutual Aid - Including all matters relating to the Steuben County Fire Advisory Board, coordination of all fire departments, guidance and direction for the administration of local fire departments, all fire training schools. All matters pertaining to the establishment, maintenance, and administration of the county fire mutual aid program, response to emergencies involving fire and emergency rescue situation, as well as cause and origin determination of all fires within Steuben County.

(8) Emergency Medical Services and Mutual Aid - Including all matters relating to the delivery of emergency response to medical situations within Steuben County. To include the coordination of emergency medical response, oversight of emergency medical training, administration of the county mutual aid program, coordination with the Southern Tier Regional Emergency Medical Council (EMSTAR).

(9) Coroner and Coroner Transport Services - Including all matters relating to the establishment and election of the

Coroners Office, the coordination of services provided between the various county Coroners, the establishment of means for the determination of cause of death, and all matters pertaining to the transportation of the deceased to a center for determination.

(10) Radio Communications - Including all matters relating to the operation of the County-wide radio system, the interaction and operation of the radio system and the county users, the maintenance of the system, to include contractual agreements and operations for the radio shop. Also to include the planning necessary for improvements to the county-wide radio system.

(6) Judges, District Attorney and Public Defender: Including all matters relating to the powers, duties and responsibilities or offices of the County Judges, Family Court Judge, Surrogate Judge, District Attorney, and Public Defender.

(7) Probation and Community Corrections: Including all matters relating to the powers, duties and offices of any and all Probation Officers, and their appointment or removal by a County Judge.

(8) Sheriff: Including all matters relating to the Sheriff, Undersheriff, Jail Superintendent, Deputies, Correction Officers, Court Attendants, and all other personnel; matters concerning the Jail, maintenance of prisoners; post audit of court orders, paying jurors, witnesses, and Court Attendants as soon after each term of County Court, Supreme Court or Surrogate's Court with a jury, as is practicable.

(9) 9-1-1 Department (Enhanced): Organization, implementation and operation of the County's emergency 9-1-1 system.

Representation, oversight and/or recommendations to the County Legislature on matters relating to the following Offices, Boards, Commissions, agencies, individuals or Committees:

Justices and Constables
Coroners
Traffic Safety Board
Fire Advisory Board
Local Emergency Planning Committee
E-911 Advisory Board
Southern Tier Emergency Medical Services Council
Environmental Emergency Services, Inc.

PUBLIC WORKS COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature, with regards to all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records or other matters relating to the offices, departments, agencies, or programs, listed below, including those specifically identified as follows:

(1) Public Works: Including inspection, construction, reconstruction, maintenance, and general supervision of the County roads and bridges, including bridges having a span over twenty-five (25) feet on Town roads, as well as all matters pertaining to the duties, powers, and responsibilities of the County Commissioner of Public Works.

(2) Solid Waste Division: Including all matters relating to the operation, administration, site selection and acquisition, and other related activities of the Solid Waste Division of the County Department of Public Works.

(3) Parks: Including all matters relating to the supervision and management of all County parks and recreation areas.

(4) Reforestation: Including all matters relating to reforestation, including purchase, maintenance, fencing, fire line,

cutting of and sale of trees, disposition of such lands and all other matters relating thereto, which the County Legislature may have a power or duty to perform, such as representation on the District Forest Practice Board.

20. **ROBERT'S RULES OF ORDER**

Except as otherwise specifically provided hereby, Roberts Rules of Order shall be applicable to all meetings of the Steuben County Legislature and the Committees thereof.

21. **COUNTY MANAGER**

the Steuben County Charter, the County Manager is recognized as the Chief Executive Officer for Steuben County , having direct supervision of all County Departments, Board, etc. All department and agency heads shall be responsible and report to and through the County Manager.

obtain the approval of the County Manager prior to making such request. An evaluation of such proposed action shall be provided to the Committee or Legislature by the County Manager. As to such request by a department or agency head:

A. Any request by a department or agency head which, under the Administrative Code, requires the County Manager's approval, shall not be placed upon a Committee Agenda prior to receipt of such approval.

Manager prior to being placed on the agenda unless waived by the County Manager. If a department or agency head misses the deadline for agenda item submission, they must receive the approval of the County Manager to be placed on the agenda.

County Legislators requesting action by a Committee or the full Legislature are encouraged to adhere to the above procedure. Nothing contained herein shall be construed to prohibit or otherwise limit a County Legislator from introducing a resolution or legalizing act to the County Legislature for consideration at a meeting thereof.

Disputes or differences of opinion which arise between department or agency heads shall be referred to the County Manager for resolution. The determination of the County Manager shall be binding unless review of that determination is referred to the Administration Committee. That committee shall have the authority to render a determination, which determination may be reviewed by appropriate action of the full Legislature. Said action of the Legislature shall be final and binding.

Vote: Roll Call – Adopted.

RESOLUTION NO. 094-13

Introduced by M. Hanna and L. Crossett. Seconded by H. Lando.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT $395,427.00 IN ADDITIONAL STATE CHIPs FUNDING.

WHEREAS, the 2014 CHIPs funding was budgeted at $4,429,818.11; and

WHEREAS, the CHIPs funding was increased Statewide by $40 million to $478 million; and

WHEREAS, the County of Steuben's new allocation is $4,825,245.11; and

WHEREAS, this additional CHIPs funding will be used to take care of additional road work created from Winter damage.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Finance Commissioner is hereby authorized to accept and appropriate the additional CHIPs funding of $395,427.00 to the revenue account for CHIPs D 999901 4350100 and the expense account for General Repairs D 511000 5 460 180 Grind and Chip/Paver Patch; and be it further

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

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 095-14

Introduced by M. Hanna and L. Crossett. Seconded by G. Roush.

AUTHORIZING THE COMMISSIONER OF FINANCE TO ADD A PROJECT TO THE PUBLIC WORKS DEPARTMENT'S CAPITAL CONSTRUCTION ACCOUNT.

WHEREAS, the severe winter caused damage to CR 22; and

WHEREAS, lower than expected bids were received for the Capital Construction projects; and

WHEREAS, there are enough existing funds in the Capital Construction account to rebuild CR 22.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to add a new project to the Permanent Improvements, Capital Projects as follows:

D 511200 5250590, R022-01 Cameron 3.3 miles

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

Vote: Roll Call – Adopted.

Motion to combine resolutions 6 – 11 and dispensing with the reading made by Mr. Farrand, seconded by Mr. Crossett and duly carried.

RESOLUTION NO. 096-14

Introduced by M. Hanna. Seconded by R. Weaver.

AUTHORIZING THE APPLICATION FOR A GRANT FOR AN ELECTRONICS RECYCLING BUILDING AT THE WAYLAND TRANSFER STATION.

WHEREAS, the Steuben County Department of Public Works Solid Waste Division constructed an electronics recycling building at the Wayland Transfer Station in June 2013 for material costs of $4,190.16; and

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects, including funding 50 percent for recycling equipment purchases; and

WHEREAS, Steuben County (hereinafter referred to as "the Municipality") has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application for aid under these laws; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York (herein referred to as the "State") and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT

RESOLVED, that the filing of an application for a grant of $2,095.08 for the reimbursement of payment for the electronics recycling building in the form required by the State, in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the Commissioner of Public Works is directed and authorized as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if or when said application is approved by the State; and be it further

RESOLVED, five (5) certified copies of this resolution shall be forwarded to the New York State Department of Environmental Conservation, together with a completed application; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 097-14

Introduced by M. Hanna. Seconded by R. Weaver.

AUTHORIZING THE APPLICATION FOR A GRANT FOR AN ELECTRONICS RECYCLING BUILDING AT THE HORNELL TRANSFER STATION.

WHEREAS, the Steuben County Department of Public Works Solid Waste Division constructed an electronics recycling building at the Hornell Transfer Station in August 2013 for material costs of $6,544.19; and

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects, including funding 50 percent for recycling equipment purchases; and

WHEREAS, Steuben County (hereinafter referred to as "the Municipality") has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application for aid under these laws; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York (herein referred to as the "State") and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT

RESOLVED, that the filing of an application for a grant of $3,272.10 for the reimbursement of payment for the electronics recycling building in the form required by the State, in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the Commissioner of Public Works is directed and authorized as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if or when said application is approved by the State; and be it further

RESOLVED, five (5) certified copies of this resolution shall be forwarded to the New York State Department of Environmental Conservation, together with a completed application; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 098-14

Introduced by M. Hanna. Seconded by R. Weaver.

AUTHORIZING THE APPLICATION FOR A GRANT FOR A RECYCLING BALER AT THE WAYLAND TRANSFER STATION.

WHEREAS, the Steuben County Department of Public Works Solid Waste Division, in October 2010, purchased a recycling baler and completed the full purchase payment of $53,995.00; and

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects, including funding 50 percent for recycling equipment purchases; and

WHEREAS, Steuben County (hereinafter referred to as "the Municipality") has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application for aid under these laws; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York (herein referred to as the "State") and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT

RESOLVED, that the filing of an application for a grant of $26,997.50 for the reimbursement of payment for the recycling baler in the form required by the State, in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the Commissioner of Public Works is directed and authorized as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if or when said application is approved by the State; and be it further

RESOLVED, five (5) certified copies of this resolution shall be forwarded to the New York State Department of Environmental Conservation, together with a completed application; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 099-14

Introduced by M. Hanna. Seconded by R. Weaver.

AUTHORIZING THE APPLICATION FOR A GRANT FOR A RECYCLING BALER AT THE ERWIN TRANSFER STATION.

WHEREAS, the Steuben County Department of Public Works Solid Waste Division, in March 2011, purchased a recycling baler and completed the full purchase payment of $34,695.00; and

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects, including funding 50 percent for recycling equipment purchases; and

WHEREAS, Steuben County (hereinafter referred to as "the Municipality") has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application for aid under these laws; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York (herein referred to as the "State") and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT

RESOLVED, that the filing of an application for a grant of $17,347.50 for the reimbursement of payment for the recycling baler in the form required by the State, in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the Commissioner of Public Works is directed and authorized as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if or when said application is approved by the State; and be it further

RESOLVED, five (5) certified copies of this resolution shall be forwarded to the New York State Department of Environmental Conservation, together with a completed application; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 100-14

Introduced by M. Hanna. Seconded by R. Weaver.

AUTHORIZING THE APPLICATION FOR A GRANT FOR A WHEEL LOADER AT THE WAYLAND TRANSFER STATION.

WHEREAS, the Steuben County Department of Public Works Solid Waste Division, in October 2009, purchased a wheel loader and completed the full purchase payment of $71,892.66; and

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects, including funding 50 percent for recycling equipment purchases; and

WHEREAS, Steuben County (hereinafter referred to as "the Municipality") has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application for aid under these laws; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York (herein referred to as the "State") and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT

RESOLVED, that the filing of an application for a grant of $35,946.33 for the purchase of a wheel loader in the form required by the State, in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the Commissioner of Public Works is directed and authorized as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if or when said application is approved by the State; and be it further

RESOLVED, five (5) certified copies of this resolution shall be forwarded to the New York State Department of Environmental Conservation, together with a completed application; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 101-14

Introduced by M. Hanna. Seconded by R. Weaver.

AUTHORIZING THE APPLICATION FOR A GRANT FOR A WHEEL LOADER AT THE ERWIN TRANSFER STATION.

WHEREAS, the Steuben County Department of Public Works Solid Waste Division, in April 2012, purchased a wheel loader and completed the full purchase payment of $75,920.93; and

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects, including funding 50 percent for recycling equipment purchases; and

WHEREAS, Steuben County (hereinafter referred to as "the Municipality") has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application for aid under these laws; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York (herein referred to as the "State") and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT

RESOLVED, that the filing of an application for a grant of $37,960.47 for the purchase of a wheel loader in the form required by the State, in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the Commissioner of Public Works is directed and authorized as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if or when said application is approved by the State; and be it further

RESOLVED, five (5) certified copies of this resolution shall be forwarded to the New York State Department of Environmental Conservation, together with a completed application; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 102-14

Introduced by L. Crossett. Seconded by H. Lando.

APPROPRIATING $15,000 TO THE COUNTY MANAGER 2014 BUDGET FROM THE CONTINGENT FUND.

WHEREAS, the Office of the County Manager has requested authorization to engage a firm to assist with public relations activities; and

WHEREAS, the Administration Committee has authorized the contract and the Finance Committee has recommended an appropriation of $15,000 from the Contingent Fund to account for these costs.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to transfer the sum of $15,000 from the Contingent Fund (A 199000 5499000) to the County Manager 2014 budget (A 123000 5499000); and be it further

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

Vote: Roll Call – Adopted. Yes – 7108; No – 593; Absent – 2171
(No – Legislator Booth; Absent – Legislators Ferratella, McAllister, Swackhamer and Van Etten)

RESOLUTION NO. 103-14

Introduced by B. Schu and L. Crossett. Seconded by H. Lando.

APPROPRIATING $5,000 TO THE PROBATION 2014 BUDGET FROM THE CONTINGENT FUND.

WHEREAS, the Probation Department has requested authorization to conduct an audit relative to accounting procedures and probationer fees; and

WHEREAS, the Public Safety and Corrections Committee has authorized the audit and the Finance Committee has recommended an appropriation of $5,000 from the Contingent Fund to account for these costs.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to transfer the sum of $5,000 from the Contingent Fund (A 199000 5499000) to the Probation 2014 budget (A 314000 5499000); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 104-14

Introduced by L. Crossett. Seconded by G. Roush.

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS.

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

RESOLVED, that the apportionment of tax on mortgages in the County of Steuben collected by the County Clerk from the 1st day of October, 2013 to the 31st day of March, 2014, pursuant to provisions of Section 261 of the Tax Law, as made by the Clerk of this Legislature be and the same hereby is ratified and confirmed, and the statement of such apportionment in compliance with the provisions of said Law, filed with the Commissioner of Finance of this County, is hereby and in all things ratified and confirmed and such statement shall be to the Commissioner of Finance of this County

a sufficient Warrant for the payment by him of the various sums as apportioned for the various purposes as designed by Law, and be it further

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

MORTGAGE TAX APPORTIONMENT

The amount of money in your hands for the period ending March 31, 2014, which was received by you from the County Clerk as taxes paid to her upon the real property mortgages filed in her office Since October 1, 2013, the date of the last apportionment, and which must be distributed to the various tax districts of the County of Steuben, pursuant to Section 261 of the Tax Law, is the sum of $475,171.55.

You are therefore commanded to pay the various towns and cities the amount placed opposite the name of said towns and cities and pay over to the various village officers the amount hereinafter stated to be the distributive amounts due said districts for village purposes, as follows:

MORTGAGE TAX DISTRIBUTION – May 2014

TOWN & CITIES	TOWN/CITY AMT DUE	VILLAGES	VILLAGES AMT DUE	TOTAL AMT DUE
ADDISON	6,331.29	ADDISON	2,557.33	**8,888.62**
AVOCA	6,145.67	AVOCA	820.19	**6,965.86**
		BATH (1)	9,897.29	**0.00**
BATH	35,988.02	SAVONA (2)	951.12	**46,836.43**
BRADFORD	5,922.18			**5,922.18**
CAMERON	2,638.37			**2,638.37**
CAMPBELL	18,140.16			**18,140.16**
CANISTEO	8,445.70	CANISTEO	2,444.76	**10,890.46**
CATON	16,224.52			**16,224.52**
COHOCTON	7,853.82	COHOCTON	1,043.90	**8,897.72**
CORNING CITY	81,635.28			**81,635.28**
		RIVERSIDE (1)	1,649.19	**0.00**
CORNING TOWN	34,741.18	S CORNING (2)	2,439.48	**38,829.85**
DANSVILLE	7,411.15			**7,411.15**
ERWIN	43,944.93	PAINTED POST	3,473.47	**47,418.40**
FREMONT	3,054.19			**3,054.19**
GREENWOOD	2,671.45			**2,671.45**
HARTSVILLE	1,726.41			**1,726.41**
HORNBY	8,331.19			**8,331.19**
HORNELL CITY	27,227.56			**27,227.56**
		ALMOND (1)	39.90	**0.00**
		ARKPORT (2)	1,638.41	**0.00**
HORNELLSVILLE	18,723.00	V N HORNELL (3)	1,911.67	**22,312.98**
HOWARD	3,248.51			**3,248.51**
JASPER	2,293.18			**2,293.18**
LINDLEY	4,459.01			**4,459.01**
PRATTSBURGH	10,312.52			**10,312.52**
PULTENEY	15,061.33			**15,061.33**
RATHBONE	2,872.07			**2,872.07**
THURSTON	5,938.65			**5,938.65**
TROUPSBURG	5,650.37			**5,650.37**
TUSCARORA	5,099.47			**5,099.47**
URBANA	13,140.46	HAMMONDSPORT	1,157.50	**14,297.96**
WAYLAND	9,529.77	WAYLAND	1,785.44	**11,315.21**
WAYNE	18,549.26			**18,549.26**
WEST UNION	545.77			**545.77**
WHEELER	4,365.41			**4,365.41**
WOODHULL	5,140.05			**5,140.05**
TOTAL	**443,361.90**		**31,809.65**	**475,171.55**

Foregoing shall be your sufficient warrant for the payment of said sums as above directed.

DATED at Bath, New York: May 19, 2014

STEUBEN COUNTY LEGISLATURE

S/ Joseph J. Hauryski, Chairman

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

DATED: May 19, 2014

S/Brenda K. Mori, Clerk of the Legislature

Vote: Roll Call – Adopted.

RESOLUTION NO. 105-14

Introduced by L. Crossett. Seconded by R. Lattimer.

AUTHORIZING THE CREATION OF A CAPITAL PROJECT ENTITLED 'REAL PROPERTY TAX DIGITIZATION'.

WHEREAS, the Administration and Finance Committees have approved the recommendations of the County Manager and the Director of Real Property Tax for the purchase of a microfilm reader/scanner and the utilization of contract services for the microfilming of select archived records; and

WHEREAS, the Administration and Finance Committees have also approved the purchase of a server to enable the expansion of online access to real property tax data and information for both local assessors and the general public; and

WHEREAS, it is necessary to create a capital project for these purposes, with funding made available from the Energy Conservation Project.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to create a capital project entitled 'Real Property Tax Digitization'; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to transfer $24,000 from the Energy Conservation Project (HB010-HB0110) to the Real Property Tax Digitization Project; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Finance and the Director of Real Property Tax.

Mr. Mullen asked what is this project? Mr. Wheeler explained we have SDG software which was procured by the Real Property Tax Service Agency to allow up-to-date tax parcel information to be viewed online by the public. This also includes tax information as well. The first piece of the project is to purchase an additional server for the SDG program so that it does not require access to our network. The second piece is the purchase of a microfilm scanner/reader. The long-term goal is to not rely upon microfilm, but to go more towards scanning. The purchase of the microfilm reader/scanner will enable them to scan in records. We also are looking to contract with PMI to do scanning of the oldest records.

Vote: Roll Call – Adopted.

RESOLUTION NO. 106-14

Introduced by B. Schu and L. Crossett. Seconded by D. Farrand.

AUTHORIZING THE ACCEPTANCE OF A 2014 STATE HOMELAND SECURITY GRANT.

WHEREAS, Steuben County has identified the risks associated with the effects of terrorism; and

WHEREAS, Steuben County has identified the potential vulnerability throughout the County to this type of incident; and

WHEREAS, Steuben County has identified the need for additional resources, education and training; and

WHEREAS, the New York State Office of Homeland Security is responsible for the assignment of administration of grant allocation provided by the Federal Government; and

WHEREAS, the New York State Office of Homeland Security has awarded Steuben County with Federal Fiscal Year 2014 grant funds in the amount of $125,000 under the State Homeland Security Program (SHSP); and

WHEREAS, seventy-five percent (75%) of the funding ($93,750) will go to Emergency Management to support response, education, prevention and planning for terrorist incidents and twenty-five percent (25%) or ($31,250) of the total funding must be directed towards law enforcement terrorism prevention activities to the Sheriff's Office.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is authorized to enter into an agreement with the New York State Office of Homeland Security to accept funding in the amount of $125,000 for implementation of the State Homeland Security Program (SHSP) to support response, education, prevention and planning for terrorist incidents; and be it further

RESOLVED, the County Manager and the Director of Emergency Management are authorized and directed to execute the requisite documentation to effectuate this grant and agreement; and be it further

RESOLVED, the Commissioner of Finance is authorized to establish a revenue account for the purpose of accepting the grant funding from the Federal Government and the New York State Office of Homeland Security; and be it further

RESOLVED, the Commissioner of Finance is authorized to appropriate such revenue to the appropriate accounts within the budget of the Steuben County Office of Emergency Management and the Steuben County Sheriff for the purpose of fulfilling the aforementioned grant; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the New York State Office of Homeland Security, 1220 Washington Avenue, State Office Building 7A, Suite 710, Albany NY 12226; the Commissioner of Finance, the Sheriff, and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 107-14

Introduced by M. Hanna and L. Crossett. Seconded by B. Schu.

AUTHORIZING THE RECLASSIFICATION OF A POSITION WITHIN THE PUBLIC WORKS DEPARTMENT.

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

WHEREAS, this Senior Account Clerk in the Public Works Department performs account clerical work; and

WHEREAS, this Senior Account Clerk will have added duties of typing of various bidding correspondence, notices, agreements, and statistics; and

WHEREAS, a Senior Account Clerk-Typist position more appropriately performs these duties; and

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

NOW THEREFORE, BE IT

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

Senior Account Clerk, Grade VIII ($29,198 to $42,434) to
Senior Account Clerk-Typist, Grade X ($31,880 to $46,330)

AND BE IT FURTHER RESOLVED, that the 2014 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 108-14

Introduced by B. Schu. Seconded by D. Farrand.

AUTHORIZING THE SHERIFF TO PROVIDE SCHOOL RESOURCE OFFICERS (SROs) TO PARTICIPATING COUNTY SCHOOLS.

WHEREAS, the Sheriff will hire non-competitive, temporary, part-time Deputies as SROs; and

WHEREAS, the Sheriff will provide the uniform and weapon for SROs; and

WHEREAS, the SROs will work solely within the assigned School District and their school schedule; and

WHEREAS, it has been established that the participating schools will reimburse the County the full amount for the SROs.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff is authorized to enter into agreements for SROs with County School Districts from time to time under such terms as approved by the County Manager and the Public Safety & Corrections Committee and approved as to form by the County Attorney; and be it further

RESOLVED, the Commissioner of Finance is authorized and directed to accept revenues from the participating schools and appropriate said funds into the 311005-51800000 Salary & Wages, the appropriate 58 fringe line items, supplies and uniforms; and be it further

RESOLVED, Resolution No. 78-13 is hereby superseded; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 109-14

Introduced by R. Weaver. Seconded by H. Lando.

APPROVING THE ADDITION OF AGRICULTURAL LANDS TO CERTIFIED AGRICULTURAL DISTRICTS.

Pursuant to Article 25-AA, Section 303-b, of the Agriculture and Markets Law of the State of New York.

WHEREAS, the Steuben County Legislature established a required annual period from January 15 to February 15 for landowners to submit requests to add agricultural land to certified Agricultural Districts; and

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

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

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

WHEREAS, the Steuben County Legislature gave legal notice of and held the required public hearing of this matter on the 19th day of May, 2014 at 10:00 a.m.; and

WHEREAS, the New York State Department of Agriculture and Markets has determined that agricultural districting poses little likelihood of significant adverse environmental impact, except under unique circumstances and it has been determined no such unique circumstances exist in this matter.

NOW THEREFORE, BE IT

RESOLVED, the proposed action will not have a significant adverse environmental impact; and be it further

RESOLVED, that the following tax parcel shall be added to Agricultural District No. 3:

4662000 11.00-01-012.000

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No. 6:

465800 407.00-01-004.122
465800 407.00-01-004.113

AND BE IT FURTHER RESOLVED, that the following tax parcel shall be added to Agricultural District No. 10:

467800 339.00-01-006.200

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 110-14

Introduced by J. Hauryski. Seconded by R. Weaver.

APPOINTING MEMBERS TO THE COMMUNITY SERVICES MENTAL HEALTH SUBCOMMITTEE.

WHEREAS, a vacancy exists on the Steuben County Community Services Board Mental Health Subcommittee; and

WHEREAS, Article 41.11 of the Mental Hygiene Law requires that said appointments be made by local governments; and

WHEREAS, the Chairman of the Legislature has recommended the following appointment:

1. Ann Domingos ***(filling unexpired term of Marcia Ribble)***
   Arbor Housing & Development
   16 West William Street (Term 01/01/12 – 12/31/15)
   PO Box 31
   Bath, NY 14810

NOW THEREFORE, BE IT

RESOLVED, the Chairman of the Steuben County Legislature shall appoint the aforesaid person to the Community Services Board Mental Health Subcommittee for the term indicated; and be it further

RESOLVED, the member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Community Services Board of Directors; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to said appointee, Henry W. Chapman, Psy.D., Director of Community Services, and the County Auditor.

Vote: Roll Call – Adopted.

Motion to Adjourn made by Mr. Farrand, seconded by Ms. Lattimer and duly carried.

REGULAR MEETING
Morning Session
Monday, June 23, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 23rd day of June, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present.

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

Chairman Hauryski asked Barb Bullock to come forward. Ms. Bullock is an employee in the Finance Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Hauryski asked Cindy Smith to come forward. Ms. Smith is an employee in the Finance Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 25 years of service to Steuben County.

Chairman Hauryski opened the floor for comments by members of the public.

Tom Ryan, Canisteo, stated that he is here on behalf of SCOPE (Shooter's Committee on Political Education). He thanked the Legislature for their support and hopes for their continued support. He stated members of SCOPE are out every day making sure that legal gun owners will register to vote for the November election. The SAFE Act does nothing to protect law-abiding citizens. He thanked Sheriff Cole for being the first Sheriff in the State to speak against the SAFE Act.

There being no further comments by members of the public, Chairman Hauryski declared the opportunity for public comment closed.

Motion adopting the minutes of the previous meeting(s) made by Mr. Van Etten, seconded by Mr. Farrand and duly carried.

Mrs. Lando reminded the Legislature that a news conference is being held today to protest State Mandates. It is at 11:30 a.m. in Centerway Square, in Corning. All are welcome to attend.

RESOLUTION NO. 111-14

Introduced by L. Crossett. Seconded by S. Van Etten.

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

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 be it further

RESOLVED, as it appears to be in the best interest of the County to sell the properties listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof and as upon the "Notice to Bidders and Terms of Sale – 2014" as applicable; and be it further

RESOLVED, the said grantee(s) must accept the parcel "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel if need be; 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, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1
Name	Matacale Properties Inc.
Parcel No.	166.06-05-089.000
Municipality	Hornell City
Disposition	Court Ordered Refund

Resolution No.	A-2
Name	Phyllis Tincher
Parcel No.	136.05-01-023.220/50
Municipality	Hornellsville Town
Disposition	Correction

Resolution No.	A-3
Name	County of Steuben
Parcel No.	424.00-01-034.000
Municipality	Lindley Town
Disposition	Correction

Resolution No.	A-4
Name	St. Anns Academy
Parcel No.	151.72-01-008.000
Municipality	Hornell City
Disposition	Correction

SCHEDULE "B"

Resolution No.	B-1
Former Owner	Walter S. Cook III
In Rem Index No.	2011-1564CV, Judgment Filed 04/29/2014
Parcel No.	259.00-01-012.000
Municipality	Thurston Town
Grantee(s)	Walter S. Cook III
Grantee(s) Address	8854 Lower St., Rushford, NY 14777
Consideration	$16,425.00, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-2
Former Owner	Gregory E. Harding & Deborah A. Harding
In Rem Index No.	2011-1564CV, Judgment Filed 04/29/2014
Parcel No.	319.15-01-019.000
Municipality	Corning Town
Grantee(s)	Gregory E. Harding & Deborah A. Harding
Grantee(s) Address	2818 Upper Drive, Corning, NY 14830
Consideration	$10,511.84, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-3
Former Owner	Donald DuVall, Jr.
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	292.00-01-003.200
Municipality	Cameron Town
Grantee(s)	Donald DuVall, Jr.
Grantee(s) Address	66 South Street, Addison, NY 14801
Consideration	$3,925.00, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-4
Former Owner	Michael R. Ramirez & Ellen D. Ramirez
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	151.19-02-027.000
Municipality	Hornell City
Grantee(s)	Michael R. Ramirez & Ellen D. Ramirez
Grantee(s) Address	45 Glen Ave., Hornell, NY 14843
Consideration	$2,437.13, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-5
Former Owner	Michael R. Ramirez & Ellen D. Ramirez
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	151.19-02-028.200
Municipality	Hornell City
Grantee(s)	Michael R. Ramirez & Ellen D. Ramirez
Grantee(s) Address	45 Glen Ave., Hornell, NY 14843
Consideration	$1,055.40, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-6
Former Owner	Patricia A. Taft
In Rem Index No.	104021, Judgment Filed 04/29/2014
Parcel No.	423.00-01-006.200
Municipality	Lindley Town
Grantee(s)	Patricia A. Taft
Grantee(s) Address	736 River Rd., Lindley, NY 14858
Consideration	$6,996.96, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-7 (Correction A-2, Resol. No. 091-14, dated 05/19/2014,
	included additional name in error)
Former Owner	Raymond W. Conner, Sr.
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	401.00-01-009.000
Municipality	Woodhull Town
Grantee(s)	Raymond W. Conner, Sr.
Grantee(s) Address	619 County Road 101, Addison, NY 14801
Consideration	$712.22, together with $180.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-8
Former Owner	Catherine Russell
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	129.00-01-053.350
Municipality	Bath Town
Grantee(s)	Stephanie Moody
Grantee(s) Address	13659 59th Ct N, Royal Palm Beach, FL 33411
Consideration	$1,375.00, inclusive of recording fees

Resolution No.	B-9
Former Owner	John C. Williams
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	151.13-01-023.000
Municipality	Hornell City
Grantee(s)	City of Hornell
Grantee(s) Address	82 Main St., Hornell, NY 14843
Consideration	$2,200.07, inclusive of recording fees

Resolution No.	B-10
Former Owner	Troy & Kelly L. Denning
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	151.10-03-001.000
Municipality	Hornell City
Grantee(s)	City of Hornell
Grantee(s) Address	82 Main St., Hornell, NY 14843
Consideration	$2,265.84, inclusive of recording fees

Resolution No.	B-11
Former Owner	William M. & Colleen Argentieri
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	166.06-03-088.000
Municipality	Hornell City
Grantee(s)	Sharon Walling
Grantee(s) Address	228 Grand St., Hornell, NY 14843
Consideration	$7,500.00, inclusive of recording fees

Resolution No.	B-12
Former Owner	Denise Devinney
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	Part of 136.18-03-004.111
Municipality	Village of North Hornell
Grantee(s)	Village of North Hornell
Grantee(s) Address	Third & Fourth Streets – for street/utility purposes
Consideration	$1 plus recording fee

Mr. Mullen asked are these properties that people are repurchasing from the tax sale? Mr. Alger replied these are private sales. Mr. Donnelly explained these represent hardships where the requirements for repurchase have been fulfilled. Mr. Mullen stated we pushed up the date for repurchase a couple of years ago. Some people have told him that they have paid for title work and then the property is sold out. He thinks there should be a deadline for selling the property back. Mr. Alger commented this is a policy issue for the Legislature. The Finance Committee, historically, has said that the former owner can repurchase and get their property back. The County's position is that we are not in the business of taking people's property. There is always a certain amount of risk for buyers, that the property they are trying to purchase may not be available for sale. Mr. Mullen stated that it is a good policy to allow people to repurchase their homes. Mr. Donnelly clarified there is no repurchase period, however, there are private sales.

Vote: Roll Call – Adopted.

RESOLUTION NO. 112-14

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE JUNE 23, 2014 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY MANAGER'S OFFICE.

BE IT RESOLVED, that the following communications were received, accepted and filed by the County of Steuben, and **referred to the appropriate Standing Committee and/or Department Head for information and/or action,** to wit:

May 12, 2014
New York State Office for the Aging – Re: Revised notification of grant award (NGA) and annual implementation plans for the Title III-B, Title III-C1, Title III-C2, Title III-D, Title III-E, (for the period of January 1, 2013- December 31, 2013) HIICAP and Transportation programs (for the period of April 1, 2013 through March 31, 2014). ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.***

May 15, 2014
New York State Office of Parks, Recreation and Historic Preservation – Re: Notification of property located at 9683 Middle Road, Pulteney, NY 14874, in Steuben County is being considered by the State review board at its

next meeting on June 12, 2014 for nomination to the National and State registers of historic places. ***Referred to: A.I.P. Committee; and Eleanor Silliman, County Historian.***

May 21, 2014

Harris Beach, PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Marsh Hill Energy LLC's distribution of revised page 2 & page 4 of PILOT agreement dated March 1, 2014. ***Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.***

New York State Department of Environmental Conservation – Re: Notification of NYSDEC is accepting public written comments on the draft investigation work plan for the brownfield site from May 20, 2014 through June 19, 2014 for the Philips Lighting Company (DEC Site# C851044) located at 7265 State Route 54, Bath NY, 14810 in Steuben County. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

NYSEG and RG&E – Re: 2014 Electric Utility Emergency Plan for NYSEG and RG&E. ***Referred to: Timothy Marshall, EMO Director; and filed with the Clerk of the Legislature, Brenda Mori.***

May 23, 2014

New York State Department of Health – Re: Notification of the supplemental Medicaid Upper Payment Limit (UPL) for the State Fiscal year 2012-2013. ***Referred to: Human Services/Health & Education Committee; David McCarroll, HCF Administrator; Kathryn Muller, Commissioner of Social Services; and Patrick Donnelly, Commissioner of Finance.***

May 27, 2014

New York State Office for the Aging – Re: Revised Notification of Grant Award (NGAs) and Support Agreement budget for the Title VII program for the period of January 1, 2013 through December 31, 2013. ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.***

June 2, 2014

New York State Office for the Aging – Re: 2nd Notification of Grant Award (NGA) for the federal fiscal year 2014 (FFY 2014) Nutrition Services Incentive Program (NSIP). ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.***

New York State Association of Counties – Re: Status of County Nursing Homes on information for County Leaders in response to SB7291. ***Referred to: Joseph Hauryski, Legislature Chairman; Mark Alger, County Manager; and Jack Wheeler, Deputy County Manager.***

June 4, 2014

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,906 representing the April 2014 retained surcharge revenues for Steuben County**.** ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

Congressman Tom Reed – Re: Correspondence letter on concerns with truck weights and potential legislation in the House of Representatives to increase the authorized tonnage for trucks carrying loads across our nation's roads and bridges. ***Referred to: Mark Alger, County Manager.***

June 5, 2014

NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the first quarter SFY 2014-2015 Statewide Mass Transportation Operating Assistance (STOA) payments. ***Referred to: Amy Dlugos, Planning Director.***

June 6, 2014

NYS Office of the State Comptroller – Re: Exit interview on the draft findings of the recent Sex Offender Management examination. ***Referred to: Public Safety & Corrections Committee; Sheriff Cole; and Mark Alger, County Manager.***

June 11, 2014
New York State Association of Counties – Re: Update on recent and forthcoming intergovernmental transfer (IGT) supplemental payment activity approved by the federal government. ***Referred to: Joseph Hauryski, Legislature Chairman; Mark Alger, County Manager; Jack Wheeler, Deputy County Manager; and Patrick Donnelly; Commissioner of Finance.***

June 12, 2014
Steuben County Democratic Committee – Re: Appointment of Kelly J. Penziul to the position of Democratic Election Commissioner of Steuben County pursuant to New York State Election Law 3-204 (2). ***Referred to: filed with the Clerk of the Legislature, Brenda Mori.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 113-14

Introduced by C. Ferratella and L. Crossett. Seconded by R. Lattimer.

ACCEPTING AND APPROPRIATING NEW YORK STATE SUMMER YOUTH EMPLOYMENT PROGRAM ALLOCATION INTO THE 2014 BUDGET.

WHEREAS, the New York State Enacted Budget appropriates Temporary Assistance for Needy Families (TANF) Funds to support the 2014 NYS Summer Youth Employment Program (SYEP); and

WHEREAS, the Office of Temporary and Disability Assistance of the State of New York has awarded Steuben County $144,426 to support the Steuben SYEP program; and

WHEREAS, Steuben County Department of Social Services wishes to enter into a contract with ProAction of Steuben and Yates, Inc. to operate the Steuben County SYEP program and the Steuben County Youth Bureau to monitor said program.

NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts and appropriates these funds in the 2014 Steuben County Budget and approves the purchase of said equipment/supplies and overtime as follows:

Expenditure:		
601500	Steuben County Youth Bureau	$ 5,000
601500	Pro Action: SYEP	$139,426
Revenues:		
601500 44609000	Federal Revenue	$144,426

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Social Services and the County Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 114-14

Introduced by P. McAllister. Seconded by H. Lando.

REQUESTING SPECIAL LEGISLATION PLACING CERTAIN "DEPUTY SHERIFFS" IN THE 551(e) RETIREMENT PLAN.

Pursuant to Retirement Law §551(e).

WHEREAS, the Administration Committee of the Steuben County Legislature has requested special legislation placing individuals titled as "Deputy Sheriff" into the correct retirement plan under §551(e); and

WHEREAS, the Collective Bargaining Agreement anticipates enrollment under Retirement Law §551(e) for Deputy Sheriffs; and

WHEREAS, certain election periods have lapsed and certain deputies cannot be afforded the opportunity to so enroll without special legislation.

NOW THEREFORE, BE IT

RESOLVED, the Legislature of Steuben County requests the passage of legislation by the New York State Legislature placing individuals previously and currently titled as "Deputy Sheriff" into the correct retirement plan under Retirement Law §551(e); and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Dean Skelos, NYS Senate Republican Conference Leader And Majority Coalition Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Independent Conference Leader And Majority Coalition Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Sheldon Silver, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248.

Vote: Roll Call – Adopted.

RESOLUTION NO. 115-14

Introduced by P. McAllister. Seconded by C. Ferratella.

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

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

WHEREAS, the regulation adds additional requirements for both employers and elected and appointed officials, including 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 as standard work days for certain elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

TITLE	NAME	STANDARD WORKDAY (HRS/DAY)	TERM BEGINS/ENDS	PARTICIPATES IN COUNTY'S TIME KEEPING SYSTEM (Y/N)	DAYS/MO (BASED ON ROA)	TIER 1 (Check only if member is Tier 1)	Not Submitted (Check if no ROA completed)
Elected Officials							
Chairman, County Legislature	Joseph J. Hauryski	6	01/01/14-12/31/15	N	16.67		
Vice Chairman, County Legislature	Patrick F. McAllister	6	01/01/14-12/31/15	N	11.327		
Legislator, District 2	Hilda T. Lando	6	01/01/14-12/31/17	N	7.5		
Legislator, District 3	Robin K. Lattimer	6	01/01/14-12/31/17	N	6.778		
Legislator, District 5	K. Michael Hanna	6	01/01/14-12/31/17	N	12.833		
Legislator, District 9	Eric T. Booth	6	01/01/14-12/31/17	N	3.31		
Legislator, District 12	Gary B. Roush	6	01/01/14-12/31/17	N	9.111		
Legislator, District 13	Carol A. Ferratella	6	01/01/14-12/31/17	N	14.5		
Coroner	Brian P. May	6	01/01/14-12/31/17	Y	N/A		
Appointed Officials							
Assistant Public Defender, Part Time	Peter Degnan	6	04/30/12-12/31/15	N	8.83		
Executive Director, Southern Tier Central Planning & Development Board	Marcia Weber	8	01/01/14-12/31/17	Y	N/A		
Deputy Republican Election Commissioner	Angelia M. Cornish	7.5	01/27/14-12/31/14	Y	N/A		
Assistant Public Defender	Ryan Larose	7.5	02/03/14-12/31/15	Y	N/A		
Probation Director II	Cheryl Crocker	7.5	02/10/14-12/31/17	Y	N/A		
Correction Lieutenant	David Sutton	8	02/10/14-12/31/16	Y	N/A		
Commissioner, Department of Social Services	Kathryn A. Muller	7.5	02/15/14-02/15/19	Y	N/A		
Deputy Commissioner, Department of Social Services	Teresa M. Deninger	7.5	02/15/14-02/15/19	Y	N/A		
Director of Finance, Department of Social Services	Lise M. Reynolds	7.5	02/15/14-02/15/19	Y	N/A		
Director of Child Protective Services, DSS	Edna Kayes	7.5	02/15/14-02/15/19	Y	N/A		
Director of Temp/Disability Assistance, DSS	Lisa M. Baker	7.5	02/15/14-02/15/19	Y	N/A		
Secretary to the Commissioner of Social Services	Donna L. Evingham	7.5	02/15/14-02/15/19	Y	N/A		
DSS Commissioner's Counsel	Jessica M. Peaslee	7.5	02/15/14-02/15/19	Y	N/A		
DSS Attorney	James B. Doyle III	7.5	02/15/14-02/15/19	Y	N/A		
DSS Attorney	Craig W. Anderson	7.5	02/15/14-02/15/19	Y	N/A		
DSS Attorney	Cynthia M. Olin	7.5	02/15/14-02/15/19	Y	N/A		
Confidential Secretary, District Attorney	Shana Robertson	7.5	03/03/14-12/31/15	Y	N/A		
Director, Emergency Management Office	Timothy Marshall	7.5	03/10/14-12/31/17	Y	N/A		
Director, Office for the Aging	Patricia Baroody	7.5	03/10/14-12/31/15	Y	N/A		
Senior DSS Attorney	Nichole M. Smith	7.5	06/09/14-02/15/19	Y	N/A		

AND BE IT FURTHER RESOLVED, the above list reflects only those elected and appointed officials commencing new terms of office, as stipulated in the new regulation; 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 County Treasurer, the Personnel Officer and the New York State Comptroller.

Vote: Roll Call – Adopted. Yes – 9275; No – 597
(Opposed: Legislator Mullen)

RESOLUTION NO. 116-14

Introduced by R. Weaver. Seconded by H. Lando.

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

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

WHEREAS, the New York State Grants Program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS, the Steuben County Conference and Visitors' Bureau, a non-profit organization established by the Steuben County Legislature through adoption of Resolution No. 156-93 on October 25, 1993, has requested to be designated in 2014-2015 as the official tourism promotion agency for Steuben County for the purpose of the New York State Grants Program.

NOW THEREFORE, BE it

RESOLVED, the Steuben County Conference and Visitors' Bureau be, and the same hereby is, designated by the Steuben County Legislature to make application for and receive grants on behalf of the County of Steuben pursuant to the New York State Tourism Promotion Act; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Peggy Coleman, Executive Director, Steuben County Conference and Visitors' Bureau, Inc., 1 West Market Street, Suite 301, Corning, NY 14830.

Vote: Roll Call – Adopted.

RESOLUTION NO. 117-14

Introduced by R. Weaver. Seconded by H. Lando.

CONFIRMING THE APPOINTMENT OF THE SUPERINTENDENT OF THE DEPARTMENT OF BUILDINGS AND GROUNDS.

Pursuant to Section 12.03 of the Steuben County Charter.

WHEREAS, **Eric A. Rose** of Hornell, New York, has been appointed by the County Manager as the Superintendent of the Department of Buildings and Grounds in accordance with the Management Salary Plan in Grade D; and

WHEREAS, the A.I.P. Committee has recommended the Steuben County Legislature confirm said appointment.

NOW THEREFORE, BE IT

RESOLVED, **Eric A. Rose** of Hornell, New York, appointed as the Superintendent of the Department of Buildings and Grounds, is hereby confirmed by the Steuben County Legislature; and be it further

RESOLVED, that certified copies of this resolution be sent to the above-named appointee, the Steuben County Department of Buildings and Grounds and the Personnel Officer.

Mr. Swackhamer asked is there a probation period? Mr. Alger replied yes, the probation period is 8 – 26 weeks. This is a provisional appointment, contingent on passing the civil service test. This is a State exam and it may be a year or possibly two before they give the test.

Mr. Farrand asked since this is a provisional appointment, does he have to score in the top three to retain employment? Mr. Alger replied he will have to be within an appropriate range and traditionally that has been within the top three.

Mr. Swackhamer asked who will be evaluating him? Mr. Alger replied that is his responsibility. There are specific things that we will be looking for him to accomplish.

Vote: Roll Call – Adopted.

RESOLUTION NO. 118-14

Introduced by P. McAllister. Seconded by H. Lando.

FILLING THE VACANCY OF THE DEMOCRATIC COMMISSIONER OF ELECTIONS OF THE COUNTY OF STEUBEN.

Pursuant to Section 3-204(5) of the Election Law of the State of New York.

WHEREAS, a vacancy exists in the position of Democratic Commissioner of Elections of the County of Steuben; and

WHEREAS, Shawn D. Hogan, Chairman of the County Committee of the Democratic Party of the County of Steuben has, in pursuance of law, made, signed, and filed with the Clerk of the County Legislature, in proper form, his certification that Kelly J. Penziul, residing in Painted Post, County of Steuben and State of New York, is a suitable and qualified person to be appointed as a Commissioner of Elections.

NOW THEREFORE, BE IT

RESOLVED, Kelly J. Penziul, residing in Painted Post, Steuben County, New York, be and is hereby appointed a Commissioner of Elections in and for the County of Steuben, filling the unexpired term through December 31, 2014, and setting the annual salary rate at $48,885; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee at 175 Beartown Rd., Painted Post, NY 14870; Shawn D. Hogan, Chairman, Steuben County Democratic Committee, PO Box 627, 82 Main Street, Hornell, NY 14843; the County Clerk; and the Personnel Officer.

Mr. Hanna asked will the Deputy position be backfilled? Mr. Alger replied this is a unique office as State law requires an equal number of staff for both parties. We will have need to fill the position that she will be vacating.

Mrs. Ferratella asked who has the responsibility of hiring for that position? Mr. Alger replied the Deputy Commissioner is an appointee of the Commissioner. The clerical staff are a joint appointment of both Commissioners. He stated that Ms. Penziul has done a good job over the years she has worked here. She will do a fine job.

Mr. Booth asked how do we determine the staffing? Mr. Alger replied staffing is a decision of the Legislature and the Commissioners. We have been discussing staffing issues for some time. Traditionally we have had part-time Commissioners and full-time Deputies and clerks. Several years ago we made the Commissioners full-time as well. With the implementation of HAVA, there is a lot more work involved with the elections.

Vote: Roll Call – Adopted.

Ms. Penziul thanked the Legislature for their support and stated she will do the best job she can.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.E. Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law made by Mr. McAllister, seconded by Mrs. Lando and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Van Etten, seconded by Mr. Peoples and duly carried.

Motion to Adjourn made by Mr. McAllister, seconded by Mr. Van Etten and duly carried.

REGULAR MEETING
Morning Session
Monday, July 28, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 28th day of July, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present.

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

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

Mr. Donnelly thanked the Sheriff's Office for providing security during this year's tax sale auction that was held at the Campbell-Savona High School. We sold 61 parcels this year, compared to 85 in 2013. Total sales were $761,000 compared to $900,000 in 2013, and taxes owed were $419,000 compared to $535,000 last year. Net revenue was $342,000 compared to $363,000 last year.

Mr. Marshall introduced the new Deputy Director of the Emergency Management Office, Ken Forenz. Mr. Forenz began working in the beginning of July. Prior to working for us, he was a 911 dispatcher for five years as well as the Pulteney Fire Chief.

RESOLUTION NO. 119-14

Introduced by L. Crossett. Seconded by R. Weaver.

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

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 be it further

RESOLVED, as it appears to be in the best interest of the County to sell the properties listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof and as upon the "Notice to Bidders and Terms of Sale – 2014" as applicable; and be it further

RESOLVED, the said grantee(s) must accept the parcel "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel if need be; and be it further

RESOLVED, the Steuben County Commissioner of Finance is further authorized and directed to convey those parcels sold at the Delinquent Tax Auction held on July 11, 2014, contained in Schedule "C", and he is further authorized and directed, in the event of a default by the highest bidder by failure to make full payment within thirty (30) days, to convey those parcels to the second highest bidder, and said transfers made pursuant hereto be and the same hereby are ratified; and be it further

RESOLVED, as it appears to be in the best interest of the County to convey the property contained in Schedule "D", being a certain portion of County Route 41 also known as Hamilton Road being located in the Town of Corning, Steuben County, New York, is no longer necessary for use or maintenance of County Route 41 by the County of Steuben, the County Manager is authorized and directed to convey and deliver a deed to the grantee, Bernice R. Berleue; and be it further

RESOLVED, as it appears to be in the best interest of the County to transfer the property contained in Schedule "E", being a certain portion of Old State Route 414 located in the Town of Corning, Steuben County, New York, is no longer necessary for use or maintenance of Old State Route 414. Pending receipt of an order from NYSDOT returning said property to Steuben County, the County Manager is hereby authorized and directed to convey and deliver a deed to the grantee, North Corning Volunteer Fire Department; 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, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s); and certified copies of this resolution contained in Schedule "C" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, the Clerk of the Board of Education of the appropriate School District, and the taxpayers; and certified copies of this resolution contained in Schedule "D" shall be forwarded to the Steuben County Manager, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s); and certified copies of this resolution contained in Schedule "E" shall be forwarded to the Steuben County Manager, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1
Name	Croft Corners LLC
Parcel No.	336.06-01-036.220
Municipality	South Corning Village
Disposition	Court Ordered Refund

Resolution No.	A-2
Name	Corning Natural Gas Corp.
Parcel No.	390.00-02-022.122
Municipality	Caton Town
Disposition	Court Ordered Refund

Resolution No.	A-3
Name	Jean Campbell
Parcel No.	136.05-01-023.220/77
Municipality	Hornellsville Town
Disposition	Cancellation

SCHEDULE "B"

Resolution No.	B-1
Former Owner	Steven J. Riff
In Rem Index No.	2011-1564CV, Judgment Filed 05/09/2013
Parcel No.	280.00-03-009.000
Municipality	Campbell Town
Grantee(s)	Steven J. Riff
Grantee(s) Address	3820 Erwin Hollow Rd., Painted Post, NY 14870
Consideration	$11,565.68, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-2
Former Owner	Julie Shafer
In Rem Index No.	2011-1564CV, Judgment Filed 05/09/2013
Parcel No.	404.00-03-003.000
Municipality	Lindley Town
Grantee(s)	Julie Shafer
Grantee(s) Address	759 Clendenning Rd., Lindley, NY 14858
Consideration	$11,841.02, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-3
Former Owner	Stephen Houghtaling
In Rem Index No.	2010-1966CV, Judgment Filed 05/09/2013
Parcel No.	349.00-01-053.200
Municipality	Addison Town
Grantee(s)	Stephen & Charlotte Houghtaling
Grantee(s) Address	2056 Greengrass Rd, Addison, NY 14801
Consideration	$6,719.65, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-4
Former Owner	William Williams
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	364.05-02-015.000
Municipality	Woodhull Town
Grantee(s)	William Williams
Grantee(s) Address	1571 Mills St., Woodhull, NY 14898
Consideration	$3,728.68, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-5
Former Owner	Paul F. Randall
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	251.00-01-016.000
Municipality	Canisteo Town
Grantee(s)	Paul F. Randall
Grantee(s) Address	102 Catherine St., Hornell, NY 14843
Consideration	$4,250.33, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-6
Former Owner	Stephen Brewer
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	240.00-01-053.000
Municipality	Thurston Town
Grantee(s)	Stephen Brewer
Grantee(s) Address	5800 Turnpike Rd., Bath, NY 14810
Consideration	$3,918.59, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-7
Former Owner	Steuben County
Deed (Liber/Page)	445/203, October 1933
Parcel No.	299.15-01-030.000
Municipality	Corning City
Grantee(s)	Jody Updike & Lewis Updike
Grantee(s) Address	191 Buffalo St., Corning, NY 14830
Consideration	$330.00, inclusive of recording fees

SCHEDULE "C"

Resolution #_____C-1_____
Former Owner: _____HARRISON KEVIN J & 2011 OWNER: STIKER DONALD R
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____331.20-01-026.000____
Municipality:_____Addison Village_____
Highest Bidder: _____Steven Nichols_____
Highest Bidder's Address: 5568 Wolf Run Road, Campbell NY 14821
Consideration: $100.00, together with buyers premium & recording fees
Second Highest Bidder: _____
Second Highest Bidder's Address: _____

Resolution #_____C-2_____
Former Owner: _____THOMPSON THOMAS R
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____332.18-01-010.000____
Municipality:_____Addison Village_____
Highest Bidder: _____Christopher Woodard__
Highest Bidder's Address: 8961 State Route 415, Campbell NY 14821
Consideration: $1,400.00, together with buyers premium & recording fees
Second Highest Bidder: Derrick L. Wilson_____
Second Highest Bidder's Address: 3474 Wilson Ave #4B, Bronx NY 10469

Resolution #_____C-3_____
Former Owner: _____PECORARO FRANCIS J
In Rem Index No.2010-1966CV, Judgment Filed 5/6/2013
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____083.00-02-005.112____
Municipality:_____Avoca Town_____
Highest Bidder: _____Chad Robbins_____
Highest Bidder's Address: 5092 Route 70A, Bath NY 14810
Consideration: $28,000.00, together with buyers premium & recording fees
Second Highest Bidder: Jim Emo_____
Second Highest Bidder's Address: Canisteo, NY 14823

Resolution #_____C-4_____
Former Owner: _____HARRIS JEFFREY L__
In Rem Index No.2010-1966CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____084.00-01-067.121____
Municipality:_____Avoca Town_____
Highest Bidder: _____Stacey & James Richtmeyer
Highest Bidder's Address: 9430 County Route 9, Cohocton NY 14826
Consideration: $7,500.00, together with buyers premium & recording fees
Second Highest Bidder: William D. Warfe_____
Second Highest Bidder's Address: 9291 Hillside Lane, Cohocton NY 14826

Resolution #_____C-5_____
Former Owner: _____HARRIS JEFFREY L__
In Rem Index No.2010-1966CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____084.00-01-078.200____
Municipality:_____Avoca Town_____
Highest Bidder: _____Douglas & Sharon McCann
Highest Bidder's Address: 6002 Route 226, Savona NY 14879
Consideration: $1,800.00, together with buyers premium & recording fees
Second Highest Bidder: John Savoca_____
Second Highest Bidder's Address: 4729 Dyer Hill Road, Avoca NY 14809

Resolution #_____C-6_____
Former Owner: _____HARRIS JEFFREY L__
In Rem Index No.2010-1966CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____084.00-01-080.110____
Municipality:_____Avoca Town_____
Highest Bidder: _____William D. Warfe_____
Highest Bidder's Address: 9291 Hill Side Lane, Cohocton NY 14826
Consideration: $600.00, together with buyers premium & recording fees
Second Highest Bidder: Steven Nichols_____
Second Highest Bidder's Address: 5568 Wolf Run Road, Campbell NY 14821

Resolution #_____C-7_____
Former Owner: _____HARRIS JEFFREY L__
In Rem Index No.2010-1966CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____084.00-01-080.120____
Municipality:_____Avoca Town_____
Highest Bidder: _____Kerry Arrigenna_____
Highest Bidder's Address: 292 Walter Smith Terrace, #102 Corning NY 14830
Consideration: $1,500.00, together with buyers premium & recording fees
Second Highest Bidder: Joy Goodsell_____
Second Highest Bidder's Address: 38 Main Street, Savona NY 14879

Resolution #_____C-8_____
Former Owner: _____WORDEN ROGER W__
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____099.00-01-060.000____
Municipality:_____Avoca Town_____
Highest Bidder: _____Steve Nichols_____
Highest Bidder's Address: PO Box 1977, North Myrtle Beach SC 29598
Consideration: $200.00, together with buyers premium & recording fees
Second Highest Bidder: Douglas McCann_____
Second Highest Bidder's Address: 6002 Route 226, Savona NY 14879

Resolution #_____C-9_____
Former Owner: _____BRINKHUS BRIAN J & BRINKHUS MARTA J
In Rem Index No.2010-1966CV, Judgment Filed 5/10/2012
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____113.08-01-015.200____
Municipality:_____Avoca Village_____
Highest Bidder: _____Steve Nichols_____
Highest Bidder's Address: PO Box 1977, North Myrtle Beach SC 29598
Consideration: $11,000.00, together with buyers premium & recording fees
Second Highest Bidder: Lawrence Fink_____
Second Highest Bidder's Address: 100 Fourth Street, Hornell NY 14843

Resolution #_____C-10_____
Former Owner: _____HUETHER ROBERT J_
In Rem Index No.2011-1564CV, Judgment Filed 5/6/2013
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____129.17-01-027.200____
Municipality:_____Bath Town_____
Highest Bidder: _____K. Wilkins Properties, LLC____
Highest Bidder's Address: 461 Webb Road, Hornell NY 14843
Consideration: $16,500.00, together with buyers premium & recording fees
Second Highest Bidder: Charles Piliero_____
Second Highest Bidder's Address: 63 1/2 E. State Street, Wellsville NY 14895

Resolution #_____C-11_____
Former Owner: _____SOUTHERN TIER PROPERTIES LLC
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____186.00-01-007.211____
Municipality:_____Bath Town_____
Highest Bidder: _____Paul W. Jayne_____
Highest Bidder's Address: 1375 Gibson Road, Dundee NY 14837
Consideration: $4,500.00, together with buyers premium & recording fees
Second Highest Bidder: Douglas McCann_____
Second Highest Bidder's Address: 6002 Route 226, Savona NY 14879

Resolution #_____C-12_____
Former Owner: _____FRANCHER JOHN A_
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____159.13-02-055.000____
Municipality:_____Bath Village_____
Highest Bidder: _____BARSCO LLC_____
Highest Bidder's Address: 5811 Unionville Road, Bath NY 14810
Consideration: $16,500.00, together with buyers premium & recording fees
Second Highest Bidder: Muhammad A. Khan__
Second Highest Bidder's Address: 243 Flint Ave, Corning NY 14830

Resolution #_____C-13_____
Former Owner: _____QUICK SHAWN D & CONKLIN TINA M
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____191.18-01-053.000____
Municipality:_____Savona_____
Highest Bidder: _____Corridor Enterprises, LLC
Highest Bidder's Address: 68 Main Street, Savona NY 14879
Consideration: $15,000.00, together with buyers premium & recording fees
Second Highest Bidder: _____
Second Highest Bidder's Address: _____

Resolution #_____C-14_____
Former Owner: _____STUART KEVIN D SR
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____254.00-03-015.300____
Municipality:_____Cameron_____
Highest Bidder: _____Paul Earl Jones, Jr_____
Highest Bidder's Address: 7011 County Route 119, Cameron Mills NY 14820
Consideration: $1,750.00, together with buyers premium & recording fees
Second Highest Bidder: Robert Potter_____
Second Highest Bidder's Address: 3766 County Rte 30, Cameron NY 14819

Resolution #_____C-15_____
Former Owner: _____VANPELT LLOYD R__
In Rem Index No.2011-1564CV, Judgment Filed 5/6/2013
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____262.00-01-066.100____
Municipality:_____Campbell_____
Highest Bidder: _____Andrea J. Haradon & Elizabeth A. Hull
Highest Bidder's Address: PO Box 97, Corning NY 14830
Consideration: $2,100.00, together with buyers premium & recording fees
Second Highest Bidder: Paul W. Jayne_____
Second Highest Bidder's Address: 1675 Gibson Road, Dundee NY 14837

Resolution #_____C-16_____
Former Owner: _____PACKER GARY R & PACKER LORI R
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____197.14-01-032.100____
Municipality:_____Canisteo Village_____
Highest Bidder: _____Shelly Florence Glover & Robert Glover
Highest Bidder's Address: 35 Holland Ave, Sleepy Hollow NY 10591
Consideration: $56,000.00, together with buyers premium & recording fees
Second Highest Bidder: Jeffrey Ray_____
Second Highest Bidder's Address: 24 E. Academy Street, Canisteo NY 14823

Resolution #_____C-17_____
Former Owner: _____ELLIOTT RICHARD & ELLIOTT FAITH
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____373.00-01-071.000____
Municipality:_____Caton_____
Highest Bidder: _____Leon Phillip Kraszewski Jr & Karen E. Kraszewski
Highest Bidder's Address: 15 Sticklertown Road, Corning NY 14830
Consideration: $3,600.00, together with buyers premium & recording fees
Second Highest Bidder: Barbara Towner_____
Second Highest Bidder's Address: 3855 South Goodhue Lake Road, Addison NY 14801

Resolution #_____C-18_____
Former Owner: _____COOPER CONSTANCE M
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____390.11-01-031.000____
Municipality:_____Caton_____
Highest Bidder: _____Donald E. Stuckey_____
Highest Bidder's Address: 365 E. Third Street, Corning NY 14830
Consideration: $2,750.00, together with buyers premium & recording fees
Second Highest Bidder: Matthew Knowles____
Second Highest Bidder's Address: 8398 County Route 333, Campbell, NY 14821

Resolution #_____C-19_____
Former Owner: _____BURRITT RICHARD D & BURRITT KIMBERLY L
In Rem Index No.2011-1564CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____044.00-01-012.100____
Municipality:_____Cohocton Town_____
Highest Bidder: _____Lent Hill Dairy Farm, LLC
Highest Bidder's Address: 10799 Edmond Road, Cohocton NY 14826
Consideration: $37,500.00, together with buyers premium & recording fees
Second Highest Bidder: James Olszewski_____
Second Highest Bidder's Address: 125 Hill Top Ave, Portsmouth RI 02871

Resolution #_____C-20_____
Former Owner: _____ZIMMER JANIS K____
In Rem Index No.2012-44CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____056.05-01-074.000____
Municipality:_____Cohocton Village_____
Highest Bidder: _____BARSCO LLC_____
Highest Bidder's Address: 5811 Unionville Road, Bath NY 14810
Consideration: $13,000.00, together with buyers premium & recording fees
Second Highest Bidder: Robert E. Matthews___
Second Highest Bidder's Address: 25 E. Lamoka Ave, Savona NY 14879

Resolution #_____C-21_____
Former Owner: _____PITTS STEVEN D & PITTS ROSENA L
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____299.11-01-007.000____
Municipality:_____Corning Town_____
Highest Bidder: _____Anthony A. Tullarida__
Highest Bidder's Address: PO Box 202, Corning NY 14830
Consideration: $3,500.00, together with buyers premium & recording fees
Second Highest Bidder: John Hertzler_____
Second Highest Bidder's Address: 7259 Hardscrabble Road,Addison NY 14801

Resolution #_____C-22_____
Former Owner: _____GROSS DILLON & 2011:LOWREY GENEVIEVE M
In Rem Index No.2011-1564CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____299.11-01-043.000 & 299.11-01-044.000
Municipality:_____Corning Town_____
Highest Bidder: _____Derrick Wilson_____
Highest Bidder's Address: 3474 Wilson Ave, Bronx NY 10469
Consideration: $300.00, together with buyers premium & recording fees
Second Highest Bidder: _____
Second Highest Bidder's Address:_____

Resolution #_____C-23_____
Former Owner: _____EDDY GEORGE V & TOSTANOSKI LEONARD N
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____318.00-02-013.100____
Municipality:_____Corning Town_____
Former Owner: _____HARRISON KEVIN J__
Parcel #: _____318.00-02-013.200____
Municipality:_____Corning Town_____
Parcel #: _____318.18-02-084.000____
Municipality:_____South Corning_____
Highest Bidder: _____John F. Hertzler_____
Highest Bidder's Address: 7259 Hardscrabble Road, Addison NY 14801
Consideration: $650.00, together with buyers premium & recording fees
Second Highest Bidder: Steven Nichols_____
Second Highest Bidder's Address: 5568 Wolf Run Road, Campbell NY 14821

Resolution #_____C-24_____
Former Owner: _____STEUBEN COUNTY__
DEED: (Liber/Page) 2454/22 & 2458/29_____
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____336.00-02-035.000____
Municipality:_____Corning Town_____
Highest Bidder: _____Tracey Bernd_____
Highest Bidder's Address: 4960 County Route 125, Campbell NY 14821
Consideration: $15,500.00, together with buyers premium & recording fees
Second Highest Bidder: Andrea Haradon_____
Second Highest Bidder's Address:PO Box 97, Corning NY 14830

Resolution #_____C-25_____
Former Owner: _____NAYLOR-WOODHOUSE SUSAN M
In Rem Index No.95453, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____318.18-01-036.000____
Municipality:_____South Corning_____
Highest Bidder: _____Donald E. Stuckey____
Highest Bidder's Address: 365 E. Third Street, Corning NY 14830
Consideration: $39,000.00, together with buyers premium & recording fees
Second Highest Bidder: Mark Stirpe_____
Second Highest Bidder's Address: 12 Francis Street, Painted Post NY 14870

Resolution #_____C-26_____
Former Owner: _____ELLIS MICHAEL A___
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____336.06-02-040.000____
Municipality:_____South Corning_____
Highest Bidder: _____Ahmed Zaheer Ghumman
Highest Bidder's Address: 363 County Road 64 Apt 4C, Elmira NY 14903
Consideration: $25,000.00, together with buyers premium & recording fees
Second Highest Bidder: William Ginnan_____
Second Highest Bidder's Address: 19 Caton Road, Corning NY 14830

Resolution #_____C-27_____
Former Owner: _____HARRISON KEVIN J__
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____336.10-02-002.200____
Municipality:_____South Corning_____
Highest Bidder: _____Matthew Knowles____
Highest Bidder's Address: 8398 Route 333, Campbell NY 14821
Consideration: $50.00, together with buyers premium & recording fees
Second Highest Bidder: _____
Second Highest Bidder's Address: _____

Resolution #_____C-28_____
Former Owner: _____TARBELL KENNETH
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____038.00-01-031.120____
Municipality:_____Dansville_____
Highest Bidder: _____Jonathan D. Sick_____
Highest Bidder's Address: 9785 Ward Road, Wayland NY 14572
Consideration: $6,000.00, together with buyers premium & recording fees
Second Highest Bidder: Daniel Grinols_____
Second Highest Bidder's Address: 1161 Airport Road, Hornell NY 14843

Resolution #_____C-29_____
Former Owner: _____CUPP WILLIAM JR & CUPP LORI
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____067.00-01-026.110____
Municipality:_____Dansville_____
Highest Bidder: _____Absolute Electric of Western NY Inc__
Highest Bidder's Address: 3087 Seeley Road, Williamson NY 14589
Consideration: $9,500.00, together with buyers premium & recording fees
Second Highest Bidder: Roger D. Bailey_____
Second Highest Bidder's Address: 4955 Belknap Hill Road, Branchport, NY 14418

Resolution #_____C-30_____
Former Owner: _____CERVONI CHARLES L SR
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____334.00-01-053.200____
Municipality:_____Erwin_____
Highest Bidder: _____Aaron Bartoo_____
Highest Bidder's Address: 2043 Indian Hills Road, Painted Post NY 14870
Consideration: $4,500.00, together with buyers premium & recording fees
Second Highest Bidder: Keana Fletcher_____
Second Highest Bidder's Address: 344 Dodge Ave Ext. Corning NY 14830

Resolution #_____C-31_____
Former Owner: _____TOMPKINS FRANCES B
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____299.17-01-001.000____
Municipality:_____Painted Post_____
Highest Bidder: _____Mark E. Spaulding____
Highest Bidder's Address: 58 Birch Hill Road, Lawrenceville PA 16929
Consideration: $2,100.00, together with buyers premium & recording fees
Second Highest Bidder: Steven Nichols_____
Second Highest Bidder's Address: 5568 Wolf Run Road, Campbell NY 14821

Resolution #_____C-32_____
Former Owner: _____KISSELL MAUREEN & KISSELL MICHAEL
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____267.00-01-041.200____
Municipality:_____Greenwood_____
Highest Bidder: _____Samuel L. Buck & Samuel C. Buck
Highest Bidder's Address: 8115 Packard Road, Niagara Falls, NY 14304
Consideration: $17,000.00, together with buyers premium & recording fees
Second Highest Bidder: Joanne Williamson____
Second Highest Bidder's Address: 2823 State Route 248, Greenwood, NY 14839

Resolution #_____C-33_____
Former Owner: _____SHAFFER LEWIS SR & SHAFFER LINDA
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____227.00-02-031.000____
Municipality:_____Hornby_____
Highest Bidder: _____Keana B. Fletcher_____
Highest Bidder's Address: 344 Dodge Ave Ext, Corning, NY 14830
Consideration: $1,300.00, together with buyers premium & recording fees
Second Highest Bidder: Ernest T. Pischel Jr.___
Second Highest Bidder's Address: 125 John Street, Owego NY 14883

Resolution #_____C-34_____
Former Owner: _____MAKIN GEORGE & MAKIN MARILYN
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____264.00-01-006.000____
Municipality:_____Hornby_____
Highest Bidder: _____Terry Axtell, Jr._____
Highest Bidder's Address: 5057 Meads Creek Road, Painted Post NY 14870
Consideration: $5,700.00, together with buyers premium & recording fees
Second Highest Bidder: James Olszerski_____
Second Highest Bidder's Address: 125 Hilltop Ave, Portsmouth RI 02871

Resolution #_____C-35_____
Former Owner: _____TINKER DENNIS & TINKER SUSAN
In Rem Index No.104021, Judgment Filed 5/10/2012
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____166.06-02-060.000____
Municipality:_____Hornell City_____
Highest Bidder: _____Robert Bradley Jr & Jodi L. Bradley
Highest Bidder's Address: 4295 Cook Road, Woodhull, NY 14898
Consideration: $23,000.00, together with buyers premium & recording fees
Second Highest Bidder: Brian R. Luce_____
Second Highest Bidder's Address: 10925 Poags Hole Road, Dansville, NY 14437

Resolution #_____C-36_____
Former Owner: _____DELLA PENNA JOHN
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____166.06-07-015.000____
Municipality:_____Hornell City_____
Highest Bidder: _____Cheri Williams_____
Highest Bidder's Address: 63 Hopkins Street, Mt. Morris NY 14510
Consideration: $6,500.00, together with buyers premium & recording fees
Second Highest Bidder: Brian R. Luce_____
Second Highest Bidder's Address: 10925 Poags Hole Road, Dansville NY 14437

Resolution #_____C-37_____
Former Owner: _____ERSKINE JOHN P & ERSKINE HELEN E
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____166.06-08-089.000____
Municipality:_____Hornell City_____
Highest Bidder: _____JLD Property Solutions, Inc
Highest Bidder's Address: 5713 Demitrios Way, Avon NY 14414
Consideration: $13,000.00, together with buyers premium & recording fees
Second Highest Bidder: Brian R. Luce_____
Second Highest Bidder's Address: 10925 Poags Hole Road, Dansville NY 14437

Resolution #_____C-38_____
Former Owner: _____DAVISON MICHAEL J_____
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____166.34-01-005.000____
Municipality:_____Hornell City_____
Highest Bidder: _____JLD Property Solutions, Inc
Highest Bidder's Address: 5713 Demitrios Way, Avon NY 14414
Consideration: $16000.00, together with buyers premium & recording fees
Second Highest Bidder: Lawrence Fink_____
Second Highest Bidder's Address: 100 Fourth Street, Hornell NY 14843

Resolution #_____C-39_____
Former Owner: _____DEVINNEY DENISE__
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____136.18-03-004.111 & 136.18-03-029.000
Municipality:_____North Hornell_____
Highest Bidder: _____Edward L. Flaitz_____
Highest Bidder's Address: 12 Blaine Street, Hornell NY 14843
Consideration: $10,000.00, together with buyers premium & recording fees
Second Highest Bidder: Afton Shoemaker_____
Second Highest Bidder's Address: 8320 Clark Hill Road, Bath NY 14810

Resolution #_____C-40_____
Former Owner: _____DEVINNEY DENISE__
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____136.18-03-004.260____
Municipality:_____North Hornell_____
Highest Bidder: _____Joseph P. Hooper & Donna L. Hooper
Highest Bidder's Address: 26 Elmwood Ave, Hornell NY 14843
Consideration: $500.00, together with buyers premium & recording fees
Second Highest Bidder: Ernest T. Pischel, Jr.___
Second Highest Bidder's Address: 125 John Street, Owego NY 14883

Resolution #_____C-41_____
Former Owner: _____DEVINNEY DENISE__
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____136.18-03-004.280____
Municipality:_____North Hornell_____
Highest Bidder: _____Nancy C. Beach_____
Highest Bidder's Address: 107 Maple Street, PO Box 206, Hornell NY 14843
Consideration: $400.00, together with buyers premium & recording fees
Second Highest Bidder: Ernest T. Pischel, Jr.___
Second Highest Bidder's Address: 125 John Street, Owego NY 14883

Resolution #_____C-42_____
Former Owner: _____MATTHEWS MONTGOMERY
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____369.00-02-071.000____
Municipality:_____Lindley_____
Highest Bidder: _____Glenn A. Hill & Patricia A. Hill
Highest Bidder's Address: 9600 Manley Hill Road, Lindley NY 14858
Consideration: $62,000.00, together with buyers premium & recording fees
Second Highest Bidder: Jeffrey G. Breese_____
Second Highest Bidder's Address: 3778 West Hill Road, Painted Post NY 14870

Resolution #_____C-43_____
Former Owner: _____STEELE P & STEELE GEHLING N
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____370.00-01-058.200____
Municipality:_____Lindley_____
Highest Bidder: _____Towner Trust_____
Highest Bidder's Address: 3855 South Goodhue Lake Road, PO Box 10 Addison NY 14801
Consideration: $30,000.00, together with buyers premium & recording fees
Second Highest Bidder: Margaret E. Wheeler___
Second Highest Bidder's Address: 687 Clendenning Road, Lindley NY 14858

Resolution #_____C-44_____
Former Owner: _____BROCKMAN KEVIN & ALMAN HEIDI
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____034.15-01-011.100____
Municipality:_____Prattsburgh_____
Highest Bidder: _____Joy E Goodsell_____
Highest Bidder's Address: 38 Main Street, Savona NY 14879
Consideration: $8,500.00, together with buyers premium & recording fees
Second Highest Bidder: Joseph H. Patoine_____
Second Highest Bidder's Address: 18 Howe Street, Prattsburgh NY 14873

Resolution #_____C-45_____
Former Owner: _____TOWSLEY DARRELL S SR.
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____344.00-03-009.000____
Municipality:_____Troupsburg_____
Highest Bidder: _____David A. Heck Jr & Amber E. Way
Highest Bidder's Address: PO Box 194, Lawrenceville PA 16929
Consideration: $12,500.00, together with buyers premium & recording fees
Second Highest Bidder: Julie Learn_____
Second Highest Bidder's Address: 7011 County Route 119, Cameron Mills, NY 14820

Resolution #_____C-46_____
Former Owner: _____BROUWERE MICHAEL T & BROUWERE SHEILA M
In Rem Index No.98375, Judgment Filed 5/6/2013
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____366.00-01-034.220____
Municipality:_____Tuscarora_____
Highest Bidder: _____Barbara Birdsall_____
Highest Bidder's Address: 8982 State Route 415, Campbell NY 14821
Consideration: $1,900.00, together with buyers premium & recording fees
Second Highest Bidder: John Hertzler_____
Second Highest Bidder's Address: 7259 Hardscrabble Road, Addison NY 14801

Resolution #_____C-47_____
Former Owner: _____WILIAMS THOMAS L
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____384.00-01-019.000____
Municipality:_____Tuscarora_____
Highest Bidder: _____John F. Hertzler_____
Highest Bidder's Address: 7259 Hardscrabble Road, Addison NY 14801
Consideration: $500.00, together with buyers premium & recording fees
Second Highest Bidder: Ernest T. Pischel, Jr___
Second Highest Bidder's Address: 125 John Street, Owego NY 14883

Resolution #_____C-48_____
Former Owner: _____KOCHER DONALDINE & KOCHER DEAN D
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____104.00-01-083.200____
Municipality:_____Urbana_____
Highest Bidder: _____Douglas D. Kocher____
Highest Bidder's Address: 878 Route 49, Drive 20 Cleveland NY 13042
Consideration: $3,300.00, together with buyers premium & recording fees
Second Highest Bidder: WP Crocetto Jr_____
Second Highest Bidder's Address: 28 Shore Lane, Bayshore NY 11706

Resolution #_____C-49_____
Former Owner: _____LANGON TODD E___
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____130.00-01-052.220____
Municipality:_____Urbana_____
Highest Bidder: _____Gregg Learned_____
Highest Bidder's Address: 7887 Cold Springs Road, Bath NY 14810
Consideration: $7,250.00, together with buyers premium & recording fees
Second Highest Bidder: Dmitry Serebryan_____
Second Highest Bidder's Address: 275B Hornbrook Road, Ithaca NY 14850

Resolution #_____C-50_____
Former Owner: _____PALMER JOHN A JR__
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____014.00-01-010.000____
Municipality:_____Wayland Town_____
Highest Bidder: _____Doreen Lathrop & Richard Danielson
Highest Bidder's Address: 2057 Route 63, Wayland NY 14572
Consideration: $1,800.00, together with buyers premium & recording fees
Second Highest Bidder: Brian R. Luce_____
Second Highest Bidder's Address: 10925 Poags Hole Road, Dansville NY 14437

Resolution #_____C-51_____
Former Owner: _____JUNE RICHARD & JUNE EDITH
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____014.00-02-034.000____
Municipality:_____Wayland Town_____
Highest Bidder: _____Brian R. Luce_____
Highest Bidder's Address: 10925 Poags Hole Road, Dansville NY 14437
Consideration: $500.00, together with buyers premium & recording fees
Second Highest Bidder: Ernest T. Pische Jr____
Second Highest Bidder's Address: 125 John Street, Owego NY 14883

Resolution #_____C-52_____
Former Owner: _____BABCOCK GLEN C & BABCOCK DELLA H
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____028.00-01-024.000____
Municipality:_____Wayland Town_____
Highest Bidder: _____Peter G. Wallace & Linda A. Wallace
Highest Bidder's Address: 3525 County Route 36, Wayland NY 14572
Consideration: $43,000.00, together with buyers premium & recording fees
Second Highest Bidder: Susan Paige_____
Second Highest Bidder's Address: 2877 Emo Road, Wayland NY 14572

Resolution #_____C-53_____
Former Owner: _____ANDRIX DANIEL H__
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____053.00-03-002.123____
Municipality:_____Wayland Town_____
Highest Bidder: _____Timothy D. Williams & Pamela Bolger
Highest Bidder's Address: 1223 Hamlin Parma Townline Road, Hilton NY 14468
Consideration: $9,500.00, together with buyers premium & recording fees
Second Highest Bidder: John H. Springer_____
Second Highest Bidder's Address: 1266 Johnson Road, Churchville NY 14428

Resolution #_____C-54_____
Former Owner: _____NIZIOL CLARKE E
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____078.00-01-001.116____
Municipality:_____Wayne_____
Highest Bidder: _____Peter Ungerland Sr. & Marianne Ungerland
Highest Bidder's Address: 698 Maypop Court, Boca Raton FL 33432
Consideration: $22,000.00, together with buyers premium & recording fees
Second Highest Bidder: WP Crocetto Jr_____
Second Highest Bidder's Address: 28 Shore Lane, Bayshore NY 11706

Resolution #_____C-55_____
Former Owner: _____NIZIOL CLARKE E
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____078.00-01-038.100____
Municipality:_____Wayne_____
Highest Bidder: _____Margaret H. Tranbaugh
Highest Bidder's Address: 1105 Park Ave, NY NY 10128
Consideration: $11,500.00, together with buyers premium & recording fees
Second Highest Bidder: WP Crocetto Jr_____
Second Highest Bidder's Address: 28 Shore Lane, Bayshore NY 11706

Resolution #_____C-56_____
Former Owner: _____SCOUTEN DOUGLAS & SCOUTEN KASEY
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____105.00-03-035.620____
Municipality:_____Wayne_____
Highest Bidder: _____Paul W Jayne_____
Highest Bidder's Address: 1375 Gibson Road, Dundee NY 14837
Consideration: $21,500.00, together with buyers premium & recording fees
Second Highest Bidder: Jennifer Duncan_____
Second Highest Bidder's Address: 8983 Coryell Road, Hammondsport NY 14840

Resolution #_____C-57_____
Former Owner: _____HAAK STEPHEN & HAAK ROBERT JR
In Rem Index No.2011-1564CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____120.00-01-016.210____
Municipality:_____Wayne_____
Highest Bidder: _____William P Crocitto, Victoria Crocitto & Paul Ruggerio
Highest Bidder's Address: 28 Shore Lane, Bay Shore NY 11706
Consideration: $20,000.00, together with buyers premium & recording fees
Second Highest Bidder: Joanne Reed_____
Second Highest Bidder's Address: 7605 Knowles Hill Road, Campbell NY 14821

Resolution #_____C-58_____
Former Owner: _____SIMONS CHARLES E & LISA SPICER
In Rem Index No.2012-1440CV, Judgment Filed 4/29/2014
Date of Tax Sale:_____July 11, 2014__
Parcel #: _____399.00-01-007.100_____
Municipality:_____Woodhull_____
Highest Bidder: _____David L. Werner & Annabelle A. Werner
Highest Bidder's Address: 14 Birch Drive, Lehighton PA 18235
Consideration: $25,500.00, together with buyers premium & recording fees
Second Highest Bidder: Robert P. Colvin_____
Second Highest Bidder's Address: 4775 Bemis Street, Campbell NY 14821

SCHEDULE "D"

Resolution No.	D-1
Name	Steuben County
Parcel No.	Adjacent to parcel #299.10-01-014.000
Municipality	Corning Town
Disposition	Quitclaim Deed to Bernice R. Berleue
	10192 Hamilton Rd., Corning, NY 14830

SCHEDULE "E"

Resolution No.	E-1
Name	Steuben County
Parcel No.	Adjacent to parcel #299.12-02-017.000
Municipality	Corning Town
Disposition	Quitclaim Deed to North Corning Volunteer Fire Department
	3344 Baker Street, Corning, NY 14830

Mr. Mullen asked why there is no mention of any liens or judgments against B-7? Mr. Donnelly replied that the property was acquired by tax deed in 1933.

Mr. Welch stated that he will be abstaining as he represents one of the parties listed on the resolution.

Vote: Roll Call – Adopted. (Yes – 9,330; No – 0; Absent – 0; Abstained – 542) (Abstained – Mr. Welch)

RESOLUTION NO. 120-14

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE JULY 28, 2014 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY MANAGER'S OFFICE.

BE IT RESOLVED, that the following communications were received, accepted and filed by the County of Steuben, and **referred to the appropriate Standing Committee and/or Department Head for information and/or action,** to wit:

June 13, 2014
Chemung County Legislature – Re: Resolution adopted by the Chemung County Legislature on June 9, 2014 supporting the recognition of first responders. ***Referred to: Steuben County Legislature.***

June 16, 2014
New York State Office for the Aging – Re: Revised Notification of Grant Award (NGAs) and support agreement budget for the Title VII program for the period of January 1, 2014 through December 31, 2014. ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.***

New York State Department of Labor – Re: Enforcing the Labor Law that requires employers to assess the risk of firefighter entrapment at elevations and provide equipment and training to address particular risk. ***Referred to: Public Safety & Corrections Committee; and Tim Marshall, EMO Director.***

Allison Scanlon – Re: Request for opposing the closing of the West Seneca Children's Psychiatric Center. ***Referred to: Hank Chapman, Director of Community Services.***

June 20, 2014
Finger Lakes SPCA – Re: The Animal Cruelty Investigation Program Report. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

June 25, 2014
Corning Inc. – Re: Contract to provide emergency support to Corning Inc. ***Referred to: Public Safety & Corrections Committee; Sheriff Cole; and Tim Marshall, EMO Director.***

June 26, 2014
New York State Homes & Community Renewal – Re: Fully executed grant agreement for the NYS Community Development Block Grant (NYS CDBG) Project #1115HR#-13. ***Referred to: Amy Dlugos, Planning Director.***

June 27, 2014
NYS Division of Homeland Security and Emergency Services – Re: Notification of **not** being selected for the 2013-2014 Public Safety Answering Point (PSAP) Consolidation, Improvements and Enhancements Grant. ***Referred to: Public Safety & Corrections Committee; Tim Marshall, EMO Director; and Dave Hopkins, 911 Director.***

June 30, 2104
Central Steuben Chamber of Commerce – Re: Thank you letter for the grant used to promote tourism in Steuben County. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

July 1, 2014
State of New York Supreme Court, Steuben County – Re: Notice of Petition to Review Tax Assessment. ***Referred to: Filed with the Clerk of the Legislature, Brenda Mori; Wendy Flaitz, Real Property Director; and Alan Reed, County Attorney.***

July 2, 2014
New York State Homes & Community Renewal – Re: Request for Project Status Report for the NYS Community Development Block Grant (NYS CDBG) Project #1115ED785-13. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

New York State Homes & Community Renewal – Re: Request for Project Status Report for the NYS Community Development Block Grant (NYS CDBG) Project #1115HR#-13. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

New York State Police – Re: Correspondence letter in regards to the request for assistance in the Community Narcotics Enforcement Team (CNET) program. ***Referred to: Sheriff Cole.***

July 7, 2014
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $4,563 which represents the May 2014 retained surcharge revenues for Steuben County. ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

New York State Department of Environmental Conservation – Notice of study and upcoming public meetings on the study that will include Corning-Painted Post East High School and surrounding properties to evaluate soil conditions. ***Referred to: Amy Dlugos, Planning Director; Steuben County Environmental Management Council.***

In the Court of Chancery of the State of Delaware – Re: Notice of Hearing regarding Next Generation Vending LLC. ***Referred to: Alan Reed, County Attorney.***

Steuben County Finance Office – Re: Notice of affidavit of mailing of the COBRA continuation coverage election notices to the Health Care Facility COBRA CSEA subscribers. ***Referred to: Legislature Chairman, Joseph Hauryski; Human Services/Health & Education Committee; Nancy Smith, Personnel Officer; and filed with the Clerk of the Legislature, Brenda Mori.***

Steuben County Finance Office – Re: Notice of affidavit of mailing of the COBRA continuation coverage election notices to the Health Care Facility CSEA Spouse subscribers. ***Referred to: Legislature Chairman, Joseph Hauryski; Human Services/Health & Education Committee; Nancy Smith, Personnel Officer; and filed with the Clerk of the Legislature, Brenda Mori.***

Steuben County Finance Office – Re: Notice of affidavit of mailing of the COBRA continuation coverage election notices to the Health Care Facility Management & Spouse subscribers. ***Referred to: Legislature Chairman, Joseph Hauryski; Human Services/Health & Education Committee; Nancy Smith, Personnel Officer; and filed with the Clerk of the Legislature, Brenda Mori.***

July 10, 2014
Steuben County Supreme Court – Re: Request for Judicial Intervention along with the order to show cause. ***Referred to: Finance Committee; Alan Reed, County Attorney; and Pat Donnelly, Commissioner of Finance.***

July 11, 2014
Talisman Energy – Re: Request for assistance with spreading the word on the importance of safety when it comes to pipeline right-of-ways with the use of all-terrain vehicles specifically on Higman Hill (Corning, NY), over the Pase to Dominion line. ***Referred to: A.I.P. Committee.***

Corning Incorporated – Re: Fact sheet on the environmental study of the NYSDEC project ID#851046 in Corning, NY. ***Referred to: Amy Dlugos, Planning Director; Steuben County Environmental Management Council.***

July 14, 2014
Sheen Housing – Re: Bishop Sheen Ecumenical Housing Foundation's (Sheen Housing) 2013-2014 Annual Report. ***Referred to: Amy Dlugos, Planning Director; and Brenda Mori, Clerk of the Legislature.***

National Fuel – Re: Notice to property owners that reside on or near property that may be affected by the National Fuel Gas Supply Corporation's proposed gas storage field expansion. ***Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; Steuben County Environmental Management Council and filed with the Clerk of the Legislature, Brenda Mori.***

July 15, 2014
Emergency Medical Services Training, Administration & Resources – Re: 2nd Quarter Report for 2014. ***Referred to: Human Services/Health & Education Committee; Victoria Fuerst, PH Director; Public Safety & Corrections Committee; and Tim Marshall, EMO Director.***

Steuben County Historical Society – Re: Request for residents, businesses, and agencies of Steuben County to fly their flags at half-staff on August 15th in commemoration of the soldiers who sacrificed their life 200 years ago. ***Referred to: Human Services/Health & Education Committee; and Dan McRae, Veterans' Services Director.***

Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Fitzpatrick Holdings, Inc. is scheduled for Wednesday, July 30, 2014 at 9:00am, in the Council Chambers located at the Corning City Hall, 1 Civic Center Plaza, Corning, New York. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 121-14

Introduced by M. Hanna. Seconded by H. Lando.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SUBMIT A GRANT APPLICATION FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION.

WHEREAS, the people of Steuben County have a need to dispose of household hazardous waste; and

WHEREAS, the State of New York, herein called the "State", provides 50% financial aid towards the total cost of the HHW collection event; and

WHEREAS, Steuben County, herein called the "Municipality" has examined and duly considered the applicable laws of the State and the Municipality deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a contract by and between the State and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT

RESOLVED, by Steuben County Legislature as follows:

1. The filing of an application in the form required by the State in conformity with the applicable laws of the State including all understanding and assurances contained in said application is hereby authorized.
2. The Commissioner of the Department of Public Works or his designee is directed and authorized as the official representative of the Municipality to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State.
3. The Municipality agrees that it will fund the entire cost of the said HHW collection event and will be reimbursed by the State for its share of such cost.
4. The Municipality or Municipalities set forth their respective responsibilities by attached joint resolution relative to a joint program.

AND BE IT FURTHER RESOLVED, this resolution shall take effect immediately; and be it further

RESOLVED, five (5) certified copies of this resolution should be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 122-14

Introduced by M. Hanna. Seconded by R. Lattimer.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SUBMIT A GRANT APPLICATION FOR 50% FUNDING FOR THE RECYCLING MANAGER AND OUTREACH COSTS.

WHEREAS, the Steuben County Recycling Manager coordinates and manages the County recycling programs; and

WHEREAS, the Steuben County Recycling Manager educates the public through newspaper and radio notices and personal presentations; and

WHEREAS, the Steuben County Recycling Manager educates school students through classroom instruction and landfill/transfer station tours; and

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects, including funding 50 percent of the Recycling Manager salary and instructional costs; and

WHEREAS, Steuben County (hereinafter referred to as "the Municipality") has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application for aid under these laws; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York (herein referred to as the "State") and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT

RESOLVED, that the filing of an application for a grant to fund 50 percent of the Manager's salary and instructional costs in the form required by the State, in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application, is hereby authorized; and be it further

RESOLVED, that the Commissioner of Steuben County Department of Public Works, is directed and authorized as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if or when said application is approved by the State; and be it further

RESOLVED, that the Municipality agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project; and be it further

RESOLVED, five (5) certified copies of this resolution shall be forwarded to the New York State Department of Environmental Conservation, together with a completed application; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 123-14

Introduced by M. Hanna. Seconded by G. Swackhamer.

CONFIRMING THE EXISTING AGREEMENT BETWEEN THE BATH ELECTRIC GAS & WATER SYSTEM TO TREAT EFFLUENT FROM THE STEUBEN COUNTY'S LEACHATE TREATMENT PLANT.

WHEREAS, Steuben County owns and operates a Leachate Pre-Treatment facility (the "Facility") located in the Town of Bath designed and permitted for the pre-treatment of leachate derived from solid waste as defined in New York Environmental Conservation Law, Article 27, Title 7 6NYCRR Part 360; and

WHERAS, the Bath Electric, Gas & Water Systems and their Municipal Utility Commission (BEGW&S) has the necessary permits and the ability to provide the final treatment of the effluent from the Facility; and

WHEREAS, BEGW&S has permitted and authorized the Facility to discharge treated leachate to the BEGW&S treatment system through a force main pipeline owned and operated by the Facility; and

WHEREAS, both parties are desirous to continuing this ongoing relationship through the annual renewal of the Industrial User Permit and Utilization Agreement.

NOW, THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works or his designee is authorized to continue this arrangement and execute the BEGW&S Industrial User Permit and Utilization Agreement on an annual basis and pay the pertinent fees associated with the treatment of the Facility's effluent; and be it further

RESOLVED, two (2) certified copies of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 124-14

Introduced by M. Hanna and L. Crossett. Seconded by H. Lando.

AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO APPROPRIATE FUEL SURCHARGE REVENUE TO CERTAIN CAPITAL PROJECTS.

WHEREAS, the cost to purchase, maintain, and operate the Steuben County DPW fuel tank and fire suppression systems and to administer the invoicing for this service, is twelve cents per gallon; and

WHEREAS, the Steuben County Department of Public Works allows other Government agencies to obtain fuel from County fuel tanks for a 12¢/gallon fee in addition to the fuel cost; and

WHEREAS, repairs are needed for the fueling stations.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to appropriate $51,679.85 from the revenue account for Upgrade Fueling Stations 5130 H1 4 2770 00 to the expense account for Capital Projects 5130 H1 5 250 000; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 125-14

Introduced by M. Hanna. Seconded by R. Lattimer.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF BIG FLATS FOR THE RENTAL OF THE PAVEMENT GRINDER.

WHEREAS, Steuben County owns and operates a pavement grinder that has been requested for use as part of shared services with other municipalities; and

WHEREAS, there is time available for the machine to work on the roads of other municipalities as well as complete Steuben County road work; and

WHEREAS, the Town of Big Flats has requested use of the road grinder with operator and ground person for $4,000 per day; and

WHEREAS, Steuben County rents rollers for $160 per day and is willing to rent these rollers, without operators, at that same price to Big Flats; and

WHEREAS, Steuben County has water trucks, including federal surplus trucks, with operators that are available as part of shared services.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized to enter into an intergovernmental cooperation agreement with the Town of Big Flats for the rental of

1) Road grinder with operator and ground person for $4,000 per day,
2) Rollers without operators for $160 per roller per day, and
3) Water trucks with operators as part of shared services.

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works and the Town Supervisor of Big Flats, Edward Fairbrother, 476 Maple Street, Big Flats, New York 14814.

Vote: Roll Call – Adopted.

RESOLUTION NO. 126-14

Introduced by M. Hanna and L. Crossett. Seconded by H. Lando.

AUTHORIZING THE COMMISSIONER OF FINANCE TO CREATE A NEW CAPITAL ACCOUNT ENTITLED PAVEMENT GRINDER REPAIR/REPLACEMENT CAPITAL PROJECT FOR THE PUBLIC WORKS DEPARTMENT.

WHEREAS, the County purchased a $710,100 road grinder in 2012; and

WHEREAS, the County expects to continue renting the grinder to other municipalities; and

WHEREAS, the County is desirous of tracking in one account the road grinder's rental revenue from other municipalities and the Machinery Rent Charge Backs from Steuben County DPW's road projects; and

WHEREAS, the County is desirous of accounting for and paying for repairs from this same account; and

WHEREAS, the County is desirous of keeping the surplus in this account for equipment purchases for future budgets; and

WHEREAS, the Public Works and Finance Committees of the Steuben County Legislature have approved:

1) The transfer of the balance from the Pavement Grinder Account to the Pavement Grinder Repair/Replacement Capital Project Account;

2) The creation of the Pavement Grinder Repair/Replacement Capital Project, Account 5130 H2.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is authorized and directed to create a Capital Account entitled Pavement Grinder Repair/Replacement Capital Project, Account 5130 H2; and be it further

RESOLVED, that the County Legislature approves the transfer of the balance of the Pavement Grinder Account to the Pavement Grinder Repair/Replacement Capital Project Account; and be it further

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

Mr. Van Etten asked Mr. Spagnoletti to explain the reason for keeping a surplus? Mr. Spagnoletti explained we received $70,000 in revenue from renting the grinder to Chemung County, and the towns of Big Flats, Rathbone and Bath. He would like the revenue to go into a separate account so that they can track the revenue and then pay for any repairs out of that money. Additionally, if in the future we decide we need another machine, we would have that money available. Mostly this account will help us track revenue and expenses related to the grinder. If we do not need a new machine or the surplus builds up, then we can appropriate those funds where needed.

Mr. Van Etten asked is there a restriction on the money in this account that it can only be used for the grinder? Mr. Alger replied the funds would only be for that piece of equipment. If you wanted to spend those funds on something else, that would need to be approved by Standing Committee and the Full Legislature.

Mr. Mullen stated that he does not want to restrict the use. In the accounting of this, we are paying for people to go operate the grinder and other shared services. This should be included in the costs and "profits". Mr. Spagnoletti explained when we send over to the Finance Department the maintenance rent chargeback, we include the personnel costs.

Mr. Alger stated Mr. Mullen's point is well taken. He noted that Mr. Spagnoletti keeps track of all costs associated with those projects. He tracks the operators and machines by job. Next year when we have to account for the 1 percent of savings, we can include this in our plan to the State to show that we have reduced costs. We are not getting paid, but there is still a benefit of doing the shared services. Mr. Mullen commented it is good to review the accounting of what we are getting back in shared services. The personnel costs should go back into the General Fund, not this new account.

Mr. Booth asked is the purpose of this account to see if what we are charging for renting the grinder is covering our costs? Mr. Alger replied yes. It also is to build toward replacing the machine in the future. Mr. Spagnoletti stated he provided a report to the Public Works Committee. That report compared the actual cost to what it would have cost if we had rented the machine. Last year we were ahead $93,000. This is a new account which isolates the revenue and repair costs. Mr. Alger stated the intent is to set up an account to keep and maintain the machine and also set aside some funds for a new machine.

<u>Vote</u>: Roll Call – Adopted. (Yes – 9,275; No – 597; Absent – 0; Abstained – 0) (No – Mr. Mullen)

RESOLUTION NO. 127-14

Introduced by M. Hanna. Seconded by H. Lando.

ACCEPTING MAINTENANCE JURISDICTION FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR APPROXIMATELY 300 FEET OF OLD STATE ROUTE 414 IN THE TOWN OF CORNING.

WHEREAS, the New York State Department of Transportation (NYSDOT) wishes to abandon its maintenance jurisdiction to the County of Steuben for approximately 300 feet of old State Route 414 located in the northeast quadrant of the intersection of Winfield Street and Baker Street in the Town of Corning in two parcels as follows: Parcel 1 being the user-highway portion, roughly 300' x 49.5' and Parcel 2 being a portion of land taken by the County in 1926 for old State Route 414, roughly 300' x 10' (reference NYSDOT Surplus Property Case# 06-111-285); and

WHEREAS, the County of Steuben wishes to accept maintenance jurisdiction from the NYSDOT for these two parcels.

NOW THEREFORE, BE IT

RESOLVED, that this Steuben County Legislature does hereby approve of accepting the maintenance jurisdiction from the NYSDOT for these two said parcels of land; and be it further

RESOLVED, that a certified copy of this resolution shall be mailed to the NYSDOT Regional Director, 107 Broadway, Hornell, NY 14843; and be it further

RESOLVED, that this conveyance shall be recorded in the Steuben County Clerk's Office.

Mr. Farrand asked what does the County get from this? Mr. Spagnoletti replied the Town of Corning Volunteer Fire Department would like to have more parking. We basically own that piece of property and the first step is to take the maintenance jurisdiction back from the State. This is a quit claim to the fire department.

<u>Vote</u>: Roll Call – Adopted.

RESOLUTION NO. 128-14

Introduced by P. McAllister. Seconded by S. Van Etten.

APPROVING THE 2015 WORKERS' COMPENSATION BUDGET.

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

WHEREAS, an estimate of the cost is to be filed with this County Legislature on or before July 22, 2014 for the Budget Year 2015.

NOW THEREFORE, BE IT

RESOLVED, that the estimated cost (Budget for 2015), a copy of which is attached hereto, as presented by the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan and by the Administration Committee is received, adopted and ordered to be incorporated into the 2015 Steuben County Budget, and be it further

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

STEUBEN COUNTY SELF-INSURANCE PLAN
ANNUAL ESTIMATE OF EXPENSES
FISCAL YEAR BEGINNING JANUARY 1, 2015

Your Committee on Workers' Compensation Insurance respectfully submits the annual estimate of expenses for the Steuben County Self-Insurance Plan for the fiscal year beginning January 1, 2015 and ending December 31, 2015, pursuant to Section 67, Paragraph 1 of the Workers' Compensation Law.

APPROPRIATED BUDGET FOR 2015

Account	Account Title	2015 BUDGET
	Estimated Expenditures	
51100000	SALARIES ; WAGES	59,200
5298090	MACH & EQUIP - MISC	
5402990	TELEPHONE-CHARGEBACKS	400
5403800	COPYING	200
5404100	MEMBERSHIPS ; DUES	300
5405100	POSTAGE	400
5406000	OFFICE SUPPLIES	700
5407200	TRAINING & CONFERENCES	2,000
5407310	SAFETY TRAINING	2,400
5410100	INSURANCE	100
5410320	EXCESS WC INSURANCE	
	PERMA COSTS	697,862
	WC MEDICAL & INDEMNITY BENEFITS	1,965,019
	WCB TOTAL ASSESSMENTS	500,000
5410400	AWARDS & BENEFITS (IBNR)	
5412970	MAINTENANCE IN LIEU/RENT	2,000
5420000	MEDICAL SERVICES	24,000
5423310	PROFESSIONAL WITNESS	1,000
5423330	COURT APPEARANCES	65,000
5424210	INVESTIGATION EXPENSE	12,000
5430190	REHAB FEES	40,000
5444400	THIRD PARTY ADMINISTRATOR	35,000
5450999	MOTOR POOL CHARGEBACKS	100
5498000	DEPRECIATION EXPENSE	1,000
5499000	OTHER EXPENSES	850
5810000	NYS EMPLOYEES RETIREMENT	11,900
5830000	SOCIAL SECURITY	4,529
5840000	WORKERS' COMPENSATION	5,920
5860000	GROUP MEDICAL INSURANCE	18,120
		3,450,000
	Estimated Revenue	
42222000	Participant Fees	3,300,000
42401000	Interest	0
	Reimbursement of Expenses (from withdrawn munis)	150,000
42701000	Reserve	
		3,450,000

Vote: Roll Call – Adopted.

RESOLUTION NO. 129-14

Introduced by P. McAllister. Seconded by H. Lando.

APPROVING THE 2015 WORKERS' COMPENSATION TABLE OF APPORTIONMENT.

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

WHEREAS, on July 08, 2014, the Administration Committee of this Steuben County Legislature had filed and approved the estimated cost for Fiscal Year 2015 of the Steuben County Self-Insurance Workers' Compensation Plan; and

WHEREAS, the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan, based on the number of members and the estimated cost for the year 2015, has caused a Table of Apportionment to be developed.

NOW THEREFORE, BE IT

RESOLVED, that the Table of Apportionment for the participating members of the Steuben County Self-Insurance Plan for Workers' Compensation for the year 2015 is hereby received and adopted and filed herewith; and be it further

RESOLVED, this resolution together with said Table of Apportionment shall serve as due and proper notice of their liability to the plan for the year 2015; and be it further

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

RESOLVED, that any participating member shall pay its share directly to the Steuben County Finance Department not later than June 1, 2015; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Finance, Director of the Real Property Tax Service Agency, and 32 certified copies to the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan for distribution to the Town/Village Clerks of the participating members.

2015
TABLE OF APPORTIONMENT

MUNICIPALITY	CLASS	AMOUNT
STEUBEN COUNTY	I	**$ 2,576,336**
ADDISON	I	$ 11,106
AVOCA	I	$ 32,778
BRADFORD	I	$ 11,064
CAMERON	I	$ 29,000
CAMPBELL	I	$ 45,656
CANISTEO	I	$ 18,132
DANSVILLE	I	$ 18,015
FREMONT	I	$ 12,878
GREENWOOD	I	$ 13,098
HARTSVILLE	I	$ 10,536
HORNBY	I	$ 18,999

HORNELLSVILLE	I	$ 26,709
HOWARD	I	$ 25,733
JASPER	I	$ 15,830
LINDLEY	I	$ 20,472
PRATTSBURGH	I	$ 29,618
PULTENEY	I	$ 42,846
THURSTON	I	$ 26,572
TROUPSBURG	I	$ 17,319
TUSCARORA	I	$ 23,867
WEST UNION	I	$ 9,849
WHEELER	I	$ 43,560
WOODHULL	I	$ 23,098
TOWNS TOTAL		**$ 526,735**
ADDISON	I	$ 36,985
ARKPORT	I	$ 9,338
AVOCA	I	$ 8,707
CANISTEO	I	$ 49,557
COHOCTON	I	$ 14,731
NORTH HORNELL	I	$ 10,122
PAINTED POST	I	$ 47,404
WAYLAND	I	$ 20,085
VILLAGES TOTAL		**$ 196,929**
GRAND TOTAL		**$ 3,300,000**

Vote: Roll Call – Adopted.

RESOLUTION NO. 130-14

Introduced by B. Schu and P. McAllister. Seconded by G. Roush.

AUTHORIZING THE TRANSFER AND RECLASSIFICATION OF A VACANT POSITION FROM THE HEALTH CARE FACILITY TO THE SHERIFF'S OFFICE.

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

WHEREAS, there is need for a Correction Officer at the jail; and

WHEREAS, there is one vacant position within the Health Care Facility that can be transferred; and

WHEREAS, the Public Safety and Corrections Committee and the Administration Committee have approved reclassification of the position listed below and transferring said position to the Sheriff's Office.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in Steuben County is reclassified as follows:

TRANSFER AND RECLASSIFY

FROM Health Care Facility one (1) Licensed Practical Nurse, Grade 11, $33,326 - $47,047
TO Sheriff's Office one (1) Correction Officer, Grade 10, $33,652 - $40,889;

AND BE IT FURTHER RESOLVED, that this position is to be funded and placed in the 2014 Budget. The 2014 County Job Classification and Salary Schedule is hereby amended to reflect the above stated change; and be it further

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

Mr. Weaver asked what about the Dispatcher position that was discussed during committee? Mr. Alger replied that position did not require a resolution.

Vote: Roll Call – Adopted.

RESOLUTION NO. 131-14

Introduced by J. Hauryski. Seconded by R. Lattimer.

CHANGING THE DATE FOR THE SEPTEMBER 2014 MEETING OF THE STEUBEN COUNTY LEGISLATURE.

BE IT RESOLVED, the regular meeting of the Steuben County Legislature be, and the same hereby is, changed for September 2014, from Monday, September 22, 2014 to Monday, September 29, 2014, at 10:00 A.M. in the Legislative Chambers, 3 East Pulteney Square, Bath, New York, and be it further

RESOLVED, the date and time of any Public Hearings arising by virtue of the within meeting which are inconsistent with this resolution be and the same hereby are amended to reflect the date and time above-stated, and be it further

RESOLVED, the Clerk of this Legislature shall forward the necessary, proper and legal notice of the above meeting to all County Legislators and department heads of the County of Steuben.

Mr. Hauryski commented the reason for the change is that the regularly scheduled meeting conflicts with the NYSAC Conference.

Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officer's Law, Article 7§ 105.1.D. Discussions Regarding Proposed, Pending or Current Litigation; Article 7§ 105.1.E. Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law; and Article 7§ 105.1.F. the Medical, Financial, Credit or Employment History of a Particular Person or Corporation, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person or Corporation made by Mr. Van Etten, seconded by Mr. Roush and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Van Etten, seconded by Mr. Roush and duly carried.

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

REGULAR MEETING
Morning Session
Monday, August 25, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 25th day of August, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislators Farrand and Swackhamer.

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

Chairman Hauryski asked Peg Rundell to come forward. Ms. Rundell is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

Chairman Hauryski asked Marcia Drake to come forward. Ms. Drake is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

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

Motion adopting the minutes of the previous meeting(s) made by Mr. Weaver, seconded by Mr. McAllister and duly carried.

RESOLUTION NO. 132-14

Introduced by L. Crossett. Seconded by C. Ferratella.

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

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the application(s) filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of application(s) for correction of real property taxes levied on the parcel(s) 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 cancellation, with respect to the parcel(s) contained in Schedule "A", as set forth in the approved application(s), copies of which shall be forwarded to the collecting authority; and be it further

RESOLVED, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof and as upon the "Notice to Bidders and Terms of Sale – 2014" as applicable; and be it further

RESOLVED, the said grantee(s) must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be; and be it further

RESOLVED, the Steuben County Commissioner of Finance is authorized and directed to convey the parcel(s) sold at the Delinquent Tax Auction held on July 11, 2014, contained in Schedule "C", and he is further authorized and directed, in the

event of a default by the highest bidder by failure to make full payment within thirty (30) days, to convey that parcel(s) to the second highest bidder, and said transfer made pursuant hereto be and the same hereby is ratified; 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, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s); and certified copies of this resolution contained in Schedule "C" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, the Clerk of the Board of Education of the appropriate School District, and the taxpayers.

SCHEDULE "A"

Resolution No.	A-1
Name	Lillian M. Knight
Parcel No.	136.05-05-023.220/73
Municipality	Hornellsville Town
Disposition	Cancellation of tax pursuant to RPTL §558.

SCHEDULE "B"

Resolution No.	B-1
Former Owner	Raymond Noyes & Valarie Noyes
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	240.03-01-007.200
Municipality	Thurston Town
Grantee(s)	Raymond Noyes & Valarie Noyes
Grantee(s) Address	4523 Starr Rd, Campbell, NY 14821
Consideration	$3,441.13, together with $180.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

SCHEDULE "C"

Resolution #: C-1
Former Owner: STEUBEN COUNTY
DEED: (Liber/Page) 2493/317
Date of Tax Sale: July 11, 2014
Parcel #: 003.17-02-034.000
Municipality: Wayland Village
Highest Bidder: Brian R. Luce
Highest Bidder's Address: 10935 Poags Hole Rd, Dansville, NY 14437
Consideration: $6,320.00, together with buyers premium & recording fees
Second Highest Bidder: John H. Springer
Second Highest Bidder's Address: 1266 Johnson Rd, Churchville, NY 14428

Mr. Mullen asked why were the taxes on the property listed on Schedule "A" cancelled? Mr. Donnelly replied this property had a mobile home which is assessed separately. The house was sold, and the owner is deceased so there was no way to collect the taxes.

Vote: Roll Call – Adopted.

RESOLUTION NO. 133-14

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE AUGUST 25, 2014 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:

July 18, 2014
New York State Department of Health – Re: Notification of the supplemental Medicaid Upper Payment Limit (UPL) for the State Fiscal year 2013-2014. ***Referred to: Human Services/Health & Education Committee; Kathryn Muller, Commissioner of Social Services; and Patrick Donnelly, Commissioner of Finance.***

July 21, 2014
New York State Office of Parks, Recreation & Historic Preservation – Re: Notification of Approval for the 2013-2014 Phase III of the Snowmobile Trail Development and Maintenance State Aid. ***Referred to: Amy Dlugos, Planning Director.***

NYS Department of Labor – Re: Notification of upcoming training provided by the Department of Labor with regards to the enforcement of occupational safety and health regulations in the workplace. ***Referred to: Public Safety & Corrections Committee; Tim Marshall, EMO Director; Ken Isaman, Risk Manager; Nancy Smith; Personnel Officer; and Eric Rose, Superintendent of Building & Grounds.***

July 23, 2014
Regional Economic Development & Energy Corporation/REDEC Relending Corporation – Re: Request of an allocation of $10,000 in the 2015 budget, with similar commitments for 2016 and 2017 budgets. ***Referred to: A.I.P. Committee; Finance Committee; and Amy Dlugos, Planning Director.***

Environmental Emergency Services, Inc. – Re: Request for an allocation of $8,400 in the 2015 budget for providing flood warning and chemical hazard information team services to the County. ***Referred to: Public Safety & Correction Committee; Finance Committee; and Tim Marshall, EMO Director.***

July 25, 2014
NYS Office for the Aging – Re: Notification of approval for State Aid under the New York State Long Term Care Ombudsman Program (LTCOP) Support Agreement for the program year beginning 04/01/2014- 03/31/2015 and the Older Americans Act (OCCA) Title VII program for the period of 01/01/2014 – 12/13/2014. ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.***

New York State Department of Environmental Conservation – Re: Public notice of a Brownfield Cleanup Program (BCP) application was received from the Hornell Site Development LLC (Hornell Waste, ID#C851027) which is located in the Town of Hornellsville, 188 Seneca Street-Rear/Shawmut yards in Steuben County. Information regarding the site, application, and how to submit comments can be found at http://www.dec.ny.gov/chemical/60058.html. ***Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.***

July 28, 2014
New York State Office for the Aging – Re: Notification of the 2014-2015 Annual Implementation Plan (AIP) for Steuben County has been approved. In addition, applications for the Older Americans Act (OAA), Title III-B, Title III-C-1, Title III-C-2, Title III-D, title III-E, HIICAP and if applicable, Title V funds have been approved. The applications for the Expanded In-home Services for the Elderly Program (EISEP), the Community Services for the Elderly (CSE) program, the Wellness in Nutrition (WIN) Program, the Congregate Services Initiative (CSI), the State Transportation program and the State Caregiver Resources Center program for the period of April 1, 2014 – March 31, 2015 has also been approved. ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody; OFA Director.***

Steuben County Industrial Development Agency – Re: 2015 budget request in the amount of $45,000. ***Referred to: A.I.P. Committee; Finance Committee; and Amy Dlugos, Planning Director.***

July 29, 2014
New York State Office of Children & Family Services – Re: OCFS Fatality Report #RO-13-018. ***Referred to: Joseph Hauryski, Legislature Chairman; and Mark Alger, County Manager.***

August 1, 2014
New York State Office of Parks, Recreation and Historic Preservation – Re: Notification of the Philip Argus House & Winery located at 9683 Middle Road in Pulteney, NY 14874 is now listed on the New York State Register of Historic Places and is nominated to the National Register of Historic Places**.** ***Referred to: A.I.P. Committee; and Eleanor Silliman, County Historian.***

August 4, 2014
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $29,216 representing the June 2014 retained surcharge revenues and the municipality's share of the 2nd quarter 2014 net revenues**.** ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

H.P. Smith and Son, Inc. Funeral Home, Michael Smith – Re: Request from the Steuben County Funeral Directors for mileage compensation to be increased from $75.00 to $125.00 to help with traveling and automotive expenses. ***Referred to: Public Safety & Corrections Committee; Joseph Hauryski, Legislature Chairman; and Tim Marshall, EMO Director.***

New York State Office of Children & Family Services – Re: OCFS Fatality Report #RO-14-003. ***Referred to: Joseph Hauryski, Legislature Chairman; and Mark Alger, County Manager.***

New York State Office for the Aging – Re: Notification of Grant Awards for the Title III programs, CSE, EISEP, CSI, WIN (formerly SNAP), State Transportation, CRC (if applicable) and HIICAP programs for the period of April 1, 2014 to March 31, 2015. ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody; OFA Director.***

August 11, 2014
New York State Department of Transportation – Re: 2013-2014 Consolidated Grant Agreement for Federal Section 5311 Capital Assistance Project in the amount of $366,000 (State Contract #C003788). ***Referred to: Amy Dlugos, Planning Director.***

Southern Tier Library System – Re: 2015 Budget request in the amount of $123,829 for the Steuben County Public Libraries. ***Referred to: A.I.P. Committee; Finance Committee; and Mark Alger, County Manager.***

August 12, 2014
The ARTS Council of the Southern Finger Lakes – Re: 2015 Budget request in the amount of $35,700 for the ARTS Council of the Southern Finger Lakes. ***Referred to: A.I.P. Committee; Finance Committee; and Mark Alger, County Manager.***

Steuben County Soil and Water Conservation District – Re: 2015 Budget request in the amount of $241,676 which includes the increase for the District Streambank Program due to recent flooding. ***Referred to: A.I.P. Committee; Finance Committee; and Mark Alger, County Manager.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 134-14

Introduced by R. Weaver and L. Crossett. Seconded by H. Lando.

ESTABLISHING A 'BUS OPERATIONS' CAPITAL PROJECT AND AUTHORIZING THE PLANNING DIRECTOR TO SIGN ALL RELATED CONTRACTS.

WHEREAS, the Planning Department is responsible for administration of grants, contracts, and finances related to the countywide bus system; and

WHEREAS, the 2014 Steuben County Budget allocated $366,000 in capital funds for the purchase of a new bus and related equipment; and

WHEREAS, due to the multi-year funding cycles of these state and federal grants, these funds should be placed in a capital project to allow for more efficient tracking of expenditures; and

WHEREAS, Steuben County has been approved for a grant of funds by the New York State Department of Transportation, pursuant to Section 53 Federal Programs, Title 49, United States Code; and

WHEREAS, Steuben County and the State of New York will be entering into an agreement which authorizes the undertaking of the Project and payment of the federal and state shares.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is authorized and directed to establish a capital project entitled 'Bus Operations' and transfer $366,000 from the capital line item 563000 - 5290000; and be it further

RESOLVED, that the Planning Director is hereby authorized to sign any and all agreements with the State of New York, third party subcontractors, and any vendor for the purchase and/or installation of vehicles and/or equipment or facilities related to this Project; and be it further

RESOLVED, that Steuben County certifies through this Resolution that the estimated local share of $36,600 is committed to this Project, with $21,600 coming from First Transit and $15,000 coming from the Arc of Steuben; and be it further

RESOLVED, that certified copies of this resolution shall be sent to Amy Dlugos, Planning Director; and William Telovsky, Acting Rural Program Manager, New York State Department of Transportation, 50 Wolf Road, POD 54, Albany, NY 12232.

Vote: Roll Call – Adopted.

RESOLUTION NO. 135-14

Introduced by R. Weaver and L. Crossett. Seconded by R. Lattimer.

APPROPRIATING $75,000 FROM THE CONTINGENT FUND TO THE STEUBEN COUNTY SOIL & WATER CONSERVATION DISTRICT FOR THEIR STREAMBANK STABILIZATION PROGRAM.

Pursuant to Section 2.07(2) of the Steuben County Charter.

WHEREAS, there was significant damage to streambanks caused by storms in May and June of this year; and

WHEREAS, this damage has caused, or threatens to cause, damage to roads and bridges in several towns within Steuben County; and

WHEREAS, the annual allocation of $75,000 from the County has already been spent on these storms and there is still damage to be repaired without funding to make repairs; and

WHEREAS, recent storms and flooding in Cohocton have created additional expense that the Soil & Water Conservation District does not have funding to address.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is directed to appropriate $75,000 from the Contingent Fund and transfer said monies to the account designated as A8710 – Soil and Water Conservation, in a line item to be determined by the Commissioner of Finance; and be it further

RESOLVED, in determining projects to be assisted under this funding, consideration shall be given to the ability of the local landowner or municipality to assist in providing funding for the share of local match, either directly or in kind; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Jeff Parker, District Manager, Steuben County Soil & Water Conservation District; and the Commissioner of Finance.

Mr. McAllister stated that there is an individual in the Wayland area near a stream and bridge that sustained considerable flooding damage and has been condemned. He had wanted to ask Mr. Parker for any assistance. He also has talked with Mr. Foster and Mr. Spagnoletti in Public Works regarding this. He wanted to put it on the record that he is hoping to talk with Mr. Parker soon.

Vote: Roll Call – Adopted.

RESOLUTION NO. 136-14

Introduced by B. Schu and L. Crossett. Seconded by C. Ferratella.

APPROPRIATING $12,926 FROM THE CONTINGENT FUND TO THE 2014 911 BUDGET.

WHEREAS, the 911 Department has requested authorization to engage in a contract extension with Voice Print International for maintenance on their voice and radio recorder; and

WHEREAS, the recorder is no longer supported by the manufacturer beyond this term of agreement and timely response for any issues that arise is crucial until the recorder is replaced; and

WHEREAS, the Public Safety and Corrections Committee has authorized the contract and the Finance Committee has recommended an appropriation of $12,926 from the Contingent Fund to account for these costs.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to transfer the sum of $12,926 from the Contingent Fund (A 199000 - 5499000) to the County 911 2014 Budget (A 302000 5427100); and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance and the County 911 Director.

Mr. Weaver asked is this equipment related to the phone system issue or is this just the equipment? Mr. Alger replied it is both. The radio recorder is at the end of its useful life as the XP operating system is expiring. The company has agreed to provide maintenance on the recorder for an additional year. We do anticipate replacing the recorder, however, the decision on the phone system has delayed that process.

Vote: Roll Call – Adopted.

RESOLUTION NO. 137-14

Introduced by C. Ferratella and L. Crossett. Seconded by H. Lando.

ACCEPTING ADDITIONAL NEW YORK STATE OFFICE OF MENTAL HEALTH FUNDING TO INCREASE CRISIS RESPONSE/MOBILE OUTREACH SERVICES.

WHEREAS, New York State Office of Mental Health has made $490,000 of State Aid funding available to the Steuben County Office of Community Services to enhance 24/7 mobile crisis intervention; and

WHEREAS, three (3) Crisis Specialists and one (1) Bridger Care Manager will assess and de-escalate psychiatric crises in the community; and

WHEREAS, the primary goal of this program is to divert inpatient psychiatric hospitalization.

NOW THEREFORE, BE IT

RESOLVED, that this Steuben County Legislature hereby approves the acceptance of this $490,000 from the New York State Office of Mental Health; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 138-14

Introduced by C. Ferratella and L. Crossett. Seconded by H. Lando.

ACCEPTING NEW YORK STATE OFFICE OF MENTAL HEALTH FUNDING TO PROVIDE A HOME BASED CRISIS INTERVENTION PROGRAM.

WHEREAS, New York State Office of Mental Health has made $250,000 of State Aid funding available to provide a Home Based Crisis Intervention Program for children and adolescents; and

WHEREAS, Steuben County serves as the lead County in a collaborative effort with Allegany and Livingston County to contract with an agency to provide this service within the multi-county area; and

WHEREAS, such agency staff will provide assessment, crisis intervention, supportive counseling, and linkage to community based services to divert inpatient psychiatric hospitalization.

NOW THEREFORE, BE IT

RESOLVED, that this Steuben County Legislature hereby approves the acceptance of this $250,000 from the New York State Office of Mental Health; and be it further

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

Mr. Alger stated these two grants are really related, and are a direct result of the Director of Community Services going to the State regarding the issues of the downsizing of the Elmira Psychiatric Center and the closing of the St. James Psychiatric Unit. We would not have gotten this funding if Dr. Chapman had not taken the initiative. These are not routine grants and are outside of the ordinary effort. He wanted to recognize that fact on behalf of himself and the Legislature.

Mr. Van Etten commented is this a one-time deal or are we signing up for something long-term? Mr. Alger replied these grants are being used for contracts. If the funding goes away, we will not continue the contracts. We are hoping the program will be successful enough that the State will continue to fund them.

Vote: Roll Call – Adopted.

RESOLUTION NO. 139-14

Introduced by L. Crossett. Seconded by G. Roush.

AUTHORIZING THE ACCEPTANCE OF $131,199.22 FROM THE SENECA NATION EXCLUSIVITY PAYMENT AND APPROPRIATING TO THE ECONOMIC DEVELOPMENT FUND.

WHEREAS, Steuben County has received $131,199.22 from the Seneca Nation exclusivity payment, the first quarterly payment for a gaming exclusivity agreement settled by the State of New York; and

WHEREAS, the Finance Committee, upon recommendation of the County Manager, directs these funds to the Economic Development Fund for development efforts in the County.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to appropriate the sum of $131,199.22 from the Seneca Nation exclusivity payment to the Economic Development Fund (CM 868707-43089700); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 140-14

Introduced by P. McAllister. Seconded by C. Ferratella.

AUTHORIZING THE ANNUAL RPS V4 CHARGEBACK TO THE TOWNS AND CITIES FOR LICENSE AND SUPPORT FEES.

Pursuant to County Law, Section 233a.

WHEREAS, the Administration Committee has approved the report of RPS V4 charges by Assessing unit which includes an annual charge for the New York State Office of Real Property Services License Fee and a fee for County support of this system; and

WHEREAS, the Administration Committee has approved the invoicing of the fees to the Cities and Towns; and

WHEREAS, the Real Property Tax Service Agency has paid the assessing units' annual license fee charge to the State for this fiscal year.

NOW THEREFORE, BE IT

RESOLVED, the Real Property Tax Office will invoice each City and Town for their share of the Real Property System Version 4 (RPS V4) License and Support Charge; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, the Director of the Real Property Tax Service Agency and to each Town and City.

RPS V4 TO BE BILLED FOR 1/1/15 LEVY

.rpsv4chargeback/resolutions 08/01/2014

Swis	Municipalaity	Parcel Count	ORPS License Fee	County Support Fee	Total Chargeback
4603	Corning City	4,254	$1,500	$200	$1,700
4606	Hornell City	3,735	$1,300	$200	$1,500
4620	Addison	1,288	$1,000	$200	$1,200
4622	Avoca	1,329	$1,000	$200	$1,200
4624	Bath	5,139	$1,500	$200	$1,700
4626	Bradford	571	$850	$200	$1,050
4628	Cameron	752	$850	$200	$1,050
4630	Campbell	1,595	$1,000	$200	$1,200
4632	Canisteo	2,033	$1,200	$200	$1,400
4634	Caton	1,284	$1,000	$200	$1,200
4636	Cohocton	1,842	$1,000	$200	$1,200
4638	Corning Town	3,247	$1,300	$200	$1,500
4640	Dansville	1,273	$1,000	$200	$1,200
4642	Erwin	3,215	$1,300	$200	$1,500
4644	Fremont	781	$850	$200	$1,050
4646	Greenwood	723	$850	$200	$1,050
4648	Hartsville	567	$850	$200	$1,050
4650	Hornby	992	$850	$200	$1,050
4652	Hornellsville	2,416	$1,200	$200	$1,400
4654	Howard	1,224	$1,000	$200	$1,200
4656	Jasper	865	$850	$200	$1,050
4658	Lindley	1,032	$1,000	$200	$1,200
4660	Prattsburgh	1,857	$1,000	$200	$1,200
4662	Pulteney	1,718	$1,000	$200	$1,200
4664	Rathbone	765	$850	$200	$1,050
4666	Thurston	971	$850	$200	$1,050
4668	Troupsburg	937	$850	$200	$1,050
4670	Tuscarora	880	$850	$200	$1,050
4672	Urbana	1,983	$1,000	$200	$1,200
4674	Wayland	2,304	$1,200	$200	$1,400
4676	Wayne	1,598	$1,000	$200	$1,200
4678	West Union	537	$850	$200	$1,050
4680	Wheeler	996	$850	$200	$1,050
4682	Woodhull	1,158	$1,000	$200	$1,200
		55,861	$34,550	$6,800	$41,350

ORPS License Fee Schedule

Number of Parc	Fee
0-500	$750
501-1000	$850
1001-2000	$1,000
2001-3000	$1,200
3001-4000	$1,300
4001-6000	$1,500

Steuben County
Real Property Tax Service Agency
3 E. Pulteney Square
Bath, New York 14810
Wendy Flaitz, Director

<u>Vote</u>: Roll Call – Adopted.

RESOLUTION NO. 141-14

Introduced by P. McAllister. Seconded by H. Lando.

AUTHORIZING THE RECLASSIFICATION OF A POSITION WITHIN THE LAW DEPARTMENT.

Pursuant to the Steuben County Charter, Section 2.07(8) and the Administrative Code, Part I, Q(1).

WHEREAS, this Senior Typist in the Law Department performs routine clerical work; and

WHEREAS, this Senior Typist will have added duties of pre-trial/hearing legal research; and

WHEREAS, a Paralegal Assistant position more appropriately performs these duties; and

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

NOW THEREFORE, BE IT

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

Senior Typist, Grade VI ($26,867 to $37,928) to
Paralegal Assistant, Grade XI ($33,326 to $47,047)

AND BE IT FURTHER RESOLVED, that the 2014 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 142-14

Introduced by P. McAllister. Seconded by H. Lando.

AUTHORIZING THE RECLASSIFICATION OF A POSITION WITHIN THE INFORMATION TECHNOLOGY DEPARTMENT.

Pursuant to the Steuben County Charter, Section 2.07(8) and the Administrative Code, Part I, Q(1).

WHEREAS, this Help Desk Technical Assistant in the Information Technology Department performs routine computer-related technical tasks; and

WHEREAS, this Help Desk Technical Assistant will have added duties of reviewing, analyzing, and developing specifications for servers, along with troubleshooting and programming for servers, network systems, and security issues; and

WHEREAS, a Network Administrator position more appropriately performs these duties; and

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

NOW THEREFORE, BE IT

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

Help Desk Technical Assistant, Grade VIII ($29,198 to $41,221) to
Network Administrator, Grade XVI ($41,977 to $59,260)

AND BE IT FURTHER RESOLVED, that the 2014 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 143-14

Introduced by R. Weaver. Seconded by R. Lattimer.

MEMORIALIZING THE GOVERNOR TO REQUEST INCLUSION OF THE JUNE 8TH STORMS IN THE FEDERAL EMERGENCY MANAGEMENT AGENCY EMERGENCY DECLARATION.

WHEREAS, this spring, municipalities throughout Steuben County experienced multiple severe storm systems that resulted in widespread flash flooding and significant damage to roadways, stream systems, and private property; and

WHEREAS, these spring storms produced rainfall from May 13th through June 8th of nearly five inches across Steuben County; and

WHEREAS, the storms of late May have been included in emergency declarations, as requested by the Governor and authorized by the Federal Emergency Management Agency (FEMA), making Steuben County and it's municipalities eligible for damage reimbursement; and

WHEREAS, the June 8th storm produced on average one and three quarters inches of rain across the county in less than six hours and caused approximately $1 Million in damages in Steuben County, particularly in the Towns of Campbell, Bath, Avoca, and Hornby, yet was not included in the FEMA declaration; and

WHEREAS, the precipitation that occurred from May 13th through June 8th was a contributing factor to the soil conditions and flooding that occurred on June 8th; and

WHEREAS, additional Steuben County municipalities are in need of the financial assistance a FEMA declaration would offer for damage repair.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature urges the Governor to request inclusion of the June 8th storms in the State's submission to FEMA for emergency assistance; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Dean Skelos, NYS Senate Republican Conference Leader And Majority Coalition Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Independent Conference Leader And Majority Coalition Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907

Legislative Office Building, Albany, NY 12247; Honorable Sheldon Silver, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Honorable Tom Reed, 89 West Market Street, Corning, NY 14830; Honorable Charles E. Schumer, 15 Henry Street, Room 100 A-F, Binghamton, NY 13901; Honorable Kirsten Gillibrand, Kenneth B. Keating Federal Office Building, 100 State Street, Room 4195, Rochester, NY 14614; Stephen J. Acquario, Executive Director, New York State Association of Counties, 540 Broadway, Albany, NY 12207; and Honorable Jerry Davis, President, Inter-County Association of Western New York, c/o Wyoming County Board of Supervisors, Government Center, 143 North Main Street, Warsaw, NY 14569.

Mr. Peoples commented this is something that we desperately need. Mr. Alger stated he believes there is a possibility that they will extend the dates of inclusion due to the amount of damage that has occurred. Ms. Lattimer reminded everyone that there is good cause for extending the date, however, this decision falls totally within the purview of the Governor's Office. Mr. Alger stated it is up to the Governor and ultimately the President. This is not a simple process.

Vote: Acclamation – Adopted.

RESOLUTION NO. 144-14

Introduced by R. Weaver. Seconded by H. Lando.

MEMORIALIZING THE GOVERNOR AND STATE LEGISLATURE TO COMMIT STATE FUNDING FOR THE LOCAL SHARE OF FLOOD DAMAGE REPAIRS.

WHEREAS, the storms of late May and early June have resulted in significant damages to local roadways, stream system, and private property; and

WHEREAS, the State has requested and received a Federal Emergency Management Agency (FEMA) disaster declaration for the flooding of late May; and

WHEREAS, the Steuben County Legislature has urged the Governor to include the June 8th storms as part of this declaration; and

WHEREAS, FEMA requires a 25% local share for these eligible repairs; and

WHEREAS, it is customary for the State to either pay the 25% local share in whole, or split the cost with local municipalities; and

WHEREAS, State support is vital in assisting municipalities in recovering from these flooding events.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature urges the Governor and State Legislature to commit State funding for the FEMA-required local share for the May flooding already declared and the June 8th floods, if approved; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Dean Skelos, NYS Senate

Republican Conference Leader And Majority Coalition Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Independent Conference Leader And Majority Coalition Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Sheldon Silver, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Stephen J. Acquario, Executive Director, New York State Association of Counties, 540 Broadway, Albany, NY 12207; and Honorable Jerry Davis, President, Inter-County Association of Western New York, c/o Wyoming County Board of Supervisors, Government Center, 143 North Main Street, Warsaw, NY 14569.

Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officer's Law, Article 7§ 105.1.E. Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law; and Article 7§ 105.1.F. the Medical, Financial, Credit or Employment History of a Particular Person or Corporation, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person or Corporation made by Mr. Weaver, seconded by Mr. Mullen and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Van Etten, seconded by Mrs. Lando and duly carried.

Motion to Adjourn made by Mr. Roush, seconded by Mr. Schu and duly carried.

REGULAR MEETING
Morning Session
Monday, September 29, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 29th day of September, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislator Van Etten.

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

Chairman Hauryski asked Dana Stratton to come forward. Ms. Stratton is an employee in the Department of Social Services. He presented her with Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Hauryski asked James Doyle to come forward. Mr. Doyle is an employee in the Department of Social Services. He presented him with a Certificate of Appreciation and a pin in recognition of his 10 years of service to Steuben County.

Chairman Hauryski asked Jessica Peaslee to come forward. Mrs. Peaslee is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Hauryski opened the floor for comments by members of the public.

Kristen Klemenz, owner of B & W Towing, stated last month the Public Safety & Corrections Committee extended the Towing RFP for an additional year. She stated that she has written many letters and has asked the Legislature to consider what they are doing. To the smaller towing companies, it looks like you are supporting the larger businesses. We are not allowed to respond to calls on the highways in Corning, Hornell or Bath. Ms. Klemenz stated that she contacted the NYS Department of Transportation to ask why the County has the authority on State highways. They indicated there is nothing that says that we cannot respond to incidents on the highway. There is nothing that says that we cannot respond and she has talked with Albany to see how we can fix this. She is requesting the Legislature to put this issue back to committee and allow the smaller companies on the highways where they currently are not allowed.

Chairman Hauryski declared the opportunity for public comment closed.

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

Mrs. Ferratella provided the Legislature with an update on the AdHoc Municipal Coordination Committee. Membership consists of four Town Assessors, two Town Supervisors, representatives from the Real Property Tax Office and a representative from the NYS Office of Real Property. The goals of this committee is to look for areas that the towns and County can work together to advance the roll of assessors and save money with mutually agreed upon projects. Our focus has been to look at processes that take up a lot of the assessors' time and/or are areas where the towns lack the tools to do a thorough job. At our last meeting, we focused on data collection and have determined the next steps allowing us to continue to refine the scope of our approach. Mr. Hauryski stated that he appreciates the work Mrs. Ferratella and the committee is doing. Thank you.

RESOLUTION NO. 145-14

Introduced by L. Crossett. Seconded by H. Lando.

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

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 be it further

RESOLVED, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof and as upon the "Notice to Bidders and Terms of Sale – 2014" as applicable; and be it further

RESOLVED, the said grantee(s) must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be; 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, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1
Name	Beverly Perry Estate
Parcel No.	194.00-01-003.000
Municipality	Hartsville Town
Disposition	Correction

Resolution No.	A-2
Name	Edward D. Gustina
Parcel No.	280.14-01-020.000/22
Municipality	Erwin Town
Disposition	Correction (cancel per RPTL 558)

Resolution No.	A-3
Name	Steven M. Card
Parcel No.	372.00-01-018.200
Municipality	Caton Town
Disposition	Refund

Resolution No.	A-4
Name	Green Acres Mobile Home Park Inc.
Parcel No.	107.19-01-008.111
Municipality	Arkport Village
Disposition	Refund

Resolution No.	B-1
Former Owner	Daniel J. Hoaglin & Angie Hoaglin
	Malcom A. Lane & Brian Hawley
In Rem Index No.	2011-1564CV, Judgment Filed 04/29/2014
Parcel No.	046.00-01-041.150
Former Owner	Daniel J. Hoaglin & Angie Hoaglin
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel Nos.	046.00-01-041.140, 046.00-01-041.160 &
	046.00-01-041.190
	ALL ABOVE PARCELS CONSOLIDATED
	INTO PARCEL NO. 046.00-01-041.150
Municipality	Prattsburgh Town
Grantee(s)	Daniel J. Hoaglin & Angie Hoaglin
Grantee(s) Address	PO Box 112, Prattsburgh, NY 14873
Consideration	$9,260.42, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-2
Former Owner	Lisa Romer (Kubisky)
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	048.05-01-016.000
Municipality	Prattsburgh Town
Grantee(s)	Lisa Romer (Kubisky)
Grantee(s) Address	6888 Cty Rte 74, Prattsburgh, NY 14873
Consideration	$1,691.05, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-3
Former Owner	Ronald Robertson & Juanita Shoultes
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	225.03-01-009.000
Municipality	Campbell Town
Grantee(s)	Ronald Robertson & Juanita Shoultes
Grantee(s) Address	460 Stover Rd., Bradford, NY 14815
Consideration	$10,000.00, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-4
Former Owner	Paul K. Capluzzi & Brenda L. Capluzzi
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	151.56-01-027.000
Municipality	Hornell City
Grantee(s)	District No. 6 Federal Credit Union
Grantee(s) Address	107 Broadway, Hornell, NY 14843
Consideration	$10,104.00, inclusive of recording fees

Resolution No.	B-5
Former Owner	Salli A. Mehlenbacher
In Rem Index No.	2011-1564CV, Judgment Filed 05/09/2013
Parcel No.	136.18-02-046.000
Municipality	North Hornell Village
Grantee(s)	Salli A. Mehlenbacher
Grantee(s) Address	381 Seneca Rd., North Hornell, NY 14843
Consideration	$13,291.38, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Mr. Mullen asked with regard to B-4 and the grantee being the Federal Credit Union, what is going on with that? Mr. Reed replied this was a case where the Credit Union advanced funds for the payment of taxes to the borrower and the borrower did not pay the taxes. This put the Credit Union in a position to purchase the property back. The County currently owns the property through tax foreclosure. The judge had issued a show cause order and the property was removed from the tax sale. An offer to purchase was made by the Credit Union and the Finance Committee approved acceptance of their offer. This was pursuant to 166 of the Real Property Tax Law.

Vote: Roll Call – Adopted. Yes – 8,699; No – 0; Absent – 513; Abstained – 660
(Legislator Schu abstained as he has a client listed on the resolution)

RESOLUTION NO. 146-14

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE SEPTEMBER 29, 2014 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:

August 15, 2014
Town of Corning – Re: Approved Town of Corning Board resolution requesting that $175,000 of the sales tax revenues for the Town of Corning for the budget year 2015 and hereinafter, be amended from use against the Steuben County tax levy, as a payment in check form to the Town of Corning in the first quarter, effective January 1, 2015 and going forward unless amended upon a new resolution by the town board. ***Referred to: Finance Committee; Patrick Donnelly, Commissioner of Finance; and Mark Alger, County Manager.***

August 18, 2014
Cornell Cooperative Extension – Re: 2015 Budget Request and Economic Impact Statement. ***Referred to: A.I.P. Committee; Finance Committee; Patrick Donnelly, Commissioner of Finance; and Mark Alger, County Manager.***

Finger Lakes Association d/b/a Finger Lakes Tourism Alliance (FLTA) – Re: 2015 Budget Request in the amount of $18,500. ***Referred to: A.I.P. Committee; Finance Committee; Patrick Donnelly, Commissioner of Finance; and Mark Alger, County Manager.***

August 22, 2014
NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the second quarter SFY 2014-2015 Statewide Mass Transportation Operating Assistance (STOA) payments. ***Referred to: Amy Dlugos, Planning Director.***

August 25, 2014
Finger Lakes Wine Country – Re: 2015 Budget Request in the amount of $105,000. ***Referred to: A.I.P. Committee; Finance Committee; Patrick Donnelly, Commissioner of Finance; and Mark Alger, County Manager.***

Michelle Cavanaugh – Re: Correspondence letter on the current status of the coffee cart. ***Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Mark Alger, County Manager.***

NYS Office for the Aging – Re: Revised Notifications of Grant Award (NGAs) and Annual Implementation Plan budget for the EISEP, CSE and WIN programs for the period of April 1, 2013 through March 31, 2014. ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.***

City of Hornell – Re: Sales Tax Allocation Agreement. ***Referred to: Finance Committee; Patrick Donnelly, Commissioner of Finance; and Mark Alger, County Manager.***

Federal Energy Regulatory Commission – Re: Notice of schedule for environmental review of the Tuscarora Lateral Project. ***Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.***

August 27, 2014
New York State Homes & Community Renewal – Re: Approval of request of release of funds for the New York State Community Development Block Grant (NYS CDBG) Project #1115HR-13. ***Referred to: Amy Dlugos, Planning Director.***

August 28, 2014
B&W Towing – Re: Correspondence letter on Steuben County's bid on towing. ***Referred to: Public Safety & Corrections Committee; and Alan Reed, County Attorney.***

September 2, 2014
Steuben County Conference & Visitors Bureau – Re: 2014 Mid-year update and 2015 budget request. ***Referred to: Referred to: A.I.P. Committee; Finance Committee***; ***Amy Dlugos, Planning Director; and Mark Alger, County Manager.***

NYS Division of Homeland Security and Emergency Services – Re: Notification of Steuben County being eligible to receive an award for the new 2014-2015 Public Safety Answering Points Operations Grant Program (2014-2015 PSAP Operations Grant). Applications must be submitted no later than September 26, 2014 at www.dhses.ny.gov/oiec/grants. ***Referred to: Public Safety & Corrections Committee; David Hopkins, 911 Director; Timothy Marshall, EMO Director; and Jack Wheeler, Deputy County Manager.***

September 4, 2014
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,828 representing the July 2014 retained surcharge revenues for Steuben County**.** ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

September 5, 2014
NYS Office for the Aging – Re: Revised Third Notification of Grant Award (NGA) for the federal fiscal year 2014 (FFY 2014) for the Nutrition Services Incentive Program (NSIP). ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.***

NYSEG – Semiannual Inventory Report of the PCB Equipment Retired from service January 1, 2014 through June 30, 2014. This is submitted in accordance to Section 66(23) of the Public Service Law. ***Referred to: filed with the Clerk of the Legislature, Brenda Mori.***

September 8, 2014
New York State Department of Health – Re: Notification of an upcoming survey on tobacco product placement and advertising in the retail environment and the beliefs and attitudes toward local policies to regulate it. ***Referred to: Steuben County Legislature.***

Harris Beach, PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and CFA Apartments LLC Property for property located at 11 West Third Street, City of Corning, NY application for Real Property Tax Exemption (form RP-412a) with second amended and restated payment in lieu of tax agreement. ***Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.***

September 11, 2014
Finger Lakes Health Systems Agency – Re: 2015 Budget Request in the amount of $24,682. Referred to: Finance Committee; and Mark Alger, County Manager.

Vote: Acclamation – Adopted.

RESOLUTION NO. 147-14

Introduced by M. Hanna. Seconded by G. Swackhamer.

AUTHORIZING THE COMMISSIONER OF THE STEUBEN COUNTY DEPARTMENT OF PUBLIC WORKS TO EXECUTE A REVISED SNOW AND ICE AGREEMENT BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND THE COUNTY OF STEUBEN AND TO EXTEND THE AGREEMENT THROUGH THE 2014-2015 SNOW SEASON.

WHEREAS, the New York State Department of Transportation ("NYSDOT") Commissioner and Steuben County (the "Municipality") have entered into an Agreement No.D014728 entitled "Indexed Lump Sum Snow and Ice Agreement between the New York State Department of Transportation and Municipality of County of Steuben", dated January 11, 2006; and

WHEREAS, the term of the said Agreement is for a period of three (3) years commencing July 1, 2005 and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

WHEREAS, the present term of the Agreement, as extended, expires June 30, 2014; and

WHEREAS, Section 7 of the said Agreement provides that the NYSDOT Commissioner shall furnish the Municipality with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by this Agreement; and

WHEREAS, Section 9 of the said Agreement provides for an annual update of the estimated expenditure to be determined by the NYSDOT Commissioner subject to the provisions of Section 9 at the time for extension of the Agreement; and

WHEREAS, Section 9 of the said Agreement also provides for an adjustment to the actual payment amount based on the intensity and severity of the winter season.

NOW THEREFORE, BE IT

RESOLVED, in consideration of the mutual covenants and benefits between the parties,

1. The aforementioned "Indexed Lump Sum Snow and Ice Agreement between New York State Department of Transportation and the Municipality" is hereby extended for a period of one (1) year; now to expire on June 30, 2015, unless further extended.

2. The State Highways or parts thereof affected by this Agreement are as delineated on the attached map, agreed upon by the NYSDOT Commissioner and the Municipality, which shall be effective for the remainder of the term of the Agreement commencing July 1, 2014, unless changed by future agreement between the NYSDOT Commissioner and the Municipality.

3. All the terms and conditions of the original contract remain in effect except as follows. The indexed lump sum estimated expenditure specified in Section 9 of the aforementioned Agreement shall be $3,882.42 per lane mile for 73.2 lane miles for a total of $284,193.10 for the 2014-2015 season and for the remainder of the term of the Agreement commencing July 1, 2014, unless changed by future update.

AND BE IT FURTHER RESOLVED, seven (7) certified copies of this resolution shall be forwarded to the Commissioner of Public Works.

Mr. Weaver asked how does this compare with last year's contract? Mr. Spagnoletti replied last year's contract was a little more. The State guarantees to pay us two-thirds, however, each year they pay less and less. He foresees a time when it will break even.

Mr. Mullen commented that he will vote for this contract because we should be doing the plowing, but he does not think that we should drop the mileage that we have dropped.

Vote: Roll Call – Adopted.

RESOLUTION NO. 148-14

Introduced by R. Weaver and L. Crossett. Seconded by H. Lando.

ADDING AN ADDITIONAL LINE ITEM TO THE BUS OPERATIONS CAPITAL PROJECT AND APPROPRIATING FUNDS TO SAID LINE ITEM.

WHEREAS, on August 25, 2014 this Legislature did establish a capital project entitled 'Bus Operations'; and

WHEREAS, funds were transferred from the 2014 Steuben County Budget to said capital project for a grant described in New York State Contract No. C003788 Supplemental Agreement #2; and

WHEREAS, Steuben County entered into a contract with New York State in January 2013 for NYS Contract No. C003788 Supplemental Agreement #1; and

WHEREAS, Steuben County has a balance remaining for the grant described in Supplemental Agreement #1 in the amount of $76,824.20; and

WHEREAS, all funds expended by this grant are reimbursed to the County by Federal (80%) and State funds (10%) and First Transit (10%); and

WHEREAS, appropriating funds in the Bus Operations Capital Project will allow for more efficient tracking of expenditures and revenues for Supplemental Agreement #1.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is authorized and directed to establish an additional line item in the Bus Operations Capital Project for Supplemental Grant Agreement #1; and be it further

RESOLVED, that the amount of $76,824.20 shall be appropriated as follows:

5630H1-5250201 Public Trans C003788-1	$76,824.20
5630H1-42222000 Participants Share	7,682.42
5630H1-43594000 Rural Transportation Grant	7,682.42
5630H1-44589000 Other Trans-CFDA #20.509	61,459.36

AND BE IT FURTHER RESOLVED, that certified copies of this resolution shall be sent to the Planning Director and the Commissioner of Finance.

Vote: Roll Call – Adopted.

Introduced by B. Schu and L. Crossett. Seconded by H. Lando.

ACCEPTING A FEMA HAZARD MITIGATION GRANT.

WHEREAS, Steuben County Office of Emergency Management has a FEMA approved Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, Steuben County's approved plan under 44 C.F.R. 13.1, is due for an update in May of 2015; and

WHEREAS, Steuben County has been authorized by FEMA for a 75% /25% Project Planning Grant; and

WHEREAS, New York State Department of Homeland Security and Emergency Services has primary responsibility for management of the Project and accountability of the funds; and

WHEREAS, the funding can be used for completion of the mitigation plan review and update; and

WHEREAS, the Steuben County Office of Emergency Management anticipates hiring a consultant for completion of the plan and expects to complete the 25% match with authorized in-kind services.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager be authorized to enter into an agreement with the New York State Office of Homeland Security to accept funding in the amount of $112,500 for implementation of the Hazard Mitigation Program Grant; and be it further

RESOLVED, that the County Manager and the Director of Emergency Management are authorized and directed to execute the requisite documentation to execute this grant and agreement; and be it further

RESOLVED, that the Commissioner of Finance is authorized to establish a revenue account for the purpose of accepting the grant funding from the Federal Government and the New York State Department of Homeland Security and Emergency Services; and be it further

RESOLVED, that the Commissioner of Finance is authorized to appropriate such revenue to the appropriate accounts within the budget of the Steuben County Office of Emergency Management for the purpose of fulfilling the aforementioned grant; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the New York State Department of Homeland Security and Emergency Services, Mitigation Division, 1220 Washington Avenue, State Office Building 22, Albany NY 12226; the Commissioner of Finance; and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 150-14

Introduced by B. Schu and L. Crossett. Seconded by G. Roush.

AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT A CRIMES AGAINST REVENUE PROGRAM GRANT.

WHEREAS, the Steuben County District Attorney's Office has been awarded a grant from the Crimes Against Revenue Program (CARP) in the amount of $48,295.00; and

WHEREAS, the grant funds will be used to hire two part-time contract employees who will work 15-18 hours per week primarily on welfare fraud; and

WHEREAS, $5,000.00 from the Traffic Diversion Program will be used to purchase guns, badges, and vests for the part-time contract employees; and

WHEREAS, the grant is fully funded with no cost to the County.

NOW THEREFORE, BE IT

RESOLVED, the District Attorney is hereby authorized to accept the Crimes Against Revenue Program (CARP) Grant in the amount of $48,295.00; and be it further

RESOLVED, the Commissioner of Finance is authorized to appropriate $5,000.00 of Traffic Diversion Program money for guns, badges, and vests for the contract employees working under this grant; and be it further

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

Mr. Weaver commented that he will support this, however, there was no mention in the minutes of the Department of Social Services involvement with the grant process. Perhaps there is some miscommunication between the departments. Mr. Alger stated that he is not aware of any issues between the departments. There has been coordination between the District Attorney's Office and the Department of Social Services. This will allow the District Attorney's Office to do additional investigative services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 151-14

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

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH CORNING PROPERTY MANAGEMENT CORPORATION.

WHEREAS, Corning Property Management Corporation is the owner of certain premises located in the City of Corning, County of Steuben, State of New York, located at the Baron Steuben Building, One West Market Street, Corning, New York, and desires to lease the premises; and

WHEREAS, the Steuben County District Attorney desires to lease from Corning Property Management Corporation, and Corning Property Management Corporation desires to lease to the Steuben County District Attorney.

NOW THEREFORE, BE IT

RESOLVED, the District Attorney is hereby authorized to enter into an agreement with Corning Property Management Corporation subject to the following terms and conditions:

1. TERM - The term of this Lease shall be for a period of five (5) years from July 18, 2014.

2. RENT - $0.

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the District Attorney and Colleen M. Caravati, Director, Corporate Real Estate, One Riverfront Plaza, MP-HQ-01-E07, Corning, NY 14831.

Vote: Roll Call – Adopted.

RESOLUTION NO. 152-14

Introduced by J. Hauryski. Seconded by R. Lattimer.

SETTING THE DATE AND TIME FOR A SPECIAL LEGISLATIVE MEETING FOR THE PRESENTATION OF THE 2015 BUDGET.

BE IT RESOLVED, a Special Legislative Meeting of the Steuben County Legislature be, and the same hereby is, established for Thursday, November 13, 2014, at 10:00 A.M. in the Legislative Chambers, 3 East Pulteney Square, Bath, New York, for the presentation of the 2015 Budget; and be it further

RESOLVED, the Clerk of this Legislature shall forward the necessary, proper and legal notice of the above meeting to all County Legislators and department heads of the County of Steuben.

Vote: Acclamation – Adopted.

RESOLUTION NO. 153-14

Introduced by J. Hauryski. Seconded by H. Lando.

SETTING THE TIME FOR THE NOVEMBER 2014 MEETING OF THE STEUBEN COUNTY LEGISLATURE.

BE IT RESOLVED, the regular meeting of the Steuben County Legislature be, and the same hereby is, established for November 2014, on Monday, November 24, 2014, at 3:30 P.M. in the Legislative Chambers, 3 East Pulteney Square, Bath, New York; and be it further

RESOLVED, the date and time of any Public Hearings arising by virtue of the within meeting which are inconsistent with this resolution be and the same hereby are amended to reflect the date and time above-stated; and be it further

RESOLVED, the Clerk of this Legislature shall forward the necessary, proper and legal notice of the above meeting to all County Legislators and department heads of the County of Steuben.

RESOLUTION NO. 154-14

Introduced by J. Hauryski. Seconded by R. Lattimer.

APPOINTING A MEMBER TO THE SOUTHERN TIER EXTENSION RAILROAD AUTHORITY.

Pursuant to Article 8, Title 28-AA of the Public Authorities Law.

WHEREAS, Article 8, Title 28-AA of the Public Authorities Law creates the Southern Tier Extension Railroad Authority Act to continue and strengthen the system of railroads serving Allegany, Cattaraugus, Chautauqua and Steuben Counties through the creation of a regional, public benefit corporation; and

WHEREAS, Section 2642-C of the Act requires the establishment of the Southern Tier Extension Railroad Authority; and

WHEREAS, the County Legislature is authorized to appoint three voting members to the Authority upon the recommendation of the Legislative Chair; and

WHEREAS, one member's term has expired.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby reappoint the following individual to serve as a member of the Southern Tier Extension Railroad Authority for the term as indicated:

James W. Griffin, Executive Director
Hornell Industrial Development Agency
40 Main Street
Hornell, NY 14843
Term: September 1, 2014 through August 31, 2017

AND BE IT FURTHER RESOLVED, said member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Southern Tier Extension Railroad Authority; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee; the Southern Tier Extension Railroad Authority, Center for Regional Excellence, 4039 Route 219, Salamanca, NY 14779-1493; and the County Auditor.

Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.D. Discussions regarding Proposed, Pending or Current Litigation; and Article 7§ 105.1.E. Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law made by Mr. Weaver, seconded by Mr. Roush and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mrs. Lando, seconded by Mr. Hanna and duly carried.

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

REGULAR MEETING
Morning Session
Monday, October 27, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 27th day of October, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except for Legislators McAllister and Swackhamer.

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

Chairman Hauryski welcomed the Youth In Government Interns to the meeting.

Chairman Hauryski asked Darlene Herrick to come forward. Ms. Herrick is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Hauryski asked Shirley Morey to come forward. Ms. Morey is an Elections Inspector. He presented her with a Certificate of Appreciation in recognition of her 40 years of service to Steuben County.

Chairman Hauryski asked Alzina Turner to come forward. Ms. Turner is an Elections Inspector. He presented her with a Certificate of Appreciation in recognition of her 41 years of service to Steuben County.

Chairman Hauryski asked Alice Ingham to come forward. Ms. Ingham is an Elections Inspector. He presented her with a Certificate of Appreciation in recognition of her 41 years of service to Steuben County.

Mr. Gallagher introduced the Youth-In-Government Interns. He thanked the Legislature for their support. This program has been in place for 30 years with 1,200 students having participated. He also thanked the Department Heads as they have been supportive of the students with their time and effort they put toward working with the students.

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

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

Ms. Lattimer stated the AIP Committee has been facilitating discussions with the Finger Lakes SPCA. We are working toward improving communication and protocols for animal compliance. There will be a training October 30th from 6:00 p.m. – 8:00 p.m. at Rivers Edge Farm. She asked the Legislators to contact their Town Supervisors and Dog Control Officers to encourage them to attend this training. During this training there will be a review of Articles 7 and 26 which we think will be a good way for the local Dog Control Officers to get a handle on what they do and what the SPCA Officer does.

Secretary's Note: Legislator Van Etten was excused from meeting.

RESOLUTION NO. 155-14

Introduced by L. Crossett. Seconded by Mr. Weaver.

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

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 be it further

RESOLVED, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof and as upon the "Notice to Bidders and Terms of Sale – 2014" as applicable; and be it further

RESOLVED, the said grantee(s) must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be; 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, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1
Name	Richard & Susan Mason
Parcel No.	377.00-01-001.110
Municipality	Troupsburg Town
Disposition	Correction (parcel split)

Resolution No.	A-2
Name	Pauline Brant
Parcel No.	423.00-01-004.000
Municipality	Lindley Town
Disposition	Correction

Resolution No.	A-3
Name	Hilda Cartwright (dec'd)
Parcel No.	136.05-01-023.220/79
Municipality	Hornellsville Town
Disposition	Correction

SCHEDULE "B"

Resolution No.	B-1
Former Owner	James Ball
In Rem Index No.	2010-1966CV, Judgment Filed 04/29/2014
Parcel No.	048.00-01-041.150
Municipality	Prattsburgh Town
Grantee(s)	James Ball
Grantee(s) Address	10892 Mattoon Rd., Prattsburgh, NY 14873
Consideration	$1,075.00, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Vote: Roll Call – Adopted.

RESOLUTION NO. 156-14

Introduced by J. Hauryski. Seconded by Mr. Roush.

RECEIVING AND ACCEPTING THE OCTOBER 27, 2014 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:

September 18, 2014
Steuben County Farm Bureau – Re: The 2014 Annual Meeting Notice is scheduled for Wednesday, October 22nd at 6pm at the Wheeler Community Building located on Route 53 in the Town of Wheeler. ***Referred to: Joseph Hauryski, Legislature Chairman.***

September 19, 2014
NYS Department of Transportation – Re: The 2014 New York State Department of Transportation Real Estate Auction is scheduled for 10:00am on Thursday, October 16, 2014 at the Town of Big Flats Community Center located at 476 Maple Street, Big Flats, N.Y. 14814. ***Referred to: Mark Alger, County Manager.***

September 22, 2014
Corning Community College – Re: Notification of the change in the county chargeback rate ($2,785 per FTE) and an estimate of the total chargeback's (Jan-Dec 2015: Operating $3,193,494/Capital $350,111). ***Referred to: Human Services/Health & Education Committee; Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

September 25, 2014
NYS Division of Homeland Security and Emergency Services – Re: Notification of Steuben County being awarded $125,000 under the FY2014 State Homeland Security Program (SHSP). As per Federal guidelines, 25 percent ($31,250) of your award must be directed towards law enforcement terrorism prevention activities. ***Referred to: Public Safety & Corrections Committee; Tim Marshall, EMO Director; and Sheriff Cole.***

Harris Beach, PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and Amexstra, Inc. application for Real Property Tax Exemption (form RP-412a) with extract lease agreement dated July 1, 2014. ***Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.***

September 29, 2014
New York State Office of Parks, Recreation and Historic Preservation – Re: Notification of the Western New York Wine Company located at 9683 Middle Road, Pulteney, NY 14840 is now listed on the National Register of Historic Places. ***Referred to: A.I.P. Committee; and Eleanor Silliman, County Historian.***

September 30, 2014
New York State Association of Counties – Re: A model lease agreement designed to enable county government to maximize the value of county-owned telecommunication tower assets. ***Referred to: Joseph Hauryski, Legislature Chairman; Alan Reed, County Attorney; Jack Wheeler, Deputy County Manager; and Mark Alger, County Manager.***

October 2, 2014
NYS Office of Children & Family Services – Re: Notification of approval for Steuben County's Resource Allocation Plan (RAP) and Youth Bureau Narrative(s) for 2014. ***Referred to: Human Services/Health & Education Committee; Kathryn Muller, Commissioner of Social Services; Jack Wheeler, Deputy County Manager; and Bill Caudill, Youth Program Coordinator.***

October 6, 2014
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $3,229, which represents the August 2014 surcharge revenue for Steuben County. ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

October 9, 2014
New York State Association of Counties – Re: 2014 County Salary Survey and Employment Benefits Report. ***Referred to: Mark Alger, County Manager.***

Federal Energy Regulatory Commission – Re: Notice of revised schedule for environmental review of the Tuscarora Lateral Project. ***Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.***

Vote: Acclamation – Adopted.

Chairman Hauryski recommended, if there were no objections, combining resolutions 3, 4, 5, and 6 as one.

Motion combining resolutions 3, 4, 5, and 6 as one made by Mr. Schu, seconded by Mr. Farrand and duly carried.

Mr. Hanna asked for an explanation of the process. Mr. Alger explained we present the Local Laws this month and next month the Board will vote on each individually.

RESOLUTION NO. 157-14

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

PRESENTING LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2014, AUTHORIZING THE SEIZURE AND FORFEITURE OF PROPERTY USED IN CONNECTION WITH MISDEMEANOR CRIMINAL ACTS AS DEFINED BY ARTICLE 220 AND ARTICLE 221 OF THE PENAL LAW.

WHEREAS, trafficking in illegal controlled substances, narcotics and marijuana generates profits for drug dealers measured in instrumentalities, proceeds and substituted proceeds of these drug based crimes which often result in misdemeanor offenses under Articles 220 and 221 of the Penal Law, which require law enforcement to ultimately return these ill-gotten profits to criminals; and,

WHEREAS, current State law does not address these misdemeanor based profits from drug based crimes under these Articles of the Penal Law; and,

WHEREAS, there is no action pending in the New York State Legislature to remedy this reality; and,

WHEREAS, a number of other Counties in New York State have sought local remedy to this blight under home rule; and,

WHEREAS, the Steuben County Legislature has found that passage of this local law will assist prosecution of crimes under Articles 220 and 221 of the Penal Law; deter illegal trafficking of controlled substances, narcotics and marijuana in Steuben County; and thereby enhance public safety,

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Three for the Year 2014, Authorizing the Seizure and Forfeiture of Property Used in Connection with Misdemeanor Criminal Acts as Defined by Article 220 and Article 221 of the Penal Law, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2014

A Local Law, Authorizing the Seizure and Forfeiture of Property Used in Connection with Misdemeanor Criminal Acts as Defined by Article 220 and Article 221 of the Penal Law.

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

Article I. Purpose

Section 1.1. This Legislature hereby finds and determines that activities associated with misdemeanor drug offenses pose a serious threat to the health, safety and welfare of county residents and impose an enormous burden upon the county in the provision of personnel to enforce the laws, prosecute violators and deliver services necessary to address the adverse social and health consequences of such activities.

Section 1.2. This Legislature further finds and determines that while criminal sanctions under the Penal Law are a useful means to deter misdemeanor drug activity, further local legislation is needed to achieve a reduction of said activities in the County of Steuben by removing the potential for profit, deterring the acts by placing personal resources at risk and by developing greater resources to enhance treatment and education strategies.

Section 1.3. Therefore, the purpose of this law is to provide for the seizure and forfeiture of property and funds used in connection with or constituting the proceeds of misdemeanor drug activities.

Article II. Definitions

Section 2.1. All words and phrases used in this Local Law shall have the same meaning as defined in Article 220 and Article 221 of the Penal Law and shall be specifically construed as follows:

Section 2.2. "Vehicle" shall mean a motor vehicle as defined in section 159 of the Vehicle and Traffic Law, an all-terrain vehicle (ATV) as defined in section 2281 of the Vehicle and Traffic Law, a snowmobile as defined in section 2221 of the Vehicle and Traffic Law and a vessel as defined by section 2250 of the Vehicle and Traffic Law when used in a navigable waterway or as defined in Section 10.00(14) of the Penal Law.

Section 2.3. "Controlled Substance" shall mean a controlled substance as defined by Article 220 of the Penal Law of the State of New York.

Section 2.4. "Marihuana" shall mean marihuana as defined and used in Article 220 and Article 221 of the Penal Law of the State of New York and as defined in section 3302 of the Public Health Law of the State of New York.

Section 2.5. "Owner" shall mean a person owning a vehicle as evidenced upon a certificate of title or a person owning property of record. For the purposes of a vehicle forfeiture, "owner" shall also be deemed to include any lienors listed on the certificate of title.

Section 2.6. "Activity" shall mean the unlawful use, possession, purchase, sale, conveyance and/or transportation of marihuana and/or controlled substances as further set forth and defined in Article 220 or Article 221 of the Penal Law or subsequent revisions or any other misdemeanor offense as defined by those articles.

Section 2.7. "Peace Officer" shall mean a person as defined by section 2.10 of the Criminal Procedure Law of the State of New York.

Section 2.8. "Police Officer" shall mean any of the persons listed in section 1.20(34) of Title A of the Criminal Procedure Law of the State of New York.

Section 2.9. "Misdemeanor" shall mean any misdemeanor offense as defined by the Penal Law of the State of New York at section 10.00(4), and arising under Article 220 or Article 221 of the Penal Law.

Section 2.10. "District Attorney" shall mean the District Attorney in and for the County of Steuben and as set forth in section 1.20(34) of the Criminal Procedure Law of the State of New York.

Section 2.11. "Monies" shall mean lawful currency of the United States, the lawful currency of any other nation, traveler's check, cashier's check, bonds, stocks, negotiable instruments, securities or other things of value furnished or intended to be furnished by any person in exchange for marihuana or a controlled substance in violation of this local law and all proceeds traceable to such an exchange and all said monies used or intended to be used to facilitate a violation of this law.

Section 2.12. "Possess" shall mean to have physical possession or to otherwise exercise dominion or control over tangible property or as defined in section 10.00(8) of the Penal Law.

Section 2.13. "Person" means a human being, and, where appropriate, a public or private corporation, an unincorporated association or a partnership or as defined by section 10.00(7) of the Penal Law.

Section 2.14. "Police Agency" shall mean the New York State Police, New York State Environmental Conservation Police, New York State Park Police, Steuben County Sheriff's Office, and any other agency or department employing peace officers or police officers within the County of Steuben.

Section 2.15. "Common Carrier" shall mean any common carrier as defined by 49 U.S.C. 10102 or as defined by section 2 et seq. of the Transportation Law of the State of New York.

Section 2.16. All words used in this local law whether or not specifically defined herein at Article II must be construed according to the fair import of their terms to promote justice and effect the objects of this law.

Article III. Conduct

Section 3. The provisions of Article IV herein shall be applicable upon the establishing of prohibited conduct as set forth under Articles 220 and 221 of the New York State Penal Law where such conduct comprises

a misdemeanor thereunder. The establishing of such conduct may be sustained by, but not limited to, a certificate of conviction therefore, other court record establishing such prohibited conduct or upon the written stipulation of a party to such prohibited conduct of that party.

Article IV. Seizure and Delivery

Section 4.1. The following property shall be subject to forfeiture to the County of Steuben and no property right shall exist in them: Any vehicle which has been or is being used in violation of Article III and any money as a result of or in furtherance of the prohibited conduct set forth in Article III. Said property may be seized by any peace officer, acting pursuant to his special duties, or police officer, and forfeited as hereinafter provided in this local law. Seized property is subject to forfeiture if and only if used or possessed in connection with acts or conduct which would constitute a misdemeanor under Article 220 or Article 221 of the Penal Law.

Section 4.2. The seized property shall be promptly delivered by the officer having made the seizure to the care and custody of the District Attorney together with a report of all the facts and circumstances of the seizure and the underlying misdemeanor offense(s).

Article V. Civil Proceedings

Section 5. It shall be the duty of the District Attorney to inquire into the facts and circumstances of the seizure as so reported to the District Attorney and, if it appears probable that a forfeiture has been incurred by reason of a violation of this local law, for the determination of whether the institution of proceedings in the Supreme Court of the State of New York is necessary, to cause the proper proceedings to be commenced and prosecuted not later than twenty (20) days after written demand by a person claiming ownership thereof, to declare such forfeiture, unless, upon inquiry and examination, the District Attorney decides that such proceedings cannot probably be sustained or that the ends of public justice do not require that they should be instituted or prosecuted, in which case the District Attorney shall cause such seized property to be returned to the owner thereof. The proceedings instituted under this local law shall conform, as close as practicable, to the procedure for attachment under the Civil Practice Law and Rules, and except as modified by this local law, including by not limited to Article 13-A of the CPLR.

Article VI. Notice

Section 6. Notice of the institution of the forfeiture proceedings shall be served on the owner of the seized property in accordance with the notice and service provisions of the New York State Civil Practice Law and Rules.

Article VII. Affirmative Defenses

Section 7. Forfeiture be adjudged except where the owner establishes by preponderance of the evidence that:

(a) seized property was used or possessed in violation of Article III by any person other than an owner thereof, while such seized property was unlawfully in the possession of a person who acquired possession thereof in violation of the criminal laws of the United States or the criminal laws of any state or territory; or

(b) a seized vehicle was used by a person as a common carrier in the transaction of business as a common carrier unless it appears that the owner or other person in charge of said vehicle was a consenting party or privy to a violation of this local law or Article 220 or Article 221 of the Penal Law; or

(c) a vehicle was seized by reason of any act or omission established by the owner of a vehicle to have been committed or omitted by any person other than such owner while said vehicle was unlawfully in the

possession of a person other than the owner in violation of the criminal laws of the United States, or of any State; or

(d) to the extent of an interest of the owner only, property was seized by reason of any act or omission established by that owner to have been committed or omitted without the knowledge of the owner.

Article VIII. Distribution

Section 8.1. The District Attorney, having custody of the seized property, after such judicial determination of forfeiture, shall have the discretion, where the property is a vehicle, to either retain such seized vehicle for the official use of the District Attorney's Office or the seizing police agency, or, by a public notice of at least five days, sell such forfeited vehicle at public sale; provided, however, that where such vehicle is subject to a perfected lien, such lien must be satisfied for such vehicle to be retained. The net proceeds of any such forfeiture under this local law, after deduction of the lawful expenses incurred, shall be collected by the District Attorney and deposited with the Steuben County Commissioner of Finance, who shall record them in the appropriate trust account(s) and who shall forthwith distribute directly from said account(s) as follows:

(a) Monies shall first go pay any restitution, as that term is defined in the Penal Law of the State of New York, owed in conjunction with the criminal case;

(b) fifty percent (50%) of all remaining monies realized through forfeiture to the seizing police agency, to be disbursed quarterly, in satisfaction of actual costs incurred for protecting, maintaining, and delivering the seized property to the office of the District Attorney; said monies to be deposited in the agency's general forfeiture account in accordance with said agency's routine accounting procedures. In the event seizure resulted from a collaborative effort of law enforcement, then such 50% shall be distributed under the terms of agreement, between the several collaborating law enforcement agencies, and such funds to be made payable to the municipal official authorized to receive such funds, and

(b) the remaining fifty percent (50%) of all monies realized through forfeiture as retained by the Commissioner of Finance shall be directed into an account to be designated for DISTRICT ATTORNEY REVENUE ACCOUNT by the Steuben County Commissioner of Finance to be utilized exclusively for prosecution/prevention of drug crimes.

Section 8.2. The Steuben County Commissioner of Finance and the Steuben County Auditor shall monitor usage of all monies paid directly to the office of the District Attorney under Section 8.1(b) of this local law and these monies or proceeds shall be accounted for and reported through the County of Steuben's official audit and accounting procedures.

Article IX. Restoration

Section 9. Whenever a person interested in any property which is seized and declared forfeited under the provisions of this local law files with a Justice of the Supreme Court a petition for the recovery of such forfeited property, the Justice of the Supreme Court may restore said forfeited property, upon such terms and conditions as the Supreme Court deems reasonable and proper, if the petitioner establishes either of the affirmative defenses set forth in Article VII of this local law and that the petitioner was without personal or actual knowledge of the forfeiture proceeding. If the petition is filed after the sale of the forfeited property, any judgment in favor of the petitioner shall be limited to the net proceeds of such sale, after deduction of the lawful expenses and costs incurred by the District Attorney and police agency.

Article X. Statute of Limitations

Section 10. Notwithstanding any other general provision of law, no suit or action under this local law for wrongful forfeiture shall be instituted unless such suit or action is commenced within the time frames set forth under Article 78 of the Civil Practice Law and Rules.

Article XI. Severability

Section 11. If any part of this local law shall be found invalid by a court of competent jurisdiction, such invalidity shall apply only to such part, and the remainder of this local law shall remain valid and effective.

Article XII. Effective Date

Section 12. This local law shall take effect upon its filing, pursuant to section 27 of the Municipal Home Rule Law, with the Secretary of State.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on November 24, 2014 at 3:30 P.M. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney.

Vote: Acclamation – Adopted.

RESOLUTION NO. 158-14

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

PRESENTING LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2014, RELATIVE TO SECONDHAND DEALERS.

WHEREAS, recent increases in the local production of methamphetamine, sale and use of heroin and other illegal drugs have driven an increase in theft based property crime by individuals seeking money to fund drug addiction; and, unregulated second hand dealers provide a ready and public market for easy disposal of such stolen property; and

WHEREAS, regulation of secondhand dealers, requiring registry of goods and sellers will deter individuals from utilizing this market for stolen property thereby both deterring property crime and reducing monies available for illegal drug sales and product; and allow law enforcement to effectively deal who utilize these outlets for sale of stolen property; and

WHEREAS, No State Law currently exists to address this issue nor is any legislation pending at the State Level; and, Federal Law Enforcement authorities lack the manpower to enforce the current federal statute in Steuben County on a consistent basis; and

WHEREAS, Other Counties in New York State have sought to remedy this reality by passing similar legislation under the authority of home rule.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Four for the Year 2014, Relative to Secondhand Dealers, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2014

A Local Law, Relative to Secondhand Dealers.

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

SECTION 1: SECONDHAND DEALER DEFINED

As used in this Local Law, a secondhand dealer is any person, partnership, corporation, association, joint venture, trustee, court-appointed representative or agent thereof which operates a business for profit which buys , sells, possesses on consignment for sale or trades jewelry, stamps, coins or any precious metals which may have been previously owned by a consumer; or which derives more than thirty five percent (35%) of its gross receipts from the sale, consignment for sale, pledge or trade of any goods, wares or merchandise which have previously been owned by a consumer, including but not limited to, furniture, appliances, clothing, automobile accessories, books, magazines and athletic cards and memorabilia or metals, whether in bulk or manufactured state. The term secondhand dealer shall include businesses commonly known as pawnbrokers, swap shop operators, stamp dealers, coin dealers, jewelers and auction houses who purchase and resell items from persons other than dealers and suppliers. The fact that any business does any of the following acts shall be prima facie proof that said business is a secondhand dealership:

A. Advertises in any fashion that it buys or sells secondhand or used items. Such advertisements shall include, but are not limited to, media advertisements, telephone listings, and signs whether on the exterior or interior of the business;

B. Devotes a significant segment or section of the business premises to the purchase or sale of secondhand or used items.

SECTION 2: EXEMPTIONS

The following are exempt from the requirements of this Local Law:

A. Garage Sales: As used in this Section, a garage sale is defined as the sale at retail of used personal property by the lawful residents of residentially zoned property which garage sale is not conducted on a periodic or ongoing basis. A garage sale shall be deemed to be periodic or ongoing if a garage sale is held by the lawful resident of residentially zoned property more than five (5) days in any consecutive ninety (90) day period;

B. Sales conducted by governmental, civic, patriotic, fraternal, educational, religious or benevolent organizations which have been in active and continuous existence for at least one year prior to the holding of the sale, or which are incorporated as a not for profit corporation by the State;

C. Sales or purchases which are regulated by the licensing laws of the State, including automobile dealers, used parts dealers and automotive parts recyclers;

D. Antique Dealers: As used in this Section, an antique dealer is defined as one who derives 75% of his gross sales each year from the sale of antiques and/or primitives. As used in this Section, an antique or primitive is defined as an old and valuable art object or article no longer in production which is at least fifty (50) years old. As used in this section, the term "sale" does not include an exchange, trade, or swap of items;

E. Licensed Firearm Dealers.

SECTION 3: PROHIBITED PURCHASES

No secondhand dealer shall purchase or accept any goods, wares, articles, or things under any of the following circumstances:

A. Where the seller is less than the age of eighteen (18);

B. Where the seller fails to present at least one (1) form of identification which at least contains the seller's full name, date of birth, a photograph or full physical description, and an identification number.

C. Where the article to be purchased had an original manufacturer's serial number at the time it was new, but no longer legibly exhibits said number.

SECTION 4: STATE AND FEDERAL LAWS COMPLIED WITH

Secondhand dealers shall comply with all applicable state and federal laws and regulations that govern the same. This Local Law shall not be construed so as to preempt any state or federal laws.

SECTION 5: RECORD OF PURCHASES

Every secondhand dealer shall keep at the business location a register on forms provided or approved by the District Attorney in which shall be entered in a permanent manner the following information: a succinct and accurate description of all property taken, purchased or received in the course of the business licensed under this Local Law, including any number or inscription that may be in or on said property; the full legal name of the person from whom the property is received, including full first name and middle initial, if any; such person's current residential address, date of birth and physical description; the consideration and terms of the transaction; the signature of the employee who received the property; and the signed statement of the person from whom the property was obtained that he/she is over eighteen (18) years of age and the legal owner of same, clear of all attachments and with the legal right to sell. Entries made in the register shall be printed or typed and shall be legible. All entries shall be made immediately upon receipt or purchase of any property. The register shall be open to inspection by any police agency during normal hours of operation. Records of purchase shall be maintained for at least one (1) year.

No person shall be required to furnish such description of any new property purchased from manufacturers or wholesale dealers having an established place of business, or of any goods purchased at open sale, or from a bankrupt stock. Such goods must be accompanied by a bill of sale or other evidence of open and legitimate purchase and must be shown to police agencies or District Attorney, when demanded.

SECTION 5: INSPECTION OF DEALER PREMISES: SEIZURES:

Every secondhand dealer and every person employed by the secondhand dealer in the conduct of business, shall admit to any and every part of the business premises, during normal business hours, any law enforcement officer to examine any goods, articles, things, pledges, pawns, or books or other records on the premises dealing with purchase or sale of used property and to search for and to take into possession any article known or for which such officer has reasonable grounds to believe to have been stolen. Such law enforcement officer may make any such search or seizure as is provided for in this Section, and property so seized shall be receipted for by such officer, who shall fully describe the seized property and sign the receipt. Should the officer determine the property not to be stolen, the officer shall promptly return same to the secondhand dealer and obtain a receipt therefore, as aforesaid.

SECTION 6: WAITING PERIOD

Every secondhand dealer, except auction houses, shall keep all property purchases or received from an individual for inspection for a period of at least five (5) calendar days before it can be sold or traded.

Every bonafide auction house shall maintain an accurate record of all transactions, listing the full first name, middle initial, and last name of all buyers, residential address or business name and address, date of birth and physical description. The buyer shall sign the record of transaction.

Every auction house operating a regular secondhand store for the sale of merchandise, other than at auction, shall comply with all provisions of this Local Law the same as a secondhand store or a secondhand dealer.

SECTION 7: PENALTY

Any person who shall violate any of the provisions of this Local Law shall upon a civil adjudication be subject to a fine of not less than FIFTY ($50.00) DOLLARS or more than FIVE HUNDRED ($500.00) DOLLARS for each offense. Each day any violation of any provision of this Local Law shall continue shall constitute a separate offense. The secondhand dealer shall be fully responsible for any violation of this Local Law occasioned by or with the condonation of the secondhand dealer's partners, officers, shareholders, agents, or employees; any such violation shall be imputed to the secondhand dealer. The County Attorney shall be the presentment agency for said proceedings.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on November 24, 2014 at 3:30 P.M. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney and the County Attorney.

Vote: Acclamation – Adopted.

RESOLUTION NO. 159-14

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

PRESENTING LOCAL LAW TENTATIVELY NO. FIVE FOR THE YEAR 2014, PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES AND/OR ILLEGAL DRUGS BY MINORS ON PRIVATE PREMISES IN STEUBEN COUNTY.

WHEREAS, adult hosted consumption of alcoholic beverages and/or illegal drugs by minors on private premises in Steuben County has in the past, and continues to lead to devastating and negative consequences for the youth of Steuben County, including promoting substance abuse, serious injury, victimization and, even death; and,

WHEREAS, the current State law does not provide appropriate sanction to address these circumstances; and

WHEREAS, there is nothing pending before the New York State Legislature to address this threat to the youth of Steuben County; and

WHEREAS, fourteen other Counties in New York State have sought local remedy to this threat under home rule; and

WHEREAS, this local law will provide specific deterrence to this type of activity, allow criminal sanctions to apply to those who endanger the youth of Steuben County by engaging in and supporting these activities; and thereby enhance public safety.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Five for the Year 2014, Prohibiting the Consumption of Alcoholic Beverages and/or Illegal Drugs by Minors on Private Premises in Steuben County, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FIVE FOR THE YEAR 2014

A Local Law, Prohibiting the Consumption of Alcoholic Beverages and/or Illegal Drugs by Minors on Private Premises in Steuben County.

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

SECTION 1 - TITLE: This law shall be known as the "Social Host Law to Prohibit the Consumption of Alcoholic Beverages and/or Illegal Drugs by Minors on Private Premises in Steuben County".

SECTION 2 – DECLARATION OF INTENT: The New York State Legislature has acted to proscribe the unlawful giving, selling and possessing of alcoholic beverages and/or illegal drugs in relation to minors. [Penal Law Section 30.00(1)]. However, the Legislature has not regulated the situation where a person age sixteen (16) or over knowingly permits the consumption of alcohol by a minor in his or her home, or on premises under his or her control. The purpose of this law is to protect the public interest, welfare, health and safety of our citizens by prohibiting the consumption of alcoholic beverages or illegal drugs by persons under the age of twenty-one (21) at or on private premises located in Steuben County, and to give law enforcement a viable recourse against anyone who permits such conduct.

The underage consumption of alcoholic beverages often leads to behaviors requiring the intervention of local law enforcement, and threatening the well-being of the citizenry. This Local Law will serve to limit the availability of alcoholic beverages to minors by holding those persons who permit underage drinking on their property responsible.

SECTION 3 - DEFINITIONS: As used in this law, the following terms shall have the meanings indicated:

A) "Minor" shall mean any person under the age of twenty-one (21).

B) "Private premises" shall mean any home, apartment, condominium, cooperative unit or other dwelling unit of any kind, including yards, open areas adjacent thereto, vacant land or farmland, and accessory structures.

C) "Knowingly" shall mean aware of, or having reason to be aware of.

D) "Alcoholic beverage" shall mean liquor, wine, beer, spirits, cider or other liquid, or solid composed of, or containing alcohol or spirits, whether or not brewed, fermented or distilled,

and capable of being consumed by a person, except that confectionary containing alcohol as provided by subdivision twelve (12) of section two hundred (200) of the Agriculture and Markets Law shall not be regarded as an alcoholic beverage within the meaning of this section.

E) "Illegal drugs" shall mean and includes any substance listed in section 3306 of the Public Health Law and not prescribed by a physician.

F) "Social gathering" means a party or gathering at a residence or other private premises of two or more persons, at least one of whom is not related by blood or law to the others in attendance and is a minor.

G) "Control" means the actual or apparent authority and ability to regulate, direct or dominate private premises including, but not limited to, the control exercised by tenants, lessees, owners and/or landlords who have notice of underage drinking on their premises.

SECTION 4 - PROHIBITIONS: It shall be unlawful for any person age sixteen (16) or over who owns, rents, or otherwise controls private premises, to knowingly host, permit or allow a social gathering at which he or she allows the consumption of alcoholic beverages or illegal drugs by any minor on such premises or fails to take reasonable corrective action upon learning of the possession or consumption of alcoholic beverages or illegal drugs by any minor on such premises. Reasonable corrective action shall include, but not be limited to:

A) Verifying the age of the persons attending the social gathering by inspecting drivers licenses or other government-issued identification cards;

B) Making a prompt demand that such minor either forfeit the alcoholic beverages or illegal drugs and refrain from the consumption of such or depart from the premises;

C) If such minor does not comply with such demand, either promptly reporting such underage consumption of alcohol 1) to the local law enforcement agency or 2) to any other person having a greater degree of authority over the conduct of such minor.

SECTION 5 - EXCEPTIONS: The provisions of this section shall not apply to:

A) The possession or consumption of an alcoholic beverage by persons lawfully permitted to do so pursuant to section 65-c of the Alcohol Beverage Control Law, or any applicable law; or

B) The possession or consumption of a drug for which the individual has a current, valid prescription or as otherwise permitted by any other applicable law; or

C) The possession or consumption of alcohol or alcoholic beverages by a minor for legitimate religious purposes.

SECTION 6 - PENALTIES: Each offense shall be punishable as follows:

A) First Offense: Any person who violates Section 4 of this local law shall be punished by a fine of two hundred fifty dollars ($250.00), or imprisonment for a period not exceeding fifteen (15) days or a combination of both, where such violation constitutes the person's first offense in violation of this provision. In addition, for each offense, successful completion of a court-approved alcohol and drug awareness program is required. A first offense shall constitute a Violation.

B) Second Offense: Any person who violates Section 4 of this local law shall be punished by a fine of five hundred dollars ($500.00) or imprisonment of sixty (60) days minimum or a combination of such fine and imprisonment as shall be ordered by the court, where such violation constitutes the person's second offense in violation of this provision. In addition, for each offense, successful completion of a court-approved alcohol and drug awareness program is required. A second offense shall constitute an Unclassified Misdemeanor.

C) Third and Subsequent Offenses: Any person who violates Section 4 of this local law shall be punished by either a fine of one thousand dollars ($1,000.00), a term of imprisonment not to exceed one (1) year, or both a fine of one thousand dollars ($1,000.00) and a term of imprisonment not to exceed one (1) year, where such violation constitutes the person's third offense in violation of this provision. In addition, for each offense, successful completion of a court-approved alcohol and drug awareness program is required. A third or subsequent offense shall constitute an Unclassified Misdemeanor.

SECTION 7 – EFFECT ON OTHER LAWS: The provisions of Section 4 of this local law shall not in any way affect the application of any other law, where appropriate, including, but not limited to, Penal Law Section 260.10 (Endangering the welfare of a child) and Section 260.20(2) (Unlawfully dealing with a child).

SECTION 8 – SEVERABILITY: If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

SECTION 9 – EFFECTIVE DATE: This local law shall take effect thirty (30) days after filing in the Office of the Secretary of State pursuant to section 27 of the Municipal Home Rule Law.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on November 24, 2014 at 3:30 P.M. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney.

Vote: Acclamation – Adopted.

RESOLUTION NO. 160.14

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

PRESENTING LOCAL LAW TENTATIVELY NO. SIX FOR THE YEAR 2014, PROHIBITING WITHIN STEUBEN COUNTY THE POSSESSION, PURCHASE, ATTEMPTED PURCHASE IN EXCESS OF THE FEDERAL LIMITS, OF PSEUDOEPHEDRINE AND PRODUCTS CONTAINING PSEUDOEPHEDRINE.

WHEREAS, methamphetamine and its production are a real and significant threat to the health, safety and welfare of the People of Steuben County, creating public health risks associated with addictive illegal drug use; contributing to drug related crime; and creating a public safety risk by the danger associated the production process; and

WHEREAS, pseudoephedrine is a necessary and primary ingredient in the production of this deadly substance; and

WHEREAS, no State Law currently exists to address this issue nor is any legislation pending at the State Level; and, Federal Law Enforcement authorities lack the manpower to enforce the current federal statute in Steuben County on a consistent basis; and

WHEREAS, other Counties in New York State have sought to remedy this reality by passing similar legislation under the authority of home rule; and

WHEREAS, this action will enhance public safety and welfare.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Six for the Year 2014, Prohibiting Within Steuben County the Possession, Purchase, Attempted Purchase in Excess of the Federal Limits, of Pseudoephedrine and Products Containing Pseudoephedrine, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. SIX FOR THE YEAR 2014

A Local Law, Prohibiting Within Steuben County the Possession, Purchase, Attempted Purchase in Excess of the Federal Limits, of Pseudoephedrine and Products Containing Pseudoephedrine.

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

SECTION 1:

WHEREAS, this Legislature hereby finds and determines that the County of Steuben [hereinafter County] has a duty to preserve peace and order and secure freedom from dangerous or noxious activities, and to that end, the Legislature of Steuben County has determined that certain enterprises and individuals within Steuben County, New York, are contemplating or engaged in the purchase, attempted purchase, and/or possession of pseudoephedrine and other products containing pseudoephedrine (PSE) in quantities which exceed the established federal limits; and

WHEREAS, the possession and purchase of excessive quantities of PSE is leading to the manufacture, sale, use and possession of methamphetamine, a controlled substance under New York State Public Health Law §3306, Schedule II (d)(2); and

WHEREAS, the substances, which are more specifically described below, are often used as an essential ingredient to manufacture methamphetamine, and further, the purchase and possession of excessive quantities of PSE by individuals leads to the unlawful sharing, sale and/or other illegal or unintended use of PSE to manufacture methamphetamine; and

WHEREAS, it has been determined that the said effects of these purchases, attempted purchases and/or possession pose an actual and imminent threat to the safety of the citizens of Steuben County, New York.

NOW THEREFORE, BE IT

ORDERED BY THE LEGISLATURE OF STEUBEN COUNTY, NEW YORK, AS FOLLOWS:

SECTION 2: It is hereby declared to be unlawful for any person to possess, purchase and/or attempt to purchase any one or more of the following substances in the quantities enumerated below within the boundaries of Steuben County, New York:

The factors outlined in *USA Patriot Act, Title VII, Combat Methamphetamine Epidemic Act of 2005* is incorporated into this Local Law to limit the purchase, attempted purchase and/or possession of PSE as follows:

1. Daily Sales Limit on Retailers: Retail sales may not exceed 3.6 grams PSE per day per purchaser, regardless of the number of transactions.

2. 30-Day Purchase Limits on Consumers: Individuals are prohibited from purchasing more than 9 grams PSE per 30-day period.

3. Non-Liquid Forms: All non-liquid forms (including gelcaps) of PSE products must be sold in blister packs with not more than two dosages or in unit-dose packets or pouches.

4. Mail Order Limits: Mail-order companies may not sell more than 7.5 grams to a customer within a 30-day period.

5. Behind-the-Counter Placement: All PSE products must be placed behind a counter (any counter, not necessarily the pharmacy counter) that is not accessible to purchasing consumers or in a locked display case that is located on the selling floor. Retailers must give the product directly to the purchaser; therefore, a retailer without a pharmacy may still sell the combination PSE products from behind a counter or locked display case.

6. Logbook: Retailers must maintain a logbook of information on transactions involving PSE products. The logbook must be available for inspection and copying by a law enforcement officer upon request to the retailer. The logbook may be maintained in either written or electronic form. The logbooks must capture the following information:
   a. Purchaser's signature;
   b. Purchaser's name and address, legibly entered or written;
   c. Date and time of sale;
   d. Name of product sold; and
   e. Quantity sold.
   f.

   Logbooks must provide notice to purchasers that entering false statements or misrepresentations in the logbook may subject purchasers to criminal penalties federally under 18 United States Code §1001 and locally under this local law. The purchaser must sign the logbook and enter the name, address, and date and time of sale. The retailer must check the information entered by the purchaser against the photo ID and enter the name and quantity of product sold. Logbook requirements do not apply to purchases of single sales packages that contain no more than 60 mg of PSE. Each entry must be maintained for two (2) years following the date of entry and the format may be written or electronic.

7. Photo ID: In conjunction with the logbook requirement, retailers will be required to ask for photo identification (ID) issued by either a state or the federal government or other appropriate ID.

8. Training and Certification: Retailers must train applicable sales personnel to ensure that they understand the requirements of PSE product sales and submit self-certifications to the attorney general in this regard. The Drug Enforcement Administration will issue regulations on the training criteria.

SECTION 3: This law shall be enforced by any certified law enforcement officer within his/her respective jurisdiction within the geographical boundaries of Steuben County. Further, this law shall apply and be enforced in all unincorporated areas, or other municipal entities within the geographical boundaries of Steuben County. If any of the aforementioned substances, *pseudoephedrine, its compounds, salts or isomers, or products containing ephedrine, pseudoephedrine, or phenylpropanolamine,* in excess of these quantities enumerated above, are found to be purchased, attempted to be purchased and/or in the possession of any person, (a) such substances may be confiscated and destroyed by law enforcement officials, or (b) such substances may be maintained as evidence, or (c) the person purchasing, attempting to purchase or possessing such substances in excess of such quantities may be charged with a class "A" misdemeanor.

SECTION 4: Possession is defined pursuant to the New York State Penal Law §10.00 (8) "to have physical possession or otherwise to exercise dominion or control over tangible property." The term "possess" includes actual or constructive possession of tangible property. (See *People v Manini*, 79 NY2d 561, 573) For the purposes of this Local Law, it shall be unlawful for any person to purchase, attempt to purchase and/or possess more than the quantities as set forth in Section 2, above, and as set forth in *USA Patriot Act, Title VII, Combat Methamphetamine Epidemic Act of 2005* and are subject to charges as stated in Section 3 of this Local Law.

SECTION 5: It is not an offense under Section 2 above of this law if the person was acting at the direction of an authorized law enforcement agent to enforce or ensure compliance with this law prohibiting the sale of the aforementioned substance.

SECTION 6 - JURISDICTION: It should be noted that under New York State Criminal Procedure Law section 20.40 (4)(c) and (g), an offense committed within five hundred (500) yards of the boundary of a particular county, and in an adjoining county of this state, may be prosecuted in either such county; or an offense committed in a private vehicle during a trip thereof extending through more than one county may be prosecuted in any county through which such vehicle passed in the course of such trip.

SECTION 7: Any person found to be in violation of this law will be guilty of a Class A Misdemeanor and subject to a term of imprisonment not to exceed one year and a fine not to exceed $1000.00.

SECTION 8: This law shall apply to all actions occurring on or after the effective date of this article. This law may be enforced by any law enforcement agency having jurisdiction to act in the County of Steuben, by either the arrest of or the issuance of a summons to a party violating the provisions of this act and requiring their appearance before a court of competent jurisdiction.

SECTION 9: This law shall be null and void on the day that statewide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Steuben. The County Legislature may determine by resolution whether or not identical or substantially similar statewide legislation or pertinent preempting state or federal regulations have been enacted for the purposes of triggering the provisions of this section. In no

event shall the recited actions of this section prevent the continued prosecution of matters pending judicial determination at the time of such action(s) take place.

SECTION 10 - SEVERABILITY: If any provision of this law is held invalid, such invalidity shall not affect the remaining provisions of the law which shall remain effective absent the invalid provision, and to this end, the provisions of the law are declared to be severable.

SECTION 11 – EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this law, being necessary for the preservation of the health, safety and welfare of citizens of Steuben County, New York, shall be effective immediately upon its passage and approval and filing with the New York State Secretary of State.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on November 24, 2014 at 3:30 P.M. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney.

Vote: Acclamation – Adopted.

RESOLUTION NO. 161-14

Introduced by L. Crossett. Seconded by H. Lando.

DIRECTING THE FILING OF THE TENTATIVE BUDGET AND THE BUDGET MESSAGE WITH THE CLERK OF THE LEGISLATURE AND FIXING THE TIME AND PLACE FOR THE PUBLIC HEARING ON THE TENTATIVE BUDGET.

Pursuant to Sections 354, 355, 356 and 359 of the County Law.

WHEREAS, the Budget Officer shall prepare and the Finance Committee shall present the Steuben County Tentative Budget and the Budget Message for the Fiscal Year 2015 with its recommendations to this Steuben County Legislature, which Tentative Budget and Budget Message together with copies, shall be filed with the Clerk of the Legislature on or before November 15, 2014.

NOW THEREFORE, BE IT

RESOLVED, the Tentative Budget and the Budget Message setting forth the appropriations for the conduct of County Government for the Fiscal Year 2015, shall be filed with the Clerk of this County Legislature on or before November 15, 2014, and shall be received and filed with this Legislature by filing same with the Clerk thereof as the official record of the filing of the same and that said Tentative Budget shall serve as the proposed appropriation resolution; and be it further

RESOLVED, the Public Hearing on the Tentative Budget for Steuben County for the Fiscal Year 2015, as herein filed, shall be held on November 24, 2014, at 6:00 P.M. in the Legislative Chambers, Bath, New York,

and the Clerk of this Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 359 of the County Law in the two official newspapers of the County; and be it further

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

Vote: Acclamation – Adopted.

Chairman Hauryski recommended, if there were no objections, combining resolutions 8, 9, 10 and 11 as one.

Motion combining resolutions 8, 9, 10, and 11 as one made by Mr. Farrand, seconded by Ms. Lattimer and duly carried.

RESOLUTION NO. 162-14

Introduced by L. Crossett. Seconded by D. Farrand.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE MARSH DITCH WATERSHED PROTECTION DISTRICT.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, the Public Hearing on the Assessment Roll for the Year 2014, for the Budget Year of 2015, for the Marsh Ditch Watershed Protection District shall be held on November 24, 2014 at 6:00 P.M. in the Legislative Chambers, County Office Building, East Pulteney Square in the Village of Bath, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the two official newspapers of the County, and the Clerk is further directed to forward a certified copy of this resolution to the Attorney for the Watershed District, to the President of the Board of Managers for said Watershed District, to the Director of Real Property Tax Service Agency, and the Commissioner of Finance.

Vote: Acclamation – Adopted.

RESOLUTION NO. 163-14

Introduced by L. Crossett. Seconded by D. Farrand.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, that the Public Hearing on the Assessment Roll for the Year 2014, for the Budget Year of 2015 for the Upper Five Mile Creek Watershed Protection District shall be held on November 24, 2014 at 6:00 P.M. in the Legislative Chambers, County Office Building, East Pulteney Square in the Village of Bath, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the two official newspapers of the County, and the Clerk is further directed to forward a certified copy of this resolution to the President of the Board of Managers for said Watershed District, to the Director of Real Property Tax Service Agency, and the Commissioner of Finance.

Vote: Acclamation – Adopted.

RESOLUTION NO. 164-14

Introduced by L. Crossett. Seconded by D. Farrand.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE LAMOKA/WANETA LAKES' PROTECTION AND REHABILITATION DISTRICT.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, the Public Hearing on the Assessment Roll for the Year 2014, for the Budget Year of 2015, for the Lamoka/Waneta Lakes' Protection and Rehabilitation District shall be held on November 24, 2014 at 6:00 P.M. in the Legislative Chambers, County Office Building, East Pulteney Square in the Village of Bath, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the two official newspapers of the County, and the Clerk is further directed to forward a certified copy of this resolution to the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Director of Real Property Tax Service Agency, and the Commissioner of Finance.

Vote: Acclamation – Adopted.

RESOLUTION NO. 165-14

Introduced by L. Crossett. Seconded by C. Ferratella.

ADOPTING THE AMENDED WORKPLACE DRUG AND ALCOHOL ABUSE POLICY.

WHEREAS, there currently exists Part XVI of the Administrative Code entitled "Steuben County Workplace Drug and Alcohol Abuse Policy"; and

WHEREAS, it is desirable to amend that Policy to have a more comprehensive policy as it relates to CDL screening, new employee screening and reasonable suspicion occurrences; and

WHEREAS, the Personnel and Law Departments have prepared an amendment to Part XVI of the Administrative Code establishing the County's Policy on Workplace Drug and Alcohol Abuse; and

WHEREAS, said draft dated October 14, 2014 of the updated Policy on Workplace Drug and Alcohol Abuse has been reviewed and recommended by the Administration Committee for adoption and is on file with the Clerk of the Legislature, which Policy has been distributed to the members of the Administration Committee.

NOW THEREFORE, BE IT

RESOLVED, that the Administrative Code be and the same hereby is amended to include the draft dated October 14, 2014 for Part XVI of the Administrative Code "Steuben County Policy on Workplace Drug and Alcohol Abuse"; and be it further

RESOLVED, nothing contained in the "Steuben County Policy on Workplace Drug and Alcohol Abuse" shall vacate, modify or otherwise alter any pre-existing Drug and Alcohol Policy of any elected official having co-employer status with the County; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 166-14

Introduced by M. Hanna and L. Crossett. Seconded by C. Ferratella.

AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO TRANSFER $413,320 TO THE GARBAGE COMPACTOR CAPITAL PROJECT.

WHEREAS, the Solid Waste Division is in need of a new garbage compactor for the Bath Landfill; and

WHEREAS, the Solid Waste Division received bids on September 18, 2014 for the outright purchase of a garbage compactor; and

WHEREAS, AL-JON Manufacturing LLC submitted a responsible low bid of $545,320 for the garbage compactor; and

WHEREAS, the purchase will require the transfer of funds from various Solid Waste major equipment accounts to the Garbage Compactor Capital Project account; and

WHEREAS, the Public Works Committee of Steuben County Legislature has authorized the acceptance of the bids for the outright purchase of the garbage compactor upon transfer of the necessary funding; and

WHERAS, the Public Works Committee and Finance Committee of the Steuben County Legislature have authorized the transfer of the funds to the Garbage Compactor Capital Project.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to make the following transfers:

- Decrease Major Equipment-Hornell Transfer Station, 816070.5.290.000 by $110,000
- Decrease Major Equipment-Wayland Transfer Station, 816071.5.290.000 by $110,000
- Decrease Major Equipment-Bath Landfill,816062.5.290.000 by $193,320

  - Increase EL6212.5.250.000 by $413,320

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 167-14

Introduced by M. Hanna and L. Crossett. Seconded by H. Lando.

AUTHORIZING THE CLOSING OF FOUR (4) COMPLETED ROAD CAPITAL PROJECT ACCOUNTS AND TRANSFERRING THE REMAINING FUNDS TO THE COUNTY SNOW REMOVAL SALT AND CALCIUM ACCOUNT.

WHEREAS, the following four (4) County Road Capital Projects have been completed:

5112H1	County Route 56 Fremont
5112H2	North Cohocton Drainage County Route 39
5112H4	Erwin/Lindley County Route 73
5112H9	Howard Wind Farm (CR 27 & CR 109); and

WHEREAS, it would be desirable to transfer the net total balance from these four (4) projects to the County Snow Removal Salt and Calcium account 514200-5461120.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature, duly convened does hereby close these four (4) above listed County Road Capital Project accounts; and be it further

RESOLVED, that the amounts from the County Route 56 Fremont Project be transferred to the North Cohocton Drainage County Route 39 Project:

From:	5112H1	$.03
To:	5112H2	$.03

AND BE IT FURTHER RESOLVED, that the remaining balances as listed below, be hereby transferred to the County Snow Removal Salt and Calcium account:

From:	5112H2	$24,037.92
	5112H4	305.20
	5112H9	$37,181.64

To:	514200-5461120	$61,524.76

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

Mr. Farrand asked why are we transferring the funds to snow removal rather than to another capital project? Mr. Spagnoletti replied he only has $1,944 left in the salt fund to get through the end of the year and he does not think that will be enough.

<u>Vote</u>: Roll Call – Adopted.

RESOLUTION NO. 168-14

Introduced by M. Hanna and L. Crossett. Seconded by G. Roush.

AUTHORIZING THE CLOSING OF TWO (2) COMPLETED FEDERAL AID BRIDGE PROJECT ACCOUNTS AND TRANSFERRING THE REMAINING FUNDS TO THE "FUTURE BRIDGE CAPITAL PROJECTS" ACCOUNT.

WHEREAS, the following two (2) Federal-Aid Bridge Projects have been completed:

5120H9	County Route 73 Lindley Bridge,
5120HA	Rt 15 Cowanesque Bridge; and

WHEREAS, it would be desirable to transfer the net total balance from these two (2) projects to the "Future Bridge Capital Projects" account 5120 H0 45031900.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature, duly convened does hereby close these two (2) above-listed Federal-Aid Bridge Project accounts; and be it further

RESOLVED, that the $19,968.70 from the County Route 73 Lindley Bridge be transferred to cover the deficit in the Route 15 Cowanesque Bridge Project:

From: 5120H9 45031900 $19,968.70
To: 5120HA 45031900 $19,968.70

AND BE IT FURTHER RESOLVED, that the remaining balance of $34,539.17 from the County Route 73 Lindley Bridge Project, is hereby transferred to the "Future Bridge Capital Projects":

From: 5120H9 45031900 $34,539.17
To: 5120H0 45031900 $34,539.17

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

Ms. Lattimer asked is this a new account? Mr. Alger replied no. When the project is complete, we will put the remaining funds into this account and budget for the next project.

Mr. Farrand asked is this fund for the Federal bridges? Mr. Alger replied generally, but it is not restricted to that.

Vote: Roll Call – Adopted.

RESOLUTION NO. 169-14

Introduced by B. Schu and L. Crossett. Seconded by H. Lando.

APPROPRIATING REVENUE FROM THE SALE OF SURPLUS ITEMS TO THE CAPITAL PROJECT FOR THE CIVIL DEFENSE FIRE TRAINING CENTER.

WHEREAS, Steuben County Office of Emergency Management has established a capital project called "Emergency Management Office" account 3640H1; and

WHEREAS, the use of this capital project is to be used in the operation and maintenance of the Civil Defense Training Center; and

WHEREAS, the Emergency Management Office recently sent surplus equipment for sale in the County Auction; and

WHEREAS, the County Auction generated $2,045.00 from the sale of Emergency Management Surplus items; and

WHEREAS, the revenue from this surplus equipment can be used by the Emergency Management Office in current unfunded projects at the Civil Defense Training Center; and

WHEREAS, the Public Safety and Corrections Committee and the Finance Committee have approved the use of said funds for inclusion into the Emergency Management Office Capital Project.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance transfer $2,045.00 from the Surplus Auction funds to the Emergency Management Office Capital Project account 3640H1 and appropriate the same to the project expenditure account; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Commissioner of Finance and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 170-14

Introduced by L. Crossett. Seconded by C. Ferratella.

AUTHORIZING THE CLOSING OF TEN (10) COMPLETED CAPITAL PROJECT ACCOUNTS AND TRANSFERRING THE REMAINING FUNDS TO VARIOUS OTHER CAPITAL PROJECTS AND OPERATING ACCOUNTS.

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

WHEREAS, it would be desirable to transfer the net balances from these ten (10) projects to various other related capital projects or operating accounts.

NOW THEREFORE, **BE IT**

RESOLVED, that the Steuben County Legislature, duly convened does hereby close these ten (10) Capital Project accounts; and be it further

RESOLVED, that the remaining balances as listed below, be hereby transferred to the accounts as also listed below:

$106.30	From: 3640H2 Emergency Operating Center To: 3640H1 Emergency Management Office
$ 44.30	From: 6010H0 DSS Reception Area Renovations To: 601000-5499000 Social Services Other Expenses
$ 1.44	From: 3641H4 Narrow-banding Project To: 3641H2 Communication System
$ 11.39	From: 3641H3 Wireless Connectivity To: 3641H2 Communication System
$ 33.92	From: 3110H1Mobile Data Terminals To: 3110H2 Sheriff Voice Recorder
$280.40	From: 6510H1 Veterans Memorial To: 651000-5499000 Veterans Services Other Expenses
$ 1.19	From: 6610H1 Weights & Measures Truck To: 661000-5499000 Weights & Measures Other Expenses
$ 27.51	From: 1450H1 Computerization Elections To: 1450H2 Voting Machines
$300.67	From: 1670HM Central Mailroom To: 167000-5499000 Central Mailroom Other Expenses
$ 0.00	From: 6010H1 Document Imaging Demo Project

To: Zero Balance – Simply closing the project

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 171-14

Introduced by L. Crossett. Seconded by R. Lattimer.

AUTHORIZING THE CLOSING OF THE LOCAL GOVERNMENT EFFICIENCY INFORMATION TECHNOLOGY CONSOLIDATION GRANT CAPITAL PROJECT.

WHEREAS, the Local Government Efficiency Information Technology Consolidation Grant Capital Project has been completed; and

WHEREAS, there are no net balances from this project.

NOW THEREFORE, **BE IT**

RESOLVED, that the Steuben County Legislature, duly convened does hereby close this Capital Project account (1680H3); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 172-14

Introduced by B. Schu and L. Crossett. Seconded by A. Mullen.

AUTHORIZING THE ACCEPTANCE OF A NEW YORK STATE INDIGENT LEGAL SERVICES GRANT KNOWN AS DISTRIBUTION #3.

WHEREAS, the New York State Office of Indigent Legal Services has awarded the Steuben County Public Defender's Office a grant (known as Distribution #3; Contract No. C000346) in the amount of $70,200 per year for three (3) consecutive years (Total: $210,897) commencing with the State Fiscal Year of July 1, 2013; and

WHEREAS, such grant may only be used for programs and expense that "improve the quality of indigent legal services and programs"; and

WHEREAS such grant funds will greatly enhance the ability of the County of Steuben to deliver quality indigent legal services and programs.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Manager and/or Public Defender are hereby authorized to enter into an agreement with the New York State Office of Indigent Legal Services regarding Distribution #3; Contract No. C000346 to accept funding in the amount of $70,200 per year for three (3) consecutive years (Total: $210,897) commencing with the State Fiscal Year of July 1, 2013-14 for programs and expenses; and be it further

RESOLVED, that the Steuben County Commissioner of Finance be and the same hereby is authorized to appropriate such revenue as set forth; and be it further

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

Mr. Hanna asked how much is this helping us? What is the County's cost for this? Mr. Alger replied the total cost for providing indigent services is $1.2 million. This will help us with caseload reduction. With the lawsuit decision, that will result in some caseload definitions/limits for attorneys with the Public Defender and Assigned Counsel. It looks as though we may need an additional two attorneys or assign an Assigned Counsel. We do not know the full impact at this point.

Mr. Roche explained three things came out of the lawsuit. First, there will be statewide standards for eligibility for assigned counsel. We will be required to comply with that. Second, there will be caseload caps. There will be a maximum number of cases that attorneys will be able to accept. On the criminal side of things we will be okay, however, with Family Court, we may need two more full-time attorneys. There may, or may not, be State funding available for that. This will not be imposed right away and the standard will also apply to assigned counsel. Third, there is a requirement to provide counsel at arraignment. This will apply to the five counties named in the lawsuit. They will be required to have an attorney at each arraignment in their counties. This requirement will eventually apply to us. We have 44 courts throughout the County. He anticipates that will be a requirement within the next two to five years.

Vote: Roll Call – Adopted.

RESOLUTION NO. 173-14

Introduced by B. Schu and L. Crossett. Seconded by D. Farrand.

AUTHORIZING THE ACCEPTANCE OF A CASELOAD REDUCTION GRANT.

WHEREAS, the New York State Office of Indigent Legal Services has awarded the Steuben County Public Defender's Office a grant (known as Caseload Reduction; Contract No. C000546) in the amount of $296,498 to be distributed over three (3) consecutive years commencing with the County Fiscal Year 2015; and

WHEREAS, such grant may only be used for programs and expenses that improve the quality of mandated legal representation and/or to reduce excessive caseloads; and

WHEREAS, such grant funds will greatly enhance the ability of the County of Steuben to deliver quality indigent legal services and programs.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Manager and/or Public Defender are hereby authorized to enter into an agreement with the New York State Office of Indigent Legal Services regarding Caseload Reduction; Contract No. C000546 to accept funding in the amount of $296,498 over three (3) consecutive years commencing with the County Fiscal Year of January 1, 2015 for programs and expenses; and be it further

RESOLVED, that the Commissioner of Finance be and the same hereby is authorized to appropriate such revenue as set forth; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 174-14

Introduced by B. Schu and L. Crossett. Seconded by C. Ferratella.

AUTHORIZING A TRANSFER FROM THE CONTINGENT FUND TO THE PUBLIC DEFENDER 2014 BUDGET.

WHEREAS, the County lacks funds to pay invoices and expenses for the 2014 budget.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer from the Contingent Fund to the Public Defender 2014 budget as follows:

From	A 199000 5 499 000	$ 12,500	Contingent Fund
To	A 117000 5 423 400	$ 3,000	Transcripts
To	A 117000 5 471 000	$ 5,000	Employee Mileage
To	A 117000 5 407 110	$ 2,500	Law Books
To	A 117000 5 404 100	$ 2,000	Memberships & Dues

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

Mr. Weaver asked this transfer will get us through the end of the year? Mr. Alger replied yes.

Vote: Roll Call – Adopted.

RESOLUTION NO. 175-14

Introduced by B. Schu and L. Crossett. Seconded by H. Lando.

AUTHORIZING A TRANSFER FROM THE CONTINGENT FUND TO THE 2014 BUDGET FOR THE ASSIGNED COUNSEL PROGRAM.

WHEREAS, the Steuben County 2014 budget for Assigned Counsel Program contains insufficient funds to cover expenditures; and

WHEREAS, the Public Safety & Corrections and Finance Committees have approved this transfer from the Contingent Fund to cover the 2014 expenditures.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to adjust the following accounts in the 2014 budget:

EXPENSE ACCOUNTS:
Account 199000 5-499-000 Contingent - ($50,000)
Account 117300 5-423-200 Assigned Counsel - $50,000

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the administrative offices of the Assigned Counsel Administrator, the Public Defender, and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 176-14

Introduced by B. Schu and L. Crossett. Seconded by H. Lando.

AUTHORIZING A TRANSFER FROM THE CONTINGENT FUND TO PURCHASE AN IP PHONE SYSTEM FOR E911.

WHEREAS, it is the recommendation of the Public Safety and Corrections and Finance Committees to enter into a purchase agreement with Intrado for the procurement and installation of a VIPER VOIP based E911 telephony solution; and

WHEREAS, the current E911 telephony product goes end of life February 2015; and

WHEREAS, a NY State PSAP Operations grant has been applied for to assist with funding; and

WHEREAS, the proposed solution will integrate with the current CAD solution.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature authorizes the County Manager to execute the necessary contracts to facilitate the implementation of the Telephony Replacement Project; and be it further

RESOLVED, that the Steuben County Legislature hereby authorizes the use of E911 Capital Project funds in the amount of $150,000.00 and a transfer of $130,000.00 from the Contingent Fund to fund this Project; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to make the necessary budget adjustments and transfers; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the E911 Director, Commissioner of Finance, and County Manager.

Vote: Roll Call – Adopted.

RESOLUTION NO. 177-14

Introduced by L. Crossett. Seconded by B. Schu.

APPROPRIATING $55,000 TO THE BUILDING SECURITY 2014 BUDGET FROM THE CONTINGENT FUND.

WHEREAS, the Building Security budget has been fully expended due to increased cost of contracted services as a result of increases in the State prevailing wage rates for security services; and

WHEREAS, the Finance Committee has recommended an appropriation of $55,000 from the Contingent Fund to account for these costs for the remainder of 2014.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to transfer the sum of $55,000 from the Contingent Fund (A 199000 5499000) to the Building Security 2014 budget (A 161000 5444360); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 178-14

Introduced by B. Schu and L. Crossett. Seconded by G. Roush.

AUTHORIZING THE TRANSFER AND RECLASSIFICATION OF A VACANT POSITION IN THE OFFICE OF COMMUNITY SERVICES TO THE PUBLIC DEFENDER'S OFFICE.

Pursuant to Section 12.00 of the Steuben County Charter.

WHEREAS, there is need for an Assistant Public Defender in the Public Defender's Office; and

WHEREAS, there is one vacant position within the Office of Community Services that can be transferred; and

WHEREAS, the Public Safety and Corrections and Administration Committees have approved the reclassification of the position listed below and transferring said position to the Public Defender's Office.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following positions in Steuben County are reclassified as follows:

TRANSFER AND RECLASSIFY

FROM Community Services one (1) Staff Social Worker, Grade XV, $46,482 - $55,777
TO Public Defender one (1) Assistant Public Defender, Management Grade E, $47,946 - $61,988;

AND BE IT FURTHER RESOLVED, that these positions are to be funded and placed in the 2014 Budget. The 2014 County Job Classification and Salary Schedule is hereby amended to reflect the above-stated changes; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 179-14

Introduced by J. Hauryski. Seconded by C. Ferratella.

DIRECTING THE CLOSING OF ALL STEUBEN COUNTY OFFICES ON FRIDAY, NOVEMBER 28, 2014.

Pursuant to Section 2.07(12) of the Steuben County Charter and the current agreement between the County of Steuben and the Civil Service Employees' Association, Inc.

WHEREAS, the County of Steuben, by contractual agreement with the employees of Steuben County has declared the day after Thanksgiving day to be a holiday for all employees, with the exception of the County Clerk, the Finance Department, the Clerk of this Legislature, and the Sheriff's Office (Administrative Offices); and

WHEREAS, this County Legislature determines because of the lack of the traditional business volume on the day after Thanksgiving, coupled together with the savings of energy costs and unnecessary payroll expenses that it would be in the best interest of the County, the taxpayers and its employees to close all of the offices of Steuben County on the day after Thanksgiving, November 28, 2014.

NOW THEREFORE, BE IT

RESOLVED, that this County Legislature declares November 28, 2014, to be a County holiday pursuant to the present contract with the Civil Service Employees' Association, Inc.; and be it further

RESOLVED, that all of the department heads, in particular the County Clerk, the Commissioner of Finance, the Clerk of this Legislature, and the Sheriff (Administrative Offices), are directed to close their respective offices on said date; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 180-14

Introduced by L. Crossett. Seconded by C. Ferratella.

SETTING THE DATE FOR THE DECEMBER 2014 MEETING OF THE STEUBEN COUNTY LEGISLATURE.

BE IT RESOLVED, the regular meeting of the Steuben County Legislature be, and the same hereby is, established for December 2014, on Monday, December 15, 2014, at 10:00 A.M. in the Legislative Chambers, 3 East Pulteney Square, Bath, New York, and be it further

RESOLVED, the date and time of any Public Hearings arising by virtue of the within meeting which are inconsistent with this resolution be and the same hereby are amended to reflect the date and time above-stated, and be it further

RESOLVED, the Clerk of this Legislature shall forward the necessary, proper and legal notice of the above meeting to all County Legislators and department heads of the County of Steuben.

Vote: Roll Call – Adopted.

RESOLUTION NO. 181-14

Introduced by L. Crossett. Seconded by C. Ferratella.

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE COUNTY OF STEUBEN, NEW YORK, TO BE

DESIGNATED SUBSTANTIALLY "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS", AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

WHEREAS, the County of Steuben, New York (hereinafter, the "County") heretofore issued $7,820,000 Public Improvement (Serial) Bonds, 2006, pursuant to a certain bond resolution dated November 13, 2002, authorizing $16,000,000 serial bonds for the construction of an addition to the County's jail facility (hereinafter referred to as the "Refunded Bond Certificate"), such Public Improvement (Serial) Bonds, 2006 maturing on July 15 annually in each of the years 2015 to 2021, both inclusive, as more fully described in the Refunded Bond Certificate; and

WHEREAS, it would be in the public interest to refund all or a portion of the $3,780,000 outstanding principal balance of the Refunded Bonds maturing in the years 2016 to 2021, both inclusive (the "Refunded Bonds') by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, such refunding will result in present value savings in debt service as so required by Section 90.10 of the Local Finance Law;

NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Steuben, New York, as follows:

Section 1. For the object or purpose of refunding $3,780,000 outstanding principal balance of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding $4,000,000 refunding serial bonds of the County pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Public Improvement Refunding Bonds" or the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately $3,570,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The County Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of $5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-14 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the Commissioner of Finance pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10

hereof relating to approval by the State Comptroller. It is hereby further determined that such Refunding Bonds may be issued pursuant to Section 90.10 of the Local Finance Law in the event that the amount of Refunding Bonds to be issued does not exceed the maximum permissible thereby at the time of the sale thereof.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Commissioner of Finance shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as determined by the Commissioner of Finance.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the County shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of $5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to The Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the County Clerk as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the Commissioner of Finance providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the Commissioner of Finance as fiscal agent of the County for the Refunding Bonds (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

The Commissioner of Finance, as chief fiscal officer of the County, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as she shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The Commissioner of Finance is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance

Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the Commissioner of Finance, and a facsimile of its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds, for the object or purpose for which such Refunded Bonds were issued is twenty-five years;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of the object or purpose for which said Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph c of Section 90.10 of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, if any, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the aggregate of the refundings authorized by this resolution (collectively, the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refundings, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series to refund all of the Refunded Bonds in the principal amount of $3,570,000, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This County Legislature recognizes that the Refunding Bonds may be issued in one or more series, and for all of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The Commissioner of Finance is hereby authorized and directed to determine which of the Refunded Bonds will be refunded and at what time, the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates

of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the Commissioner of Finance; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The Commissioner of Finance shall file a copy of his certificates determining the details of the Refunding Bonds and the final Refunding Financial Plan with the County Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The Commissioner of Finance is hereby authorized and directed to enter into an escrow contract or contracts (collectively the "Escrow Contract") with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said Commissioner of Finance shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said County of Steuben, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the County hereby elects to call in and redeem each of the Refunded Bonds which the Commissioner of Finance shall determine to be refunded in accordance with the provisions of Section 4 hereof and with regard to which the right of early redemption exists. The sum to be paid therefor on such redemption date shall be the par value thereof, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph

shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at private sale to such underwriter (the "Underwriter") for purchase prices to be determined by the Commissioner of Finance. Subject to the approval of the terms and conditions of such private sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, the Commissioner of Finance, is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the Commissioner of Finance to the Underwriter in accordance with said purchase contract upon the receipt by the County of said the purchase price, including accrued interest.

Section 11. The Commissioner of Finance and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Commissioner of Finance and all powers in connection thereof are hereby delegated to the Commissioner of Finance.

Section 13. The validity of the Refunding Bonds may be contested only if:

1. Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said County, together with a notice of the County Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to Thomas E. Myers, Esq., ORRICK, HERRINGTON & SUTCLIFFE LLP, 51 West 52nd Street, New York, NY 10019-6142; the Commissioner of Finance; County Manager; and the County Attorney.

EXHIBIT "A"

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SOURCES AND USES OF FUNDS

County of Steuben
Refunding of Series 2006

Dated Date	12/02/2014
Delivery Date	12/02/2014

Sources:	
Bond Proceeds:	
Par Amount	3,570,000.00
Premium	434,319.45
	4,004,319.45

Uses:	
Refunding Escrow Deposits:	
Cash Deposit	0.85
SLGS Purchases	3,920,799.00
	3,920,799.85
Delivery Date Expenses:	
Cost of Issuance	57,000.00
Underwriter's Discount	23,000.00
	80,000.00
Other Uses of Funds:	
Additional Proceeds	3,519.60
	4,004,319.45

BOND PRICING

County of Steuben
Refunding of Series 2006

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Bond Component:					
	07/15/2015	25,000	2.000%	0.220%	101.101
	07/15/2016	540,000	3.000%	0.450%	104.109
	07/15/2017	555,000	3.000%	0.680%	106.012
	07/15/2018	575,000	4.000%	0.950%	110.825
	07/15/2019	600,000	4.000%	1.290%	112.113
	07/15/2020	625,000	5.000%	1.560%	118.437
	07/15/2021	650,000	5.000%	1.820%	119.744
		3,570,000			

Dated Date	12/02/2014	
Delivery Date	12/02/2014	
First Coupon	01/15/2015	
Par Amount	3,570,000.00	
Premium	434,319.45	
Production	4,004,319.45	112.165811%
Underwriter's Discount	-23,000.00	-0.644258%
Purchase Price	3,981,319.45	111.521553%
Accrued Interest		
Net Proceeds	3,981,319.45	

BOND DEBT SERVICE

County of Steuben
Refunding of Series 2006

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
01/15/2015			17,211.94	17,211.94	
07/15/2015	25,000	2.000%	72,050.00	97,050.00	
12/31/2015					114,261.94
01/15/2016			71,800.00	71,800.00	
07/15/2016	540,000	3.000%	71,800.00	611,800.00	
12/31/2016					683,600.00
01/15/2017			63,700.00	63,700.00	
07/15/2017	555,000	3.000%	63,700.00	618,700.00	
12/31/2017					682,400.00
01/15/2018			55,375.00	55,375.00	
07/15/2018	575,000	4.000%	55,375.00	630,375.00	
12/31/2018					685,750.00
01/15/2019			43,875.00	43,875.00	
07/15/2019	600,000	4.000%	43,875.00	643,875.00	
12/31/2019					687,750.00
01/15/2020			31,875.00	31,875.00	
07/15/2020	625,000	5.000%	31,875.00	656,875.00	
12/31/2020					688,750.00
01/15/2021			16,250.00	16,250.00	
07/15/2021	650,000	5.000%	16,250.00	666,250.00	
12/31/2021					682,500.00
	3,570,000		655,011.94	4,225,011.94	4,225,011.94

SAVINGS

County of Steuben
Refunding of Series 2006

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 12/02/2014 @ 1.3561563%
01/15/2015	70,875.00	17,211.94	53,663.06		53,576.50
07/15/2015	70,875.00	97,050.00	-26,175.00		-25,956.77
12/31/2015				27,488.06	
01/15/2016	70,875.00	71,800.00	-925.00		-911.11
07/15/2016	640,875.00	611,800.00	29,075.00		28,445.52
12/31/2016				28,150.00	
01/15/2017	60,187.50	63,700.00	-3,512.50		-3,413.31
07/15/2017	650,187.50	618,700.00	31,487.50		30,392.22
12/31/2017				27,975.00	
01/15/2018	49,125.00	55,375.00	-6,250.00		-5,991.97
07/15/2018	669,125.00	630,375.00	38,750.00		36,899.98
12/31/2018				32,500.00	
01/15/2019	37,500.00	43,875.00	-6,375.00		-6,029.76
07/15/2019	682,500.00	643,875.00	38,625.00		36,287.17
12/31/2019				32,250.00	
01/15/2020	25,406.25	31,875.00	-6,468.75		-6,036.29
07/15/2020	695,406.25	656,875.00	38,531.25		35,713.13
12/31/2020				32,062.50	
01/15/2021	12,843.75	16,250.00	-3,406.25		-3,135.86
07/15/2021	697,843.75	666,250.00	31,593.75		28,889.91
12/31/2021				28,187.50	
	4,433,625.00	4,225,011.94	208,613.06	208,613.06	198,729.37

Savings Summary

PV of savings from cash flow	198,729.37
Plus: Refunding funds on hand	3,519.60
Net PV Savings	202,248.97

SUMMARY OF REFUNDING RESULTS

County of Steuben
Refunding of Series 2006

Dated Date	12/02/2014
Delivery Date	12/02/2014
Arbitrage yield	1.356156%
Escrow yield	0.039700%
Value of Negative Arbitrage	31,270.19
Bond Par Amount	3,570,000.00
True Interest Cost	1.503211%
Effective Interest Cost	1.356156%
Net Interest Cost	1.623381%
All-In TIC	1.872590%
Average Coupon	4.363425%
Average Life	4.205
Par amount of refunded bonds	3,780,000.00
Average coupon of refunded bonds	3.750000%
Average life of refunded bonds	4.231
PV of prior debt to 12/02/2014 @ 1.356156%	4,203,048.82
Net PV Savings	202,248.97
Percentage savings of refunded bonds	5.350502%
Percentage savings of refunding bonds	5.665237%

BOND SUMMARY STATISTICS

County of Steuben
Refunding of Series 2006

Dated Date	12/02/2014
Delivery Date	12/02/2014
Last Maturity	07/15/2021
Arbitrage Yield	1.356156%
True Interest Cost (TIC)	1.503211%
Net Interest Cost (NIC)	1.623381%
NIC w/Interest only	4.363425%
NIC w/Interest & OID	1.470164%
NIC w/Interest, OID & Und. Discount	1.623381%
All-In TIC	1.872590%
Average Coupon	4.363425%
Average Life (years)	4.205
Duration of Issue (years)	3.943
Par Amount	3,570,000.00
Bond Proceeds	4,004,319.45
Total Interest	655,011.94
Net Interest	243,692.49
Total Debt Service	4,225,011.94
Maximum Annual Debt Service	688,750.00
Average Annual Debt Service	638,272.89
Underwriter's Fees (per $1000)	
Average Takedown	
Other Fee	6.442577
Total Underwriter's Discount	6.442577
Bid Price	111.521553

Bond Component	Par Value	Price	Average Coupon	Average Life
Bond Component	3,570,000.00	112.166	4.363%	4.205
	3,570,000.00			4.205

	TIC	All-In TIC	Arbitrage Yield
Par Value	3,570,000.00	3,570,000.00	3,570,000.00
+ Accrued Interest			
+ Premium (Discount)	434,319.45	434,319.45	434,319.45
- Underwriter's Discount	-23,000.00	-23,000.00	
- Cost of Issuance Expense		-57,000.00	
- Other Amounts			
Target Value	3,981,319.45	3,924,319.45	4,004,319.45
Target Date	12/02/2014	12/02/2014	12/02/2014
Yield	1.503211%	1.872590%	1.356156%

PROOF OF ARBITRAGE YIELD

County of Steuben
Refunding of Series 2006

Date	Debt Service	@	Present Value to 12/02/2014 1.3561562559%
01/15/2015	17,211.94		17,184.18
07/15/2015	97,050.00		96,240.86
01/15/2016	71,800.00		70,721.83
07/15/2016	611,800.00		598,554.37
01/15/2017	63,700.00		61,901.14
07/15/2017	618,700.00		597,178.84
01/15/2018	55,375.00		53,088.83
07/15/2018	630,375.00		600,279.41
01/15/2019	43,875.00		41,498.91
07/15/2019	643,875.00		604,903.64
01/15/2020	31,875.00		29,744.04
07/15/2020	656,875.00		608,832.09
01/15/2021	16,250.00		14,960.06
07/15/2021	666,250.00		609,231.27
	4,225,011.94		4,004,319.45

Proceeds Summary

Delivery date	12/02/2014
Par Value	3,570,000.00
Premium (Discount)	434,319.45
Target for yield calculation	4,004,319.45

PRIOR BOND DEBT SERVICE

County of Steuben
Refunding of Series 2006

Dated Date 12/02/2014
Delivery Date 12/02/2014

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
01/15/2015			70,875.00	70,875.00	
07/15/2015			70,875.00	70,875.00	
12/31/2015					141,750.00
01/15/2016			70,875.00	70,875.00	
07/15/2016	570,000	3.750%	70,875.00	640,875.00	
12/31/2016					711,750.00
01/15/2017			60,187.50	60,187.50	
07/15/2017	590,000	3.750%	60,187.50	650,187.50	
12/31/2017					710,375.00
01/15/2018			49,125.00	49,125.00	
07/15/2018	620,000	3.750%	49,125.00	669,125.00	
12/31/2018					718,250.00
01/15/2019			37,500.00	37,500.00	
07/15/2019	645,000	3.750%	37,500.00	682,500.00	
12/31/2019					720,000.00
01/15/2020			25,406.25	25,406.25	
07/15/2020	670,000	3.750%	25,406.25	695,406.25	
12/31/2020					720,812.50
01/15/2021			12,843.75	12,843.75	
07/15/2021	685,000	3.750%	12,843.75	697,843.75	
12/31/2021					710,687.50
	3,780,000		653,625.00	4,433,625.00	4,433,625.00

UNREFUNDED BOND DEBT SERVICE

County of Steuben
Refunding of Series 2006

Dated Date	12/02/2014
Delivery Date	12/02/2014

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
01/15/2015			10,218.75	10,218.75	
07/15/2015	545,000	3.750%	10,218.75	555,218.75	
12/31/2015					565,437.50
	545,000		20,437.50	565,437.50	565,437.50

SUMMARY OF BONDS REFUNDED

County of Steuben
Refunding of Series 2006

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Series 2006, SERIES06:					
BOND	07/15/2016	3.750%	570,000.00	07/15/2015	100.000
	07/15/2017	3.750%	590,000.00	07/15/2015	100.000
	07/15/2018	3.750%	620,000.00	07/15/2015	100.000
	07/15/2019	3.750%	645,000.00	07/15/2015	100.000
	07/15/2020	3.750%	670,000.00	07/15/2015	100.000
	07/15/2021	3.750%	685,000.00	07/15/2015	100.000
			3,780,000.00		

ESCROW REQUIREMENTS

County of Steuben
Refunding of Series 2006

Period Ending	Interest	Principal Redeemed	Total
01/15/2015	70,875.00		70,875.00
07/15/2015	70,875.00	3,780,000.00	3,850,875.00
	141,750.00	3,780,000.00	3,921,750.00

ESCROW DESCRIPTIONS

County of Steuben
Refunding of Series 2006

	Type of Security	Type of SLGS	Maturity Date	First Int Pmt Date	Par Amount	Rate	Max Rate
Dec 2, 2014:							
	SLGS	Certificate	01/15/2015	01/15/2015	70,874	0.010%	0.010%
	SLGS	Certificate	07/15/2015	07/15/2015	3,849,925	0.040%	0.040%
					3,920,799		

SLGS Summary

SLGS Rates File	01OCT14
Total Certificates of Indebtedness	3,920,799.00

ESCROW COST

County of Steuben
Refunding of Series 2006

Type of Security	Maturity Date	Par Amount	Rate	Total Cost
SLGS	01/15/2015	70,874	0.010%	70,874.00
SLGS	07/15/2015	3,849,925	0.040%	3,849,925.00
		3,920,799		3,920,799.00

Purchase Date	Cost of Securities	Cash Deposit	Total Escrow Cost	Yield
12/02/2014	3,920,799	0.85	3,920,799.85	0.039700%
	3,920,799	0.85	3,920,799.85	

ESCROW CASH FLOW

County of Steuben
Refunding of Series 2006

Date	Principal	Interest	Net Escrow Receipts	Present Value to 12/02/2014 @ 0.0396998%
01/15/2015	70,874.00	0.85	70,874.85	70,871.49
07/15/2015	3,849,925.00	949.30	3,850,874.30	3,849,927.51
	3,920,799.00	950.15	3,921,749.15	3,920,799.00

Escrow Cost Summary

Purchase date	12/02/2014
Purchase cost of securities	3,920,799.00
Target for yield calculation	3,920,799.00

ESCROW SUFFICIENCY

County of Steuben
Refunding of Series 2006

Date	Escrow Requirement	Net Escrow Receipts	Excess Receipts	Excess Balance
12/02/2014		0.85	0.85	0.85
01/15/2015	70,875.00	70,874.85	-0.15	0.70
07/15/2015	3,850,875.00	3,850,874.30	-0.70	
	3,921,750.00	3,921,750.00	0.00	

ESCROW STATISTICS

County of Steuben
Refunding of Series 2006

	Total Escrow Cost	Modified Duration (years)	Yield to Receipt Date	Yield to Disbursement Date	Perfect Escrow Cost	Value of Negative Arbitrage	Cost of Dead Time
Global Proceeds Escrow:							
	3,920,799.85	0.610	0.039700%	0.039700%	3,889,529.65	31,270.19	0.01
	3,920,799.85				3,889,529.65	31,270.19	0.01

Delivery date	12/02/2014
Arbitrage yield	1.356156%

Mr. Alger commented that by refinancing the Jail bonds we will save approximately $200,000 in interest payments. The next resolution on the agenda is calling the bonds on the Health Care Facility. These are two separate issues.

Mr. Welch asked there is no penalty for refinancing early? Mr. Alger replied no.

Vote: Roll Call – Adopted.

RESOLUTION NO. 182-14

Introduced by L. Crossett. Seconded by C. Ferratella.

AUTHORIZING THE ESTABLISHMENT OF A RESERVE FUND TO REDEEM OUTSTANDING BONDS.

WHEREAS, the County of Steuben issued $19,710,000 Public Improvement (Serial) Bonds in 2005 (the "Bonds") to finance the construction of a new health care facility (the "Facility");

WHEREAS, as a result of the recent sale of the Facility the County is now required by State and federal law to use the proceeds from the sale thereof to redeem the Bonds;

WHEREAS, the outstanding principal amount of the Bonds is $12,830,000 maturing on August 15 in each of the years 2015 through 2025;

WHEREAS, the Bonds are callable prior to maturity on February 15, 2015 and additional available County funds will be needed in order to so redeem the Bonds on such date; NOW, THEREFORE,

BE IT RESOLVED, by the County Legislature of the County of Steuben, New York as follows:

Section 1. Proceeds from the sale of the Facility, together with other available funds in an amount sufficient to redeem the Bonds and interest accruing thereon, are hereby authorized to be deposited into a reserve fund to be used to redeem the Bonds on February 15, 2015.

Section 2. The Commissioner of Finance is authorized to provide notice of the redemption of the Bonds and to take all such other actions as may be necessary in order to effectuate the intent of this resolution.

Section 3. This resolution takes effect immediately.

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to Thomas E. Myers, Esq., ORRICK, HERRINGTON & SUTCLIFFE LLP, 51 West 52nd Street, New York, NY 10019-6142; the Commissioner of Finance; County Manager; and the County Attorney.

Mr. Alger informed the committee that the bonds on the old Health Care Facility are callable. February is the next interest payment date and this resolution sets up the process to call the bonds.

Mr. Donnelly commented the bond bear interest at 4 percent. If we pay them off early, we will save approximately $3 million.

Vote: Roll Call – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session pursuant to Public Officers' Law, Article 7§ 105.1.E. Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law made by Mr. Crossett, seconded by Mr. Weaver and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Ms. Lattimer, seconded by Mr. Hanna and duly carried.

RESOLUTION NO. 183-14

Introduced by L. Crossett. Seconded by H. Lando.

RATIFYING THE CORRECTION OFFICERS, DISPATCHERS, AND COURT SECURITY OFFICERS UNIT BARGAINING AGREEMENT.

Pursuant to the provisions of the New York State Public Employees' Fair Employment Act known as the "Taylor Law" and Section 205 of the County Law of the State of New York.

WHEREAS, the negotiating committee for the Steuben County Legislature has, for several months, been meeting with the negotiating committee of the Steuben County Local #851 of the Civil Service Employees' Association, Inc. (CSEA), the bargaining unit for Correction Officers, Dispatchers and Court Security Officers as to recommended proposals for terms and working conditions for County employees for the years 2014, 2015 and 2016; and

WHEREAS, the CSEA has accepted in whole the aforesaid recommended proposals.

NOW THEREFORE, BE IT

RESOLVED, the proposed Agreement, as recommended by the respective negotiating committees, having heretofore been approved by the members of the said CSEA covering the years 2014, 2015 and 2016 be, and the same hereby is, duly ratified, confirmed and adopted; and be it further

RESOLVED, the Chairman of the Steuben County Legislature is hereby authorized and empowered, for and on behalf of this Legislature and the County of Steuben, to execute a final and complete agreement regarding the terms and conditions of public employment between the County and the Steuben County Local #851 of the Civil Service Employees' Association, Inc., for the fiscal years 2014, 2015 and 2016, which agreement shall be drafted by the County Attorney in accordance with the proposed agreement, and upon its approval by the Administration Committee of the Steuben County Legislature and its prior approval and execution by the President of the Steuben County Local #851 of the Civil Service Employees' Association, Inc.; and be it further

RESOLVED, when said final agreement is properly and duly executed as above stated, the original agreement shall be properly filed in the Office of the Clerk of the Legislature and a duplicate original shall be delivered to the President of the

Steuben County Local #851 of the Civil Service Employees' Association, Inc., and an additional copy shall be filed with the Public Employees' Relations Board; and be it further

RESOLVED, upon the filing of said agreement with the Clerk of the Legislature, President of CSEA, the Steuben County Commissioner of Finance and the Steuben County Personnel Officer, the same shall be, and hereby is, confirmed, ratified and approved as the entire agreement between the County of Steuben and the County employees included in said Employees' Association bargaining unit as to the terms and conditions of employment for the years 2014, 2015 and 2016; and be it further

RESOLVED, that the Steuben County Commissioner of Finance be and the same hereby is authorized and directed to appropriate sufficient funds for the above salaries to the appropriate line items; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, County Attorney, Personnel Officer, Clerk of the Legislature, Commissioner of Finance and to the President of the Steuben County Local #851 of the Civil Service Employees' Association, Inc.

Vote: Roll Call – Adopted.

RESOLUTION NO. 184-14

Introduced by L. Crossett. Seconded by B. Schu.

RATIFYING THE DEPUTIES ASSOCIATION BARGAINING AGREEMENT.

Pursuant to the provisions of the New York State Public Employees' Fair Employment Act known as the "Taylor Law" and Section 205 of the County Law of the State of New York.

WHEREAS, the negotiating committee for the Steuben County Legislature has, for several months, been meeting with the negotiating committee of the Deputies Association of the County of Steuben, the bargaining unit for all full-time sworn law enforcement employees in the Sheriff's Office, as to recommended proposals for terms and working conditions for these employees for the years 2013, 2014, 2015 and 2016; and

WHEREAS, the Association has accepted in whole the aforesaid recommended proposals.

NOW THEREFORE, BE IT

RESOLVED, the proposed Agreement, as recommended by the respective negotiating committees, duly adopted by the members of the said Association on October 13, 2014, covering the years 2013, 2014, 2015 and 2016 be and the same hereby is duly ratified, confirmed and adopted; and be it further

RESOLVED, the Chairman of the Steuben County Legislature is hereby authorized and empowered, for and on behalf of this Legislature and the County of Steuben, to execute a final and complete agreement regarding the terms and conditions of public employment between the County and the Association for the fiscal years 2013, 2014, 2015 and 2016, which agreement shall be drafted by the County Attorney in accordance with the proposed agreement, and upon its approval by the Administration Committee of the Steuben County Legislature and its prior approval and execution by the President of the Deputies Association; and be it further

RESOLVED, when said final agreement is properly and duly executed as above stated, the original agreement shall be properly filed in the Office of the Clerk of the Legislature and a duplicate original shall be delivered to the President of the Deputies Association, and an additional copy shall be filed with the Public Employees' Relations Board; and be it further

RESOLVED, upon the filing of said agreement with the Clerk of the Legislature, President of the Deputies Association, the Steuben County Commissioner of Finance and the Steuben County Personnel Officer, the same shall be and

hereby is confirmed, ratified and approved as the entire agreement between the County of Steuben and the employees included in said Deputies Association bargaining unit as to the terms and conditions of employment for the years 2013, 2014, 2015 and 2016; and be it further

RESOLVED, the Steuben County Commissioner of Finance be and the same hereby is authorized and directed to appropriate sufficient funds for the above salaries to the appropriate line items; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, County Attorney, Personnel Officer, Clerk of the Legislature, Commissioner of Finance and to the President of the Deputies Association of the County of Steuben.

Vote: Roll Call – Adopted.

Chairman Hauryski asked if there were any objections to consideration of an additional resolution to the agenda.

Motion Authorizing the introduction of an additional resolution to the agenda for consideration made by Mr. Weaver, seconded by Ms. Lattimer and duly carried.

RESOLUTION NO. 185-14

Introduced by L. Crossett. Seconded by D. Farrand.

UPGRADING THE POSITION OF COMPUTER PROGRAMMER FROM GRADE XIII TO GRADE XIV WITHIN THE INFORMATION TECHNOLOGY DEPARTMENT.

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

WHEREAS, a position in the Information Technology Department is inappropriately graded and not consistent with the duties for said position, and

WHEREAS, the Personnel Officer and the County Manager have approved the adjustment in grade; and

WHEREAS, the Union signed a Memorandum of Agreement in approval of the upgrade, and

WHEREAS, *The Rules of Procedure* of the County Legislature require an extraordinary majority to approve the aforesaid position that results in an upgrade or downgrade.

NOW THEREFORE, BE IT

RESOLVED, with the adoption of this resolution, the following position within the Information Technology Department is hereby upgraded as follows:

Computer Programmer, Grade XIII ($36,619-$51,696) to Grade XIV ($37,654-$53,159)

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Director of Information Technology, Personnel Officer and Commissioner of Finance.

Mr. Alger commented the purpose of this is to help with recruitment.

Vote: Roll Call – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law 7§ 105.1.D. Discussions Regarding Proposed, Pending or Current Litigation made by Mr. Mullen, seconded by Mrs. Ferratella and duly carried.

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

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

SPECIAL MEETING
Morning Session
Thursday, November 13, 2014
10:00 a.m.
Legislative Chambers, Bath, New Y ork

The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers, Bath, NY on Thursday, the 13th day of November, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislators Ferratella and Lattimer.

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

Mr. Alger, County Manager, presented the following 2015 Budget Message:

PRESENTATION OF BUDGET MESSAGE

INTRODUCTION

Today I am here to present the Tentative 2015 Steuben County Budget. This year, like the past several years, we've been struggling to maintain funding for our local non-mandated programs. As has been the case, we are continuing a "maintenance budget". That is to say mandated program costs have stabilized. While not decreasing significantly, slower increases coupled with some reductions are partially impacting the 2015 budget. But, there is no room for new initiatives or expanded local services.

The hard cap on Medicaid causes a small budget decrease as the Affordable Care Act (Obama Care) is increasing the Federal Medical Assistance Percentage (FMAP). The net result is a slight decrease in county cost for the second year in a row. The state's cost-shift in the Safety Net program increases local costs by $89,113. The Temporary Assistance for Needy Families (TANF) program is also increasing but with no local cost increase to the county. New York State is one of the few states in the nation to have a Safety Net program; the Governor and State Legislature have made it primarily a local property tax funded item to cut state spending.

The Governor and State Legislature have talked about the importance of local property tax reform, they have enacted a 2% Property Tax Cap and this year a tax freeze/rebate. However, they have done virtually nothing about mandate relief, which is resulting in reduced local services in Steuben County while state mandates continue to increase.

Budgets are a forecast of an upcoming year's anticipated expenses based upon current year and historical spending. Next year's budget forecast for the county is very similar to our current experience. We will continue to see reductions in county controlled services in order to pay for state-required services. The continued reliance by the Governor and State Legislature on local property taxes to fund their programs will ultimately lead to no other local discretionary services being provided.

As part of this message to the County Legislature, I would once again call for state legislation to impose a spending cap on state programs which must be funded locally. If municipalities can only raise property taxes 2%, then the state should limit its program growth to the same level.

While our largest mandate, Medicaid, has been capped beginning in 2015, it still represents $19.6 million in tax levy for Steuben County residents. That single line item in the county budget represents approximately 40% of the total tax levy for the county. If there was a desire to implement real property tax relief, a 40% cut in Steuben County's taxes could be realized with state assumption of their own program, Medicaid.

Looking into the future, indigent defense is the next mandate we will be struggling to fund. With the settlement of the Hurrell-Harring lawsuit, it is clear counties will be required to implement caseload limits for public defenders and fund counsel at arraignments. In Steuben County, counsel arraignments are going to be very expensive and probably will not improve services to the indigent defendants. Under the system, the county will be required to service the 44 courts within the county on a 24 hour(s) per day, 365 day(s) per year basis. I am uncertain how we can practically accomplish this let alone estimate its cost. This is a yet to be determined expense which will likely hit the 2015 budget but its funding levels remains unknown at this time.

The budget for 2015 has increases in Public Safety of 4.29% or $623,000, Public Works with increase of 0.87% or $218,799, Department of Social Services with 0.24% or $84,000, Probation 12.7% or $251,000, and Public Defender 9.8% or $158,000. There are some off-setting decreases with Corning Community College projecting a $300,000 reduction but other community colleges are up $200,000. While the Jail budget is basically the same as 2014, it has somewhat optimistic revenue projections.

We are seeing a much needed slight decrease in retirement expenses. The overall rates did decrease from 20.1% to 18.2% but with salary adjustments the decrease is minimal. The cited decrease represents the average rate for all tiers which isn't an accurate reflection since we have the largest number of employees in Tier 4 which saw a lower reduction than the average. Thus, the resulting decrease isn't as large as the Comptroller announced.

The Public Works budget continues a strong commitment to highway construction by the county with budgeted totals equaling the 2014 budget levels. Equipment for Public Works is also increased to the $1 million level to reflect the ongoing needs of the department. The tax cap and now tax freeze, and continued increases in the state's bills, have made this commitment difficult to maintain. Without changes in the states bills, our local programs will suffer in the future.

The county's efforts to adjust to the new economic conditions in New York have resulted in the direct actions taken by this Legislature to prioritize services particularly in the health field. This budget reflects the sale of the County Home Health Agency and County Health Care Facility. We are budgeting for the final costs for exiting the health care business. The 2015 Health Care Facility costs are continuing to be paid from the fund balance and should be largely eliminated in 2016.

I want to thank all of those who once again have made this budget process work. The Finance Committee with Chairman Larry Crossett, Vice Chairman Gary Swackhamer and committee members, Mike Hanna, Gary Roush, and Scott Van Etten, as well as the Legislative Chairman, Joseph Hauryski, are to be commended. I would also like to recognize the committee chairpersons for their assistance, Pat McAllister, Carol Ferratella, Randy Weaver, Brian Schu, and Mike Hanna all contributed to the success of this process. I would point out the key role of the Commissioner of Finance, Pat Donnelly and the Deputy Commissioner of Finance, Tammy Hurd-Harvey have had in the preparation of this budget. Without the Finance Office, this would be virtually impossible. I would also be remiss if I didn't recognize Deputy County Manager, Jack Wheeler, for his hard work and analysis of various budget items. Jack has proven himself over the last several years and with the charter has demonstrated the need for the Deputy position. We also called upon the Personnel Officer, Nancy Smith for assistance with the personnel impacts. I want to once again acknowledge the efforts of the Commissioners of Social Services and Public Works, Kathy Muller and Vince Spagnoletti. Every county department has cooperated to arrive at this budget.

The first look at the budget in June of 2014 contained a significant tax increase. I once again suggest we continue early budget discussions and closely monitor 2015 expenditures. An early start on budget discussions provides direction to routine activities throughout the year. Spending constraints and funding

availability dictate how we view each expenditure. Budget implementation and management is an ongoing team effort. The department heads are key to its success.

Budget Goals

The Budget Goals that have been established for 2015 are as follows:

1. Maintain local programs while complying with the state-imposed Tax Cap/Freeze
2. Continue local support for Public Works construction
3. Provide adequate funding for state-mandated Medicaid and Social Services programs
4. Prepare for Shared Services/Tax Freeze Plan

Total Budget

The total proposed budget for 2015 is $176,261,209, representing a decrease of $10,709,227 or -5.7% in total expenditures. The areas of change include Public Safety up 4.29%; General Government up 1.2%; Culture and Recreation up 0.49%; Public Works increased 0.87%; Social Services increased 0.24%; and Capital Projects are up 32.96%. Conversely, Home and Community Services decreased 13.2%; Education decreased 4.47%; and Health decreased 1.0%.

The county budgets for the past five years are as follows:

2011	$182,661,060
2012	$186,135,290
2013	$187,328,352
2014	$186,970,986
2015 (Proposed)	$176,261,209

The average increase in expenditures between 2011 and 2014 is 0.5%. The 5.7% decrease anticipated from 2014 to 2015 is the result of decreases in various segments of the budget. The county's sale of the Health Care Facility represents the bulk of the decrease. The budget also directly reflects reductions made in programs and staffing to achieve a lower cost impact. The increases are largely the result of the additional costs in Public Safety, Sheriff, Probation, and the Public Defender/Assigned Counsel due to caseload growth. Public Safety has been experiencing the largest increase every year for the last several years. The increases are a reflection of reduction in state revenues and rising local costs as a result.

MAJOR CHANGES BY DEPARTMENT

Highways

The total proposed 2015 budget for transportation stands at $25,521,036 compared to $25,495,237 in 2014, for a $25,809 or 0.1% increase, while the county cost for Public Works is increasing $218,799 for 2015. The Finance Committee is proposing that we budget $1,000,000 next year to replace key pieces of major equipment and $35,900 in small equipment funding. My recommendation again for 2015, is that only replacement equipment be purchased. The budget contains $602,000 in capital projects for the Landfill and $2,540,000 in Public Works for the second Seneca Road Bridge in North Hornell and the Caton Shop replacement. For 2015, $6,078,426 once again has been dedicated for highway construction projects, with $4,990,426 in permanent improvement funding and $1,088,000 within the general repairs budget. Once again, this is a significant local program for the county considering the difficult budget times we are experiencing.

Department of Social Services

The total 2015 county cost for the Department of Social Services increased slightly as a result of program cost shifts. The Medicaid appropriation has decreased from $20.3 million to $19.6 million for 2015, which reflects the implementation of the hard cap on Medicaid. We continue to anticipate the Safety Net program will increase $89,113 or 3.3% in 2015, while the TANF program is increasing $400,000 or 12.5%. These increases continue to point out that Steuben County is not out of the recession. We are still seeing caseload growth and an increase in residents' demand for social services.

Sheriff/Jail

The Sheriff's department budget contains an increase in county cost of 2.3% or $211,000. The increases are mostly within the Sheriff's budget as the Jail costs have remained the same for 2015. We are anticipating the two additional correction officers will be required by the Commission of Corrections next year. We continue to experience difficulty in our efforts to house federal or other county inmates. The numbers across the state seem to have decreased. It continues to be critical that we house outside inmates to assist in covering the county's cost of operating the Jail.

Health Care Facility

With the sale of the Steuben County Health Care Facility, we are officially out of the nursing home business. However, we will still see closure costs into 2015. Additionally, as you know we have authorized the Finance Commissioner to call the Health Care Facility bonds in February 2015. Calling the bonds will result in approximately $3 million in interest savings over the balance of the term. We still have one quarter of Intergovernmental Transfer (IGT) outstanding which should be received in late 2014 or early 2015. While a very difficult transaction, the sale will assure continued operation of the Health Care Facility and relieve taxpayers of the annual $2-3 million in operating losses each year.

COUNTY REVENUES

Sales Tax

The 2014 sales tax receipts are comparable to 2012. While recognizing the slight increase, we are not increasing our current estimate for 2015. Total collections after adjustments have continued to be very stable with the small increase occurring after the first quarter. Taking that into consideration, the actual collections are relatively flat, resulting in our recommendation for no change in the estimate for 2015.

Budgeted sales tax revenues for the last five years are as follows:

2011	$25,700,000
2012	$26,700,000
2013	$27,700,000
2014	$27,700,000
2015	$27,700,000

Fund Balance

The tentative budget includes a General Fund appropriation of $4.6 million in fund balance for 2015. The fund balance use will be critical as we implement the tax cap. We will not be reducing the highway and machinery fund balance used in 2014 as the funds can support the same appropriation level. We may only be able to use these funds for 2015 and will likely be shifting back to the General Fund for 2016. We are decreasing the total fund balance appropriations slightly for 2015. Over $2 million is appropriated for the closure of the Health Care Facility, and of that, $1.4 million is for principal & interest payments on the bonds. The entire bond will be paid off in February 2015.

Real Property Taxes

The stability of our sales tax and use of fund balance has resulted in our ability to maintain core services to residents with a minimal increase in property taxes for 2015. The tax levy is proposed to increase 1.72% with the full value tax rate of $8.71 for 2015 representing a 2.5% rate decrease for 2015. This translates to $22.00 decrease for a home assessed for $100,000 at full value. I want to note the continued loss of revenue because of the decrease in oil & gas production; there was an additional $17 million loss in gas production, which would have further reduced your tax rate. The governor is wrong when he says there is no cost associated with no decision made on the Marcellus Shale gas extraction in New York State.

The property tax collections and average full value rate for the last five years are as follows:

Tax Levy	Rate per Thousand	
2011	$46,004,435	$8.76

2012	$46,786,950	$8.66
2013	$48,045,574	$8.89
2014	$48,710,297	$8.93
2015	$49,548,218	$8.71

CONCLUSION

This budget represents the first year of the property tax freeze/rebate coupled with the tax cap. With this budget, Steuben County residents will be eligible for their state rebate on the county taxes. This will be approximately $15.00 based upon a $100,000 full value assessment. The average will be closer to $7.50 as the average full value assessment in Steuben County is $50,000. Remember, this will only be available to STAR-eligible properties where no changes in value have been made.

The second year of the freeze/rebate requires the submission of the Shared Services/Government Efficiency Plan by June 1, 2015. We are actively working on the format of the plan and have begun discussions with the towns, villages and cities. We expect to prepare a plan which meets the requirements and will assure rebate eligibility to residents whose municipalities participate and stay under the cap for 2015. We will have more on this as the plan is developed.

The New York State property tax cap legislation must be reauthorized in 2015 by the state. I suggest we advocate for some revisions to the cap calculations to make it more meaningful and understandable. The State Legislature will be key to getting any revisions implemented as the governor is not responsive to local governments. The inclusion of sales tax credits and treatment of Payments In Lieu Of Taxes (PILOTS) are two important areas of concern to counties.

We have put together a solid fiscal plan for 2015 with this budget. It reflects the organizational changes we've made over the last several years. Your efforts to contain costs and restrain growth in both expenditures and staffing are clearly demonstrated with the budget. We have a lower total budget, fewer staff and continue to provide core services. The areas where expenditures are growing and staff being added are a direct result of state-mandated activities. The Jail, Public Defender, and Probation are examples. We have reduced discretionary services in health, mental health and other areas. The one continuing exception is Public Works which is increasing $218,000 from 2014. The budget eliminates the cities bridge funding in anticipation of the sales tax agreement taking effect in 2015. Both cities have agreed and the proposal will come back to the Legislature for action in December.

In closing, this budget is no different than the budgets from the last 30 years. We are bound by state law to pay the state's bills for Medicaid and Welfare. We must pay for education of handicapped children, community colleges and social services programs. We have funded limited discretionary services including meals on wheels, libraries, soil & water conservation and E-911 services.

We will continue efforts to assure efficiency and expand shared services. It is essential that we look for new ways to accomplish old tasks with less cost. In order to continue existing services, we have to do more with less and be smarter about our resource allocations. You have a very talented management team. We share your desire to provide high-quality services at a reasonable cost.

Mark R. Alger
County Manager / Budget Officer

Mr. Hauryski asked with regard to the Government Efficiency Plan, have you gotten any feedback on whether the towns and villages are willing to participate? Mr. Alger replied there are quite a few municipalities who are interested in participating. He stated from his standpoint, there is no reason why they should not participate. We should be able to comply with the 1 percent cap. With all of the municipalities participating, we could meet the cap and possibly exceed it. The 1 percent savings is achievable. Mrs. Lando asked have there been any municipalities that have said they would not

participate? Mr. Alger replied no. Mrs. Lando commented that she would like to see us set up another meeting with our State representatives to discuss some of these issues.

Mr. Hanna asked the shift in staffing to public safety, is that something you see continuing? Mr. Alger replied yes. We are seeing increases in both the District Attorney and Public Defender offices. What will have more of an impact going forward is counsel at arraignments. We are proposing a centralized system, but whether the State will allow that remains to be seen.

Mr. Weaver asked are those staff increases spread throughout the Jail, road patrol and court security? Mr. Alger replied yes. We have not really added a lot of road deputies. We really are maintaining staffing for the Jail and court security. Mr. McAllister asked is the increase in the Jail due to State mandates? Mr. Alger replied yes. The State reviewed the Jail and said that we needed additional staff. The Sheriff has worked with the Corrections Commission and they have reduced the amount required. We will be looking to add two additional positions in the Jail next year.

Mr. Hauryski stated that he would like to applaud Mr. Alger, Mr. Wheeler and all of the department heads for the work they have done in preparing this budget.

Budget Workshop

Mr. Mullen asked if the process of the budget workshop was to discuss line items that he may think are too high and make a motion to decrease it? Mr. Alger replied yes.

Mr. Mullen asked with regard to line item 5423700 (Process Server Expense) in the Department of Social Services budget, they have only used 2 percent of their budgeted $125,000. Since 2012, they have not spent roughly more than $80,000.

Motion made by Mr. Mullen to reduce line item 5423700 in the Department of Social Services Budget by $100,000 for 2015.

Mr. Alger commented that amount is offset by revenue and is charged back to the Sheriff's Office by the Department of Social Services.

Mr. Mullen withdrew his motion.

Mr. Mullen commented that line item 5403850 (Toner) in the Department of Social Services is $30,000; however, historically they have only spent $22,000.

Motion made by Mr. Mullen to reduce line item 5403850 in the Department of Social Services Budget to $22,000 for 2015.

Ms. Muller explained this is an increased expense because they are increasing their scanning to reduce files. Ms. Reynolds stated when we scan our files, we are also printing out a copy for the court. Our toner costs have increased. If we don't need to use all of it, we will not, but we do receive State and Federal reimbursement that will offset this cost.

Mr. Mullen withdrew his motion.

Mr. Mullen stated he feels line item 5407390 (Employee Training) in the Personnel budget should be reduced from $25,000 to $15,000. Since 2011 they have never used more than $13,500.

Ms. Smith commented they have done more training utilizing that money. We will have a $10,000 bill from the recent full county training. She also participates in more cost-effective webinar trainings. These trainings help to keep our employees current.

Mrs. Lando commented training always seems to get cut. She feels it is important to keep the training money. Mr. Mullen stated if they are never spending it, then it is not a cut.

Motion made by Mr. Mullen to reduce line item 5407390 in the Personnel Budget to $15,000 for 2015. Seconded by Mr. Booth.

Mr. Alger explained we put $25,000 in the budget to make sure there was enough money, in particular, for the annual training. Annual training is a requirement for Right to Know and Workplace Violence. Ms. Smith also uses this funding for other employee trainings as well. We do try to use this money judiciously.

Mr. Farrand stated that we should be careful about cutting this. Public Works is required to have CPR training and you also have Workplace Violence and Sexual Harrassment traing.

Mr. Booth stated since 2011 they have not spent more than $13,500. They are doing all those trainings already. Mr. Farrand commented costs are always increasing. Mr. Booth stated Ms. Smith just told us that she does webinars and they have already seen savings from that. We are not cutting funding if they are not spending it.

Mr. McAllister asked will they have spent $20,000 this year? Mr. Wheeler replied they will have definitely spent about $15,000. Mr. McAllister commented these trainings are done in an effort to try to prevent lawsuits down the road. It would be nice for them to have a little buffer.

Mr. Mullen commented that he is just trying to bring it in line with what we are actually spending.

<u>Vote</u>: Roll Call – Motion Fails. Yes – 1190; No – 7564; Absent 1118
(Yes – Legislators Booth and Mullen; Absent – Legislators Ferratella and Lattimer)

Mr. Mullen stated that in the Small Equipment requests for the Department of Social Services, he sees they have requested 26 chairs for a total cost of $13,066. Ms. Muller replied they are replacing 26 chairs that were purchased in 1987. The prices vary from $375 - $756. These are office chairs. We also have a need, at times, to purchase oversized chairs for our employees.

Mr. Mullen stated this is an unreasonable amount. The average cost per chair is $502 and he thinks that is too high. Ms. Muller explained she worked with Purchasing to get the pricing. Mr. Mullen stated that he would like to see the cost reduced down to at least $300 per chair.

Motion made by Mr. Mullen to reduce the Small Equipment request for the Department of Social Services to purchase 26 chairs at a cost of $325.00 per chair. Seconded by Mr. Booth.

Mr. Van Etten asked you are replacing chairs that were purchased in 1987? Ms. Muller replied yes.

Mr. Schu commented if there are special needs for an employee, then you will pay more for the chair. Mrs. Lando commented ergonomically correct chairs can cost $600 - $700 and are very expensive. You will not find those chairs for $300.

Mr. Swackhamer asked will you receive reimbursement for these? Ms. Muller replied it depends on which program area they are purchased for.

Mr. Crossett commented the entire small equipment request for the Department of Social Services is $10,000.

<u>Vote</u>: Roll Call – Motion Fails. Yes – 1190; No – 7564; Absent 1118
(Yes – Legislators Booth and Mullen; Absent – Legislators Ferratella and Lattimer)

Mr. Mullen asked under Major Equipment, what are the vehicles for the District Attorney and 911 for? Mr. Alger replied the vehicle for the District Attorney is a replacement for the DA or the Investigator within the department. The vehicle for 911 is used to do addressing and to check on the radio towers.

Mr. Mullen stated with regard to the vehicle for the District Attorney's Office, he would like to know specifically who that vehicle is for. He does not think we should be providing a vehicle to the District Attorney who is making $175,000 annually.

Mr. Wheeler stated this vehicle will be for the DA Investigator. Mr. Farrand asked will these vehicles be purchased off State bid? Mr. Alger replied yes.

Mr. Mullen asked for an explanation of the License Plate Reader listed on the Capital Project list under the District Attorney. Mr. Alger explained the District Attorney anticipates paying for the License Plate Reader from the Traffic Diversion Program. The revenue from this program is split 20 percent for the County and the balance is split between the municipalities, the courts and the police agencies. This is directly to benefit law enforcement and will be used by law enforcement.

Mr. Mullen asked for an explanation of the EMO Storage Garage. Mr. Alger replied that was requested, however, it was not funded.

Mr. Mullen stated Information Technology has requested 50 laptops for $145,000. That is roughly $2,500 per laptop and he thinks that is very high. Mr. Wheeler replied the laptops included software licenses. Mr. Mullen stated a high-end laptop is about $1,500 and then with the software that would be another few hundred dollars. He thinks the $2,500 is a lot of money for a laptop.

Mr. Van Etten stated the original computer request from Information Technology was $375,000 and we cut that to $250,000. They have a total of $250,000 to spend on computer equipment. Mr. Swackhamer commented this was discussed at the Finance Committee Budget Workshops.

Mr. Mullen asked about the increase to the Community Colleges chargebacks. Mr. Alger replied we raised the chargeback $200,000 based upon the bills that we have received in 2014.

There being no further questions or comments, Chairman Hauryski declared the Budget Workshop closed.

RESOLUTION NO. 186-14

Introduced by P. McAllister. Seconded by S. Van Etten.

PRESENTING LOCAL LAW TENTATIVELY NO. SEVEN FOR THE YEAR 2014, ESTABLISHING THE ANNUAL SALARIES OF CERTAIN ELECTED OR APPOINTED OFFICIALS AND DEPARTMENT HEADS OF THE COUNTY OF STEUBEN WHO HAVE A FIXED TERM OF OFFICE FOR THE FISCAL YEAR 2015.

Pursuant to Sections 200, 201 and 214 of the County Law and Sections 10, 20 and 24 of the General Municipal Law of the State of New York.

WHEREAS, pursuant to the Steuben County Management Evaluation and Salary Plan, as revised, Management employees, with the exception of elected positions, had performance evaluations conducted; and

WHEREAS, pursuant to the Plan, all salary adjustments for Management employees are based upon the reviews conducted pursuant to said Plan; and

WHEREAS, the Administration Committee has approved salaries for all Management employees, except Legislators, based upon performance evaluations; and

WHEREAS, the Administration Committee has reviewed and studied the evaluations pursuant to the Plan concerning the salaries of certain elected or appointed officials of the County of Steuben who have a fixed term of office for the Fiscal Year 2015, which individuals are presently serving mid-term; and

WHEREAS, said Administration Committee has recommended County of Steuben Local Law Tentatively No. Seven for the Year 2014, establishing the annual salaries of such appointed officials for the Fiscal Year 2015.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Seven for the Year 2014, Establishing the Annual Salaries of Certain Elected or Appointed Officials and Department Heads of the County of Steuben who have a Fixed Term of Office for the Fiscal Year 2015, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. SEVEN FOR THE YEAR 2014

A LOCAL LAW, Establishing the Annual Salaries of Certain Elected or Appointed Officials and Department Heads of the County of Steuben who have a Fixed Term of Office for the Fiscal Year 2015.

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

SECTION 1: Except where inconsistent by operation of law due to prohibitions of increases of compensation during a fixed term of office for County officers and employees as provided in County Law §201 and Municipal Home Rule Law §24(2)(h), the "Steuben County Management Evaluation and Salary Plan", Administrative Code of the County of Steuben Part XV be, and the same hereby is, applicable to officers and employees having a fixed term of office, whether elected or appointed, as are any and all resolutions of the Steuben County Legislature relative to rights and entitlements of County executive and management personnel.

SECTION 2: Effective with the first county payroll for the County Fiscal Year 2015, the annual salaries of the certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office are hereby established for the Fiscal Year 2015 as follows, to wit:

TITLE	2014 SALARY	2015 SALARY
County Auditor	$ 48,743	$ 51,473
Clerk of Legislature	$ 59,749	$ 61,243
County Clerk	$ 61,000	$ 63,500
County Attorney	$ 110,316	$ 114,205
Personnel Officer	$ 86,908	$ 89,081
Public Defender	$ 90,807	$ 93,077
Commissioner, Public Works	$ 97,456	$ 99,892
Director, Real Property Tax	$ 67,000	$ 68,675
Sheriff	$ 81,106	$ 83,134
Commissioner, Social Services	$ 94,024	$ 96,375

SECTION 3: Should any of the above positions become vacant and subsequently filled by one other than the present incumbent, the salary shall in that instance be set by the Legislature prior to filling said vacancy.

SECTION 4: This Local Law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the Steuben County Legislature, a Public Hearing shall be held at the Special Legislative Meeting on November 24, 2014, at 6:00 P.M. or such other date and time that may be adjourned, at Steuben County Offices, 3 East Pulteney Square, Bath, New York 14810, and the Local Law is subject to a permissive referendum of the qualified electors of the County of Steuben by filing of a legal petition within

forty-five (45) days after its final adoption, with the Clerk of the Legislature of the County of Steuben protesting such Local Law; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Commissioner of Finance, Personnel Officer, and all appointed and elected officials mentioned above.

Vote: Acclamation – Adopted. Yes – 8157; No – 597; Absent 1118
(No – Legislator Mullen; Absent – Legislators Ferratella and Lattimer)

Motion to Adjourn made by Mr. Roush, seconded by Mr. McAllister and duly carried.

REGULAR MEETING
Afternoon Session
Monday, November 24, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 24th day of November, 2014, at 3:30 p.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present.

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

Chairman Hauryski 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 Proofs of Publication and Proofs for Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. Three for the Year 2014, Authorizing the Seizure and Forfeiture of Property Used in Connection with Misdemeanor Criminal Acts as defined by Article 220 and Article 221 of the Penal Law. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. Four for the Year 2014, Relative to Secondhand Dealers. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. Five for the Year 2014, Prohibiting the Consumption of Alcoholic Beverages and/or Illegal Drugs by Minors on Private Premises in Steuben County. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. Six for the Year 2014, Prohibiting within Steuben County the Possession, Purchase, Attempted Purchase in excess of the Federal Limits of Pseudophedrine and Products containing Pseudophedrine. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

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

Mr. Donnelly, Commissioner of Finance, informed the committee that later today there will be a Special meeting relative to the adoption of the 2015 proposed budget. The State Comptroller requires us to submit paperwork prior to the vote on the budget. He is confirming that paperwork was submitted today at 8:45 a.m.

RESOLUTION NO. 187-14

Introduced by L. Crossett. Seconded by Mr. Van Etten.

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

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 be it further

RESOLVED, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "B" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof and as upon the "Notice to Bidders and Terms of Sale – 2014" as applicable; and be it further

RESOLVED, the said grantee(s) must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be; and be it further

RESOLVED, the Steuben County Commissioner of Finance is further authorized and directed to convey those parcels sold at the Delinquent Tax Auction held on July 11, 2014, contained in Schedule "C", and he is further authorized and directed, in the event of a default by the highest bidder by failure to make full payment within thirty (30) days, to convey those parcels to the second highest bidder, and said transfers made pursuant hereto be and the same hereby are ratified; and be it further

RESOLVED, as it appears to be in the best interest of the County to grant permanent and temporary easements on the property contained in Schedule "D", being the Steuben County Highway Shop on State Route 417 in and to the Town of Woodhull, the County Manager is authorized and directed to grant and deliver the permanent and temporary easement; 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, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s); and certified copies of this resolution contained in Schedule "C" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, the Clerk of the Board of Education of the appropriate School District, and the taxpayers; and certified copies of this resolution contained in Schedule "D" shall be forwarded to the Town of Woodhull, 1585 Academy Street, Woodhull, NY 14898.

SCHEDULE "A"

Resolution No.	A-1	Resolution No.	A-2
Name	Green Acres Mobile Home Park	Name	Michael A.J. Frawley
Parcel No.	107.19-01-008.111	Parcel No.	405.00-01-043.200
Municipality	Hornellsville Town	Municipality	Lindley Town
Disposition	Refund	Disposition	Correction

Resolution No.	A-3
Name	Gladys Gridley
Parcel No.	390.00-01-059.000
Municipality	Caton Town
Disposition	Refund

Resolution No.	A-4
Name	Francis F. Sciotti (dec'd)
Parcel No.	107.19-01-075.110/1
Municipality	Hornellsville Town
Disposition	Correction

SCHEDULE "B"

Resolution No.	B-1 (Correction B-1, Resolution No. 155-14)
Former Owner	James Ball
In Rem Index No.	2010-1966CV, Judgment Filed 04/29/2014
Parcel No.	034.00-01-052.000
Municipality	Prattsburgh Town
Grantee(s)	James Ball
Grantee(s) Address	10862 Mattoon Rd., Prattsburgh, NY 14873
Consideration	$1,075.00, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-2
Former Owner	Ronald Wilson & April Wilson
In Rem Index No.	101381, Judgment Filed 05/13/2010
Parcel No.	317.52-01-020.000
Municipality	Corning City
Grantee(s)	Glosser Trust, Linda Glosser, Trustee & Jack Glosser, Trustee
Grantee(s) Address	182 West Fifth St., Corning, NY 14830
Consideration	$500.00, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

SCHEDULE "C"

Resolution No.	C-1
Former Owner	County of Steuben
Deed (Liber/Page)	Dated 05/27/2014, Recorded 07/30/2014, at 2493/319
Date of Tax Sale:	July 11, 2014
Parcel No.	151.05-01-029.000
Municipality	Hornellsville Town
Highest Bidder	Lawrence R. Fink
Highest Bidder's Address	100 Fourth St., Hornell, NY 14843
Consideration	$6,230.00, together with buyers premium & recording fees
Second Highest Bidder	Brian R. Luce
Second Highest Bidder's Address	10925 Poags Hole Road, Dansville, NY 14437

SCHEDULE "D"

Resolution No.	D-1
Name	County of Steuben
Parcel No.	345.00-01-035.000
Municipality	Town of Woodhull
Disposition	Grant permanent and temporary easements to Town of Woodhull for wastewater collection system.

Vote: Roll Call – Adopted.

RESOLUTION NO. 188-14

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE NOVEMBER 24, 2014 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:

October 17, 2014
New York State Associations of Counties – Re: Resolutions adopted by county delegates at the New York State Association of Counties 2014 Fall Seminar. ***Referred to: Joseph Hauryski, Legislature Chairman.***

October 20, 2014
Village of Canisteo – Re: Copy of passed resolution by the Canisteo Village board to participate in the Steuben County Shared Services/Government Efficiency Plan. ***Referred to: Finance Committee; Joseph Hauryski, Legislature Chairman; Eric Booth, (District 9) Legislator; and Mark Alger, County Manager.***

NYS Division of Homeland Security and Emergency Services – Re: Notification of Steuben County being awarded $188,793 under the New York State's 2014-2015 Public Safety Answering Points Operations Grant Program (2014-2015 PSAP Operations Grant). ***Referred to: Public Safety & Corrections Committee; David Hopkins, 911 Director; Timothy Marshall, EMO Director; and Jack Wheeler, Deputy County Manager.***

October 22, 2014
NYS Office of Children & Family Services – Re: OCFS Fatality Report #RO-14-008. ***Referred to: Joseph Hauryski, Legislature Chairman; and Mark Alger, County Manager.***

October 27, 2014
New York State Office of Parks, Recreation and Historic Preservation – Re: Notification of property located at 117 West Washington Street, Bath, NY (James H. Bolton House) in Steuben County is being nominated to the National and State Registers of Historic Places at the State Review Board meeting scheduled for December 4, 2014. ***Referred to: A.I.P. Committee; and Eleanor Silliman, Historian.***

Harris Beach, PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and Amexstra, Inc. distribution of the revised NYS RP-412-a form, along with a revised schedule "C". ***Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.***

New York State Department of Environmental Conservation – Re: Notification of public hearing on Thursday, October 30, 2014 at the Radisson Hotel located at 125 Denison Parkway East from 6:30pm-8:00pm regarding the preliminary findings of the study area bounded by Pyrex Street, E. Pulteney Street, Post Creek and Chemung River (study identifies areas with contaminants in fill). ***Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.***

Emergency Medical Services Training, Administration & Resources – Re: Third Quarter Report for 2014. ***Referred to: Human Services/Health & Education Committee; Public Safety & Corrections Committee; Victoria Fuerst, PHN Director; and Tim Marshall, EMO Director.***

October 30, 2014
NYS Assemblyman, Philip Palmesano & NYS Senator, Thomas O'Mara – Re: Correspondence letter requesting the Federal Emergency Management Agency to extend May's FEMA declaration in Steuben County to cover the June 8th storm which resulted in public infrastructure damage to as many as a dozen municipalities**.** ***Referred to: Joseph Hauryski, Legislature Chairman; Mark Alger, County Manager; Public Safety & Corrections Committee; and Tim Marshall, EMO Director.***

November 3, 2014
Congressman, Tom Reed – Re: Requesting the State to guarantee funding for the 25% local cost share for communities to support the infrastructure needs for New York residents who were affected by the storms from May 13, 2014 through May 22, 2014. ***Referred to: Joseph Hauryski, Legislature Chairman; Mark Alger, County Manager; Public Safety & Corrections Committee; and Tim Marshall, EMO Director.***

November 5, 2014
Federal Energy Regulatory Commission – Re: CD containing the environmental assessment for the Tuscarora Lateral Project in New York and Pennsylvania. (October 2014 Empire Pipeline Inc., National Fuel Gas Supply Corporation Docket No. CP14-112-000) ***Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.***

November 7, 2014
Western Regional Off-Track Betting Corporation - Re: Check in the amount of $30,698, which represents the third quarter revenues ($28,141) combined with the September 2014 surcharge payment ($2,557) for Steuben County**.** ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

November 10, 2014
Lewis County – Re: Copy of passed resolution requesting state disaster aid in Lewis County. ***Referred to: Steuben County Legislature.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 189-14

Introduced by B. Schu. Seconded by D. Farrand.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2014, AUTHORIZING THE SEIZURE AND FORFEITURE OF PROPERTY USED IN CONNECTION WITH MISDEMEANOR CRIMINAL ACTS AS DEFINED BY ARTICLE 220 AND ARTICLE 221 OF THE PENAL LAW.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on October 27, 2014, County of Steuben Local Law Tentatively No. Three for the Year 2014, Authorizing the Seizure and Forfeiture of Property Used in Connection with Misdemeanor Criminal Acts as Defined by Article 220 and Article 221 of the Penal Law, preliminarily adopted said Local Law on October 27, 2014, making the final adoption of said Local Law subject to a Public Hearing to be held on November 24, 2014; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on November 24, 2014, at 3:30 P.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Three for the Year 2014, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2014

A Local Law, Authorizing the Seizure and Forfeiture of Property Used in Connection with Misdemeanor Criminal Acts as Defined by Article 220 and Article 221 of the Penal Law.

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

Article I. Purpose

Section 1.1. This Legislature hereby finds and determines that activities associated with misdemeanor drug offenses pose a serious threat to the health, safety and welfare of county residents and impose an enormous burden upon the county in the provision of personnel to enforce the laws, prosecute violators and deliver services necessary to address the adverse social and health consequences of such activities.

Section 1.2. This Legislature further finds and determines that while criminal sanctions under the Penal Law are a useful means to deter misdemeanor drug activity, further local legislation is needed to achieve a reduction of said activities in the County of Steuben by removing the potential for profit, deterring the acts by placing personal resources at risk and by developing greater resources to enhance treatment and education strategies.

Section 1.3. Therefore, the purpose of this law is to provide for the seizure and forfeiture of property and funds used in connection with or constituting the proceeds of misdemeanor drug activities.

Article II. Definitions

Section 2.1. All words and phrases used in this Local Law shall have the same meaning as defined in Article 220 and Article 221 of the Penal Law and shall be specifically construed as follows:

Section 2.2. "Vehicle" shall mean a motor vehicle as defined in section 159 of the Vehicle and Traffic Law, an all-terrain vehicle (ATV) as defined in section 2281 of the Vehicle and Traffic Law, a snowmobile as defined in section 2221 of the Vehicle and Traffic Law and a vessel as defined by section 2250 of the Vehicle and Traffic Law when used in a navigable waterway or as defined in Section 10.00(14) of the Penal Law.

Section 2.3. "Controlled Substance" shall mean a controlled substance as defined by Article 220 of the Penal Law of the State of New York.

Section 2.4. "Marihuana" shall mean marihuana as defined and used in Article 220 and Article 221 of the Penal Law of the State of New York and as defined in section 3302 of the Public Health Law of the State of New York.

Section 2.5. "Owner" shall mean a person owning a vehicle as evidenced upon a certificate of title or a person owning property of record. For the purposes of a vehicle forfeiture, "owner" shall also be deemed to include any lienors listed on the certificate of title.

Section 2.6. "Activity" shall mean the unlawful use, possession, purchase, sale, conveyance and/or transportation of marihuana and/or controlled substances as further set forth and defined in Article 220 or Article 221 of the Penal Law or subsequent revisions or any other misdemeanor offense as defined by those articles.

Section 2.7. "Peace Officer" shall mean a person as defined by section 2.10 of the Criminal Procedure Law of the State of New York.

Section 2.8. "Police Officer" shall mean any of the persons listed in section 1.20(34) of Title A of the Criminal Procedure Law of the State of New York.

Section 2.9. "Misdemeanor" shall mean any misdemeanor offense as defined by the Penal Law of the State of New York at section 10.00(4), and arising under Article 220 or Article 221 of the Penal Law.

Section 2.10. "District Attorney" shall mean the District Attorney in and for the County of Steuben and as set forth in section 1.20(34) of the Criminal Procedure Law of the State of New York.

Section 2.11. "Monies" shall mean lawful currency of the United States, the lawful currency of any other nation, traveler's check, cashier's check, bonds, stocks, negotiable instruments, securities or other things of value furnished or intended to be furnished by any person in exchange for marihuana or a controlled substance in violation of this local law and all proceeds traceable to such an exchange and all said monies used or intended to be used to facilitate a violation of this law.

Section 2.12. "Possess" shall mean to have physical possession or to otherwise exercise dominion or control over tangible property or as defined in section 10.00(8) of the Penal Law.

Section 2.13. "Person" means a human being, and, where appropriate, a public or private corporation, an unincorporated association or a partnership or as defined by section 10.00(7) of the Penal Law.

Section 2.14. "Police Agency" shall mean the New York State Police, New York State Environmental Conservation Police, New York State Park Police, Steuben County Sheriff's Office, and any other agency or department employing peace officers or police officers within the County of Steuben.

Section 2.15. "Common Carrier" shall mean any common carrier as defined by 49 U.S.C. 10102 or as defined by section 2 et seq. of the Transportation Law of the State of New York.

Section 2.16. All words used in this local law whether or not specifically defined herein at Article II must be construed according to the fair import of their terms to promote justice and effect the objects of this law.

Article III. Conduct

Section 3. The provisions of Article IV herein shall be applicable upon the establishing of prohibited conduct as set forth under Articles 220 and 221 of the New York State Penal Law where such conduct comprises a misdemeanor thereunder. The establishing of such conduct may be sustained by, but not limited to, a certificate of conviction therefore, other court record establishing such prohibited conduct or upon the written stipulation of a party to such prohibited conduct of that party.

Article IV. Seizure and Delivery

Section 4.1. The following property shall be subject to forfeiture to the County of Steuben and no property right shall exist in them: Any vehicle which has been or is being used in violation of Article III and any money as a result of or in furtherance of the prohibited conduct set forth in Article III. Said property may be seized by any peace officer, acting pursuant to his special duties, or police officer, and forfeited as hereinafter provided in this local law. Seized property is subject to forfeiture if and only if used or possessed in connection with acts or conduct which would constitute a misdemeanor under Article 220 or Article 221 of the Penal Law.

Section 4.2. The seized property shall be promptly delivered by the officer having made the seizure to the care and custody of the District Attorney together with a report of all the facts and circumstances of the seizure and the underlying misdemeanor offense(s).

Article V. Civil Proceedings

Section 5. It shall be the duty of the District Attorney to inquire into the facts and circumstances of the seizure as so reported to the District Attorney and, if it appears probable that a forfeiture has been incurred by reason of a violation of this local law, for the determination of whether the institution of proceedings in the Supreme Court of the State of New York is necessary, to cause the proper proceedings to be commenced and prosecuted not later than twenty (20) days after written demand by a person claiming ownership thereof, to

declare such forfeiture, unless, upon inquiry and examination, the District Attorney decides that such proceedings cannot probably be sustained or that the ends of public justice do not require that they should be instituted or prosecuted, in which case the District Attorney shall cause such seized property to be returned to the owner thereof. The proceedings instituted under this local law shall conform, as close as practicable, to the procedure for attachment under the Civil Practice Law and Rules, and except as modified by this local law, including by not limited to Article 13-A of the CPLR.

Article VI. Notice

Section 6. Notice of the institution of the forfeiture proceedings shall be served on the owner of the seized property in accordance with the notice and service provisions of the New York State Civil Practice Law and Rules.

Article VII. Affirmative Defenses

Section 7. Forfeiture be adjudged except where the owner establishes by preponderance of the evidence that:

(a) seized property was used or possessed in violation of Article III by any person other than an owner thereof, while such seized property was unlawfully in the possession of a person who acquired possession thereof in violation of the criminal laws of the United States or the criminal laws of any state or territory; or

(b) a seized vehicle was used by a person as a common carrier in the transaction of business as a common carrier unless it appears that the owner or other person in charge of said vehicle was a consenting party or privy to a violation of this local law or Article 220 or Article 221 of the Penal Law; or

(c) a vehicle was seized by reason of any act or omission established by the owner of a vehicle to have been committed or omitted by any person other than such owner while said vehicle was unlawfully in the possession of a person other than the owner in violation of the criminal laws of the United States, or of any State; or

(d) to the extent of an interest of the owner only, property was seized by reason of any act or omission established by that owner to have been committed or omitted without the knowledge of the owner.

Article VIII. Distribution

Section 8.1. The District Attorney, having custody of the seized property, after such judicial determination of forfeiture, shall have the discretion, where the property is a vehicle, to either retain such seized vehicle for the official use of the District Attorney's Office or the seizing police agency, or, by a public notice of at least five days, sell such forfeited vehicle at public sale; provided, however, that where such vehicle is subject to a perfected lien, such lien must be satisfied for such vehicle to be retained. The net proceeds of any such forfeiture under this local law, after deduction of the lawful expenses incurred, shall be collected by the District Attorney and deposited with the Steuben County Commissioner of Finance, who shall record them in the appropriate trust account(s) and who shall forthwith distribute directly from said account(s) as follows:

(b) Monies shall first go pay any restitution, as that term is defined in the Penal Law of the State of New York, owed in conjunction with the criminal case;

(b) fifty percent (50%) of all remaining monies realized through forfeiture to the seizing police agency, to be disbursed quarterly, in satisfaction of actual costs incurred for protecting, maintaining, and delivering the seized property to the office of the District Attorney; said monies to be deposited in the agency's general forfeiture account in accordance with said agency's routine accounting procedures. In the event seizure resulted from a collaborative effort of law enforcement, then such 50% shall be distributed under the terms of agreement, between the several collaborating law enforcement agencies, and such funds to be made payable to the municipal official authorized to receive such funds, and

(b) the remaining fifty percent (50%) of all monies realized through forfeiture as retained by the Commissioner of Finance shall be directed into an account to be designated for DISTRICT ATTORNEY REVENUE ACCOUNT by the Steuben County Commissioner of Finance to be utilized exclusively for prosecution/prevention of drug crimes.

Section 8.2. The Steuben County Commissioner of Finance and the Steuben County Auditor shall monitor usage of all monies paid directly to the office of the District Attorney under Section 8.1(b) of this local law and these monies or proceeds shall be accounted for and reported through the County of Steuben's official audit and accounting procedures.

Article IX. Restoration

Section 9. Whenever a person interested in any property which is seized and declared forfeited under the provisions of this local law files with a Justice of the Supreme Court a petition for the recovery of such forfeited property, the Justice of the Supreme Court may restore said forfeited property, upon such terms and conditions as the Supreme Court deems reasonable and proper, if the petitioner establishes either of the affirmative defenses set forth in Article VII of this local law and that the petitioner was without personal or actual knowledge of the forfeiture proceeding. If the petition is filed after the sale of the forfeited property, any judgment in favor of the petitioner shall be limited to the net proceeds of such sale, after deduction of the lawful expenses and costs incurred by the District Attorney and police agency.

Article X. Statute of Limitations

Section 10. Notwithstanding any other general provision of law, no suit or action under this local law for wrongful forfeiture shall be instituted unless such suit or action is commenced within the time frames set forth under Article 78 of the Civil Practice Law and Rules.

Article XI. Severability

Section 11. If any part of this local law shall be found invalid by a court of competent jurisdiction, such invalidity shall apply only to such part, and the remainder of this local law shall remain valid and effective.

Article XII. Effective Date

Section 12. This local law shall take effect upon its filing, pursuant to section 27 of the Municipal Home Rule Law, with the Secretary of State.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on November 24, 2014 at 3:30 P.M. at the Legislative Chambers, Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Three for the Year 2014, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney.

Mr. Weaver stated he is not in favor of this for a number of reasons. First, these are for misdemeanor crimes. Second, he is concerned about the article in the paper regarding abuses of the forfeiture process. You may be penalizing people for incidents that may follow them.

Mr. Mullen commented that he agrees with Mr. Weaver. He read the article and people have come up to him with their concerns. He initially voted in favor of this in committee, however, he will be voting no. The State already has a lot of power.

Mrs. Lando asked the District Attorney to speak about this proposed Local Law. Mr. Baker explained this is not a District Attorney proposal, but this was brought forth by the community. He stated that he provided the Chairman with a letter of support from the Police Chiefs' Association. This proposal was brought forth through meetings throughout the County. All four Local Laws that are before you today are part of a package. We did hire an investigator. Our goal is to take a more proactive approach in addressing drugs in Steuben County. This package is what has been working in other counties. This local law dealing with forfeiture is aimed at taking the profit out of crime. This local law limits crimes to those occurring under Article 220 and Article 221 of the Penal Law. We also have a local law for your consideration regarding controlled substances and marijuana offenses. We are not dealing with drunk drivers with this law. We are only dealing with those people who are selling drugs at the misdemeanor level. There have been many instances of individuals picking up drugs from Rochester and having a large quantity of money, but no felony charges. That is where the idea of the forfeiture law comes from. This will protect people from inappropriate forfeitures. We do not hold property for longer than 20 days.

Mr. Farrand asked is it true that the District Attorney's Association supports this action and Chemung County currently has this local law? Mr. Baker replied Chemung County is moving forward with their local law. The District Attorney's Association has proposed similar legislation to the State on several occasions.

Mr. McAllister commented that he does not believe there is a lot of deterrent for people who commit misdemeanor drug crimes. If they have never been in trouble before, they get probation or a weekend in jail. This local law will help with prevention if they know that their property will be taken away. There is a fail-safe in here; the District Attorney has 20 days to present a case and the individual is entitled to a forfeiture proceeding. This is still doing something for the County to deter drug use. He stated that he is in favor.

Mr. Van Etten asked is this to deter drug use or drug trafficking? There is a difference. When he first read this, he thought it was merely a law to put on someone who is down and out. He talked with Mr. Schu who indicated this was a good thing. He does not use drugs, but it is interesting that we are passing marijuana laws, but are we heading in the wrong direction with some of this? If someone has a bag of marijuana and they are pulled over, are they going to lose their car? Mr. Baker replied if someone is found with a small amount for personal use, they will not fall under the misdemeanor level. That is the lowest level offense and they would only get a ticket for that. Forfeitures will take the profit out of drugs. It is not worth our time and hassle to take $100. If we can reduce drug trafficking, we can reduce drug use. This local law is aimed at taking the profit out of selling drugs and is aimed at the drug dealers.

Mrs. Ferratella asked for an explanation of the 20-day window? Mr. Baker explained if we take property, they can serve a demand on us, and we have 20 days to begin the forfeiture action or give them their property back. We have to decide if we have a viable case within 20 days. Mrs. Lando asked what is done with the money you seize? Mr. Baker replied fifty percent goes to law enforcement and fifty percent remains with the District Attorney's Office.

Mr. Hauryski commented that the constituents he represents have told him that the drug problem in the County is running rampant. He wants to give law enforcement and the District Attorney all the tools that they need to curtail this.

Vote: Roll Call – Adopted. Yes – 7630; No – 2242
(No: Legislators Booth, Hanna, Mullen and Weaver)

RESOLUTION NO. 190-14

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

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2014, RELATIVE TO SECONDHAND DEALERS.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on October 27, 2014, County of Steuben Local Law Tentatively No. Four for the Year 2014, Relative to Secondhand Dealers, preliminarily adopted said Local Law on October 27, 2014, making the final adoption of said Local Law subject to a Public Hearing to be held on November 24, 2014; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on November 24, 2014, at 3:30 P.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Four for the Year 2014, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2014

A Local Law, Relative to Secondhand Dealers.

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

SECTION 1: SECONDHAND DEALER DEFINED

As used in this Local Law, a secondhand dealer is any person, partnership, corporation, association, joint venture, trustee, court-appointed representative or agent thereof which operates a business for profit which buys , sells, possesses on consignment for sale or trades jewelry, stamps, coins or any precious metals which may have been previously owned by a consumer; or which derives more than thirty five percent (35%) of its gross receipts from the sale, consignment for sale, pledge or trade of any goods, wares or merchandise which have previously been owned by a consumer, including but not limited to, furniture, appliances, clothing, automobile accessories, books, magazines and athletic cards and memorabilia or metals, whether in bulk or manufactured state. The term secondhand dealer shall include businesses commonly known as pawnbrokers, swap shop operators, stamp dealers, coin dealers, jewelers and auction houses who purchase and resell items from persons other than dealers and suppliers. The fact that any business does any of the following acts shall be prima facie proof that said business is a secondhand dealership:

A. Advertises in any fashion that it buys or sells secondhand or used items. Such advertisements shall include, but are not limited to, media advertisements, telephone listings, and signs whether on the exterior or interior of the business;

B. Devotes a significant segment or section of the business premises to the purchase or sale of secondhand or used items.

SECTION 2: EXEMPTIONS

The following are exempt from the requirements of this Local Law:

A. Garage Sales: As used in this Section, a garage sale is defined as the sale at retail of used personal property by the lawful residents of residentially zoned property which garage sale is not conducted on a periodic or ongoing basis. A garage sale shall be deemed to be periodic or ongoing if a garage sale is held by the lawful resident of residentially zoned property more than five (5) days in any consecutive ninety (90) day period;

B. Sales conducted by governmental, civic, patriotic, fraternal, educational, religious or benevolent organizations which have been in active and continuous existence for at least one year prior to the holding of the sale, or which are incorporated as a not for profit corporation by the State;

C. Sales or purchases which are regulated by the licensing laws of the State, including automobile dealers, used parts dealers and automotive parts recyclers;

D. Antique Dealers: As used in this Section, an antique dealer is defined as one who derives 75% of his gross sales each year from the sale of antiques and/or primitives. As used in this Section, an antique or primitive is defined as an old and valuable art object or article no longer in production which is at least fifty (50) years old. As used in this section, the term "sale" does not include an exchange, trade, or swap of items;

E. Licensed Firearm Dealers.

SECTION 3: PROHIBITED PURCHASES

No secondhand dealer shall purchase or accept any goods, wares, articles, or things under any of the following circumstances:

A. Where the seller is less than the age of eighteen (18);

B. Where the seller fails to present at least one (1) form of identification which at least contains the seller's full name, date of birth, a photograph or full physical description, and an identification number.

C. Where the article to be purchased had an original manufacturer's serial number at the time it was new, but no longer legibly exhibits said number.

SECTION 4: STATE AND FEDERAL LAWS COMPLIED WITH

Secondhand dealers shall comply with all applicable state and federal laws and regulations that govern the same. This Local Law shall not be construed so as to preempt any state or federal laws.

SECTION 5: RECORD OF PURCHASES

Every secondhand dealer shall keep at the business location a register on forms provided or approved by the District Attorney in which shall be entered in a permanent manner the following information: a succinct and accurate description of all property taken, purchased or received in the course of the business licensed under this Local Law, including any number or inscription that may be in or on said property; the full legal name of the person from whom the property is received, including full first name and middle initial, if any; such person's current residential address, date of birth and physical description; the consideration and terms of the transaction; the signature of the employee who received the property; and the signed statement of the person from whom the property was obtained that he/she is over eighteen (18) years of age and the legal owner of same, clear of all attachments and with the legal right to sell. Entries made in the register shall be printed or typed and shall be legible. All entries shall be made immediately upon receipt or purchase of any property. The register shall be

open to inspection by any police agency during normal hours of operation. Records of purchase shall be maintained for at least one (1) year.

No person shall be required to furnish such description of any new property purchased from manufacturers or wholesale dealers having an established place of business, or of any goods purchased at open sale, or from a bankrupt stock. Such goods must be accompanied by a bill of sale or other evidence of open and legitimate purchase and must be shown to police agencies or District Attorney, when demanded.

SECTION 5: INSPECTION OF DEALER PREMISES: SEIZURES:

Every secondhand dealer and every person employed by the secondhand dealer in the conduct of business, shall admit to any and every part of the business premises, during normal business hours, any law enforcement officer to examine any goods, articles, things, pledges, pawns, or books or other records on the premises dealing with purchase or sale of used property and to search for and to take into possession any article known or for which such officer has reasonable grounds to believe to have been stolen. Such law enforcement officer may make any such search or seizure as is provided for in this Section, and property so seized shall be receipted for by such officer, who shall fully describe the seized property and sign the receipt. Should the officer determine the property not to be stolen, the officer shall promptly return same to the secondhand dealer and obtain a receipt therefore, as aforesaid.

SECTION 6: WAITING PERIOD

Every secondhand dealer, except auction houses, shall keep all property purchases or received from an individual for inspection for a period of at least five (5) calendar days before it can be sold or traded.

Every bonafide auction house shall maintain an accurate record of all transactions, listing the full first name, middle initial, and last name of all buyers, residential address or business name and address, date of birth and physical description. The buyer shall sign the record of transaction.

Every auction house operating a regular secondhand store for the sale of merchandise, other than at auction, shall comply with all provisions of this Local Law the same as a secondhand store or a secondhand dealer.

SECTION 7: PENALTY

Any person who shall violate any of the provisions of this Local Law shall upon a civil adjudication be subject to a fine of not less than FIFTY ($50.00) DOLLARS or more than FIVE HUNDRED ($500.00) DOLLARS for each offense. Each day any violation of any provision of this Local Law shall continue shall constitute a separate offense. The secondhand dealer shall be fully responsible for any violation of this Local Law occasioned by or with the condonation of the secondhand dealer's partners, officers, shareholders, agents, or employees; any such violation shall be imputed to the secondhand dealer. The County Attorney shall be the presentment agency for said proceedings.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on November 24, 2014 at 3:30 P.M. at the Legislative Chambers, Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Four for the Year 2014, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the

Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney and the County Attorney.

Mr. Van Etten commented his first issue is with defining what a yard sale is. This states that it would prohibit more than 5 sales within a 90-day consecutive period. Prohibiting a sale to once a weekend every month seems extreme. Mr. Baker stated a line has to be drawn some place. If you do not pick a number, everyone has ongoing yard sales. This has to be defined in some way.

Mr. Weaver commented you are telling secondhand dealers how to run their business. They have to get all of the information at the time of sale. If they are selling stolen property, are they liable for possession and ticketed? Mr. Baker replied no, they would have to have prior knowledge that the property was stolen. By having them keep detailed records, we then have a record of who sold the item to the dealer. Chemung County has this law and it has been very productive. The pawn shops are already doing this.

Mr. Van Etten stated his issue is with the yard sales. In the Corning area, during the summer season, people would not know that they were violating this.

Motion amending Section 2(A) to ten (10) days instead of five (5) days in any consecutive 90-day period made by Mr. Van Etten. Seconded by Mr. Weaver for discussion.

Mr. Baker commented we are not enforcing against garage sales.

Roll Call Vote on Previous Motion – Adopted. Yes – 8275; No – 1597
(No – Legislators Ferratella, Lando and Welch)

Mr. Alger explained with this amendment, the Legislature will now need to vote on this as a presenting local law, with the final adoption to occur next month.

RESOLUTION NO. 191-14

PRESENTING LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2014, RELATIVE TO SECONDHAND DEALERS, AS AMENDED.

WHEREAS, recent increases in the local production of methamphetamine, sale and use of heroin and other illegal drugs have driven an increase in theft based property crime by individuals seeking money to fund drug addiction; and, unregulated second hand dealers provide a ready and public market for easy disposal of such stolen property; and

WHEREAS, regulation of secondhand dealers, requiring registry of goods and sellers will deter individuals from utilizing this market for stolen property thereby both deterring property crime and reducing monies available for illegal drug sales and product; and allow law enforcement to effectively deal who utilize these outlets for sale of stolen property; and

WHEREAS, no State Law currently exists to address this issue nor is any legislation pending at the State Level; and, Federal Law Enforcement authorities lack the manpower to enforce the current federal statute in Steuben County on a consistent basis; and

WHEREAS, other Counties in New York State have sought to remedy this reality by passing similar legislation under the authority of home rule.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Four for the Year 2014, Relative to Secondhand Dealers, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2014

A Local Law, Relative to Secondhand Dealers.

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

SECTION 1: SECONDHAND DEALER DEFINED

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A. Advertises in any fashion that it buys or sells secondhand or used items. Such advertisements shall include, but are not limited to, media advertisements, telephone listings, and signs whether on the exterior or interior of the business;

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B. Sales conducted by governmental, civic, patriotic, fraternal, educational, religious or benevolent organizations which have been in active and continuous existence for at least one year prior to the holding of the sale, or which are incorporated as a not for profit corporation by the State;

C. Sales or purchases which are regulated by the licensing laws of the State, including automobile dealers, used parts dealers and automotive parts recyclers;

D. Antique Dealers: As used in this Section, an antique dealer is defined as one who derives 75% of his gross sales each year from the sale of antiques and/or primitives. As used in this Section, an antique or primitive is defined as an old and valuable art object or article no longer in production

which is at least fifty (50) years old. As used in this section, the term "sale" does not include an exchange, trade, or swap of items;

E. Licensed Firearm Dealers.

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No secondhand dealer shall purchase or accept any goods, wares, articles, or things under any of the following circumstances:

A. Where the seller is less than the age of eighteen (18);

B. Where the seller fails to present at least one (1) form of identification which at least contains the seller's full name, date of birth, a photograph or full physical description, and an identification number.

C. Where the article to be purchased had an original manufacturer's serial number at the time it was new, but no longer legibly exhibits said number.

SECTION 4: STATE AND FEDERAL LAWS COMPLIED WITH

Secondhand dealers shall comply with all applicable state and federal laws and regulations that govern the same. This Local Law shall not be construed so as to preempt any state or federal laws.

SECTION 5: RECORD OF PURCHASES

Every secondhand dealer shall keep at the business location a register on forms provided or approved by the District Attorney in which shall be entered in a permanent manner the following information: a succinct and accurate description of all property taken, purchased or received in the course of the business licensed under this Local Law, including any number or inscription that may be in or on said property; the full legal name of the person from whom the property is received, including full first name and middle initial, if any; such person's current residential address, date of birth and physical description; the consideration and terms of the transaction; the signature of the employee who received the property; and the signed statement of the person from whom the property was obtained that he/she is over eighteen (18) years of age and the legal owner of same, clear of all attachments and with the legal right to sell. Entries made in the register shall be printed or typed and shall be legible. All entries shall be made immediately upon receipt or purchase of any property. The register shall be open to inspection by any police agency during normal hours of operation. Records of purchase shall be maintained for at least one (1) year.

No person shall be required to furnish such description of any new property purchased from manufacturers or wholesale dealers having an established place of business, or of any goods purchased at open sale, or from a bankrupt stock. Such goods must be accompanied by a bill of sale or other evidence of open and legitimate purchase and must be shown to police agencies or District Attorney, when demanded.

SECTION 5: INSPECTION OF DEALER PREMISES: SEIZURES:

Every secondhand dealer and every person employed by the secondhand dealer in the conduct of business, shall admit to any and every part of the business premises, during normal business hours, any law enforcement officer to examine any goods, articles, things, pledges, pawns, or books or other records on the premises dealing with purchase or sale of used property and to search for and to take into possession any article known or for which such officer has reasonable grounds to believe to have been stolen. Such law enforcement officer may make any such search or seizure as is provided for in this Section, and property so seized shall be receipted for by such officer, who shall fully describe the seized property and sign the receipt. Should the officer determine the property not to be stolen, the officer shall promptly return same to the secondhand dealer and obtain a receipt therefore, as aforesaid.

SECTION 6: WAITING PERIOD

Every secondhand dealer, except auction houses, shall keep all property purchases or received from an individual for inspection for a period of at least five (5) calendar days before it can be sold or traded.

Every bonafide auction house shall maintain an accurate record of all transactions, listing the full first name, middle initial, and last name of all buyers, residential address or business name and address, date of birth and physical description. The buyer shall sign the record of transaction.

Every auction house operating a regular secondhand store for the sale of merchandise, other than at auction, shall comply with all provisions of this Local Law the same as a secondhand store or a secondhand dealer.

SECTION 7: PENALTY

Any person who shall violate any of the provisions of this Local Law shall upon a civil adjudication be subject to a fine of not less than FIFTY ($50.00) DOLLARS or more than FIVE HUNDRED ($500.00) DOLLARS for each offense. Each day any violation of any provision of this Local Law shall continue shall constitute a separate offense. The secondhand dealer shall be fully responsible for any violation of this Local Law occasioned by or with the condonation of the secondhand dealer's partners, officers, shareholders, agents, or employees; any such violation shall be imputed to the secondhand dealer. The County Attorney shall be the presentment agency for said proceedings.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on December 15, 2014 at 10:00 A.M. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney and the County Attorney.

Mr. Mullen stated he did not vote for this in committee because someone under the age of 18 cannot sell something to a secondhand dealer or pawn shop. He does not like the restriction for those under the age of 18. A pawn shop could not enforce a contract with a minor, but a minor can still sell property. Mr. Reed explained we did not want the law to have an exception that children under 18 can transfer property. The age of majority is 18 with regard to property. Mr. Mullen stated he does not know why we need to put an age in here. Mr. Reed explained because they are putting secondhand dealers on notice.

Mr. Schu commented if they are under 18, they cannot transfer property anyway. Mr. Baker explained we are just putting the secondhand dealers on notice that they have to comply with the law.

Vote: Acclamation – Adopted.
(No – Legislators Mullen and Weaver)

RESOLUTION NO. 192-14

Introduced by B. Schu. Seconded by D. Farrand.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. FIVE FOR THE YEAR 2014, PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES AND/OR ILLEGAL DRUGS BY MINORS ON PRIVATE PREMISES IN STEUBEN COUNTY.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on October 27, 2014, County of Steuben Local Law Tentatively No. Five for the Year 2014, Prohibiting the Consumption of Alcoholic Beverages and/or Illegal Drugs by Minors on Private Premises in Steuben County, preliminarily adopted said Local Law on October 27, 2014, making the final adoption of said Local Law subject to a Public Hearing to be held on November 24, 2014; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on November 24, 2014, at 3:30 P.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Five for the Year 2014, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FIVE FOR THE YEAR 2014

A Local Law, Prohibiting the Consumption of Alcoholic Beverages and/or Illegal Drugs by Minors on Private Premises in Steuben County.

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

SECTION 1 - TITLE: This law shall be known as the "Social Host Law to Prohibit the Consumption of Alcoholic Beverages and/or Illegal Drugs by Minors on Private Premises in Steuben County".

SECTION 2 – DECLARATION OF INTENT: The New York State Legislature has acted to proscribe the unlawful giving, selling and possessing of alcoholic beverages and/or illegal drugs in relation to minors. [Penal Law Section 30.00(1)]. However, the Legislature has not regulated the situation where a person age sixteen (16) or over knowingly permits the consumption of alcohol by a minor in his or her home, or on premises under his or her control. The purpose of this law is to protect the public interest, welfare, health and safety of our citizens by prohibiting the consumption of alcoholic beverages or illegal drugs by persons under the age of twenty-one (21) at or on private premises located in Steuben County, and to give law enforcement a viable recourse against anyone who permits such conduct.

The underage consumption of alcoholic beverages often leads to behaviors requiring the intervention of local law enforcement, and threatening the well-being of the citizenry. This Local Law will serve to limit the availability of alcoholic beverages to minors by holding those persons who permit underage drinking on their property responsible.

SECTION 3 - DEFINITIONS: As used in this law, the following terms shall have the meanings indicated:

H) "Minor" shall mean any person under the age of twenty-one (21).

I) "Private premises" shall mean any home, apartment, condominium, cooperative unit or other dwelling unit of any kind, including yards, open areas adjacent thereto, vacant land or farmland, and accessory structures.

J) "Knowingly" shall mean aware of, or having reason to be aware of.

K) "Alcoholic beverage" shall mean liquor, wine, beer, spirits, cider or other liquid, or solid composed of, or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person, except that confectionary containing alcohol as provided by subdivision twelve (12) of section two hundred (200) of the Agriculture and Markets Law shall not be regarded as an alcoholic beverage within the meaning of this section.

L) "Illegal drugs" shall mean and includes any substance listed in section 3306 of the Public Health Law and not prescribed by a physician.

M) "Social gathering" means a party or gathering at a residence or other private premises of two or more persons, at least one of whom is not related by blood or law to the others in attendance and is a minor.

N) "Control" means the actual or apparent authority and ability to regulate, direct or dominate private premises including, but not limited to, the control exercised by tenants, lessees, owners and/or landlords who have notice of underage drinking on their premises.

SECTION 4 - PROHIBITIONS: It shall be unlawful for any person age sixteen (16) or over who owns, rents, or otherwise controls private premises, to knowingly host, permit or allow a social gathering at which he or she allows the consumption of alcoholic beverages or illegal drugs by any minor on such premises or fails to take reasonable corrective action upon learning of the possession or consumption of alcoholic beverages or illegal drugs by any minor on such premises. Reasonable corrective action shall include, but not be limited to:

D) Verifying the age of the persons attending the social gathering by inspecting drivers licenses or other government-issued identification cards;

E) Making a prompt demand that such minor either forfeit the alcoholic beverages or illegal drugs and refrain from the consumption of such or depart from the premises;

F) If such minor does not comply with such demand, either promptly reporting such underage consumption of alcohol 1) to the local law enforcement agency or 2) to any other person having a greater degree of authority over the conduct of such minor.

SECTION 5 - EXCEPTIONS: The provisions of this section shall not apply to:

D) The possession or consumption of an alcoholic beverage by persons lawfully permitted to do so pursuant to section 65-c of the Alcohol Beverage Control Law, or any applicable law; or

E) The possession or consumption of a drug for which the individual has a current, valid prescription or as otherwise permitted by any other applicable law; or

F) The possession or consumption of alcohol or alcoholic beverages by a minor for legitimate religious purposes.

SECTION 6 - PENALTIES: Each offense shall be punishable as follows:

D) First Offense: Any person who violates Section 4 of this local law shall be punished by a fine of two hundred fifty dollars ($250.00), or imprisonment for a period not exceeding fifteen (15) days or a

combination of both, where such violation constitutes the person's first offense in violation of this provision. In addition, for each offense, successful completion of a court-approved alcohol and drug awareness program is required. A first offense shall constitute a Violation.

E) Second Offense: Any person who violates Section 4 of this local law shall be punished by a fine of five hundred dollars ($500.00) or imprisonment of sixty (60) days minimum or a combination of such fine and imprisonment as shall be ordered by the court, where such violation constitutes the person's second offense in violation of this provision. In addition, for each offense, successful completion of a court-approved alcohol and drug awareness program is required. A second offense shall constitute an Unclassified Misdemeanor.

F) Third and Subsequent Offenses: Any person who violates Section 4 of this local law shall be punished by either a fine of one thousand dollars ($1,000.00), a term of imprisonment not to exceed one (1) year, or both a fine of one thousand dollars ($1,000.00) and a term of imprisonment not to exceed one (1) year, where such violation constitutes the person's third offense in violation of this provision. In addition, for each offense, successful completion of a court-approved alcohol and drug awareness program is required. A third or subsequent offense shall constitute an Unclassified Misdemeanor.

SECTION 7 – EFFECT ON OTHER LAWS: The provisions of Section 4 of this local law shall not in any way affect the application of any other law, where appropriate, including, but not limited to, Penal Law Section 260.10 (Endangering the welfare of a child) and Section 260.20(2) (Unlawfully dealing with a child).

SECTION 8 – SEVERABILITY: If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

SECTION 9 – EFFECTIVE DATE: This local law shall take effect thirty (30) days after filing in the Office of the Secretary of State pursuant to section 27 of the Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on November 24, 2014 at 3:30 P.M. at the Legislative Chambers, Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Five for the Year 2014, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney.

Mr. Weaver stated his issue is with the practicality. He believes the drinking age should be 18. Mr. Van Etten commented this is a feel good resolution, but what is the purpose? Mr. Baker replied prevention. Studies have shown that the younger kids are when they use drugs and alcohol, the more likely they will use hard drugs. This local law will stop letting them use

drugs/alcohol in a "safe" environment and then maybe we can prevent use. We have had terrible things happen at underage parties. The penalty for not following is a $250 fine and a possible 15-day jail sentence. The biggest deterrent is the embarrassment.

Mrs. Lando stated she agrees with this proposal, however, she believes the penalty is too low. This is something we should have done a long time ago. The penalty should be more severe.

Vote: Roll Call – Adopted. Yes – 8820; No – 1052
(No – Legislators Hanna and Weaver)

RESOLUTION NO. 193-14

Introduced by Mr. Schu. Seconded by Mrs. Lando.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. SIX FOR THE YEAR 2014, PROHIBITING WITHIN STEUBEN COUNTY THE POSSESSION, PURCHASE, ATTEMPTED PURCHASE IN EXCESS OF THE FEDERAL LIMITS, OF PSEUDOEPHEDRINE AND PRODUCTS CONTAINING PSEUDOEPHEDRINE.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on October 27, 2014, County of Steuben Local Law Tentatively No. Six for the Year 2014, Prohibiting Within Steuben County the Possession, Purchase, Attempted Purchase in Excess of the Federal Limits, of Pseudoephedrine and Products Containing Pseudoephedrine, preliminarily adopted said Local Law on October 27, 2014, making the final adoption of said Local Law subject to a Public Hearing to be held on November 24, 2014; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on November 24, 2014, at 3:30 P.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Six for the Year 2014, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. SIX FOR THE YEAR 2014

A Local Law, Prohibiting Within Steuben County the Possession, Purchase, Attempted Purchase in Excess of the Federal Limits, of Pseudoephedrine and Products Containing Pseudoephedrine.

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

SECTION 1:

WHEREAS, this Legislature hereby finds and determines that the County of Steuben [hereinafter County] has a duty to preserve peace and order and secure freedom from dangerous or noxious activities, and to that end, the Legislature of Steuben County has determined that certain enterprises and individuals within Steuben County, New York, are contemplating or engaged in the purchase, attempted purchase, and/or possession of pseudoephedrine and other products containing pseudoephedrine (PSE) in quantities which exceed the established federal limits; and

WHEREAS, the possession and purchase of excessive quantities of PSE is leading to the manufacture, sale, use and possession of methamphetamine, a controlled substance under New York State Public Health Law §3306, Schedule II (d)(2); and

WHEREAS, the substances, which are more specifically described below, are often used as an essential ingredient to manufacture methamphetamine, and further, the purchase and possession of excessive quantities of PSE by individuals leads to the unlawful sharing, sale and/or other illegal or unintended use of PSE to manufacture methamphetamine; and

WHEREAS, it has been determined that the said effects of these purchases, attempted purchases and/or possession pose an actual and imminent threat to the safety of the citizens of Steuben County, New York.

NOW THEREFORE, BE IT

ORDERED BY THE LEGISLATURE OF STEUBEN COUNTY, NEW YORK, AS FOLLOWS:

SECTION 2: It is hereby declared to be unlawful for any person to possess, purchase and/or attempt to purchase any one or more of the following substances in the quantities enumerated below within the boundaries of Steuben County, New York:

The factors outlined in *USA Patriot Act, Title VII, Combat Methamphetamine Epidemic Act of 2005* is incorporated into this Local Law to limit the purchase, attempted purchase and/or possession of PSE as follows:

9. Daily Sales Limit on Retailers: Retail sales may not exceed 3.6 grams PSE per day per purchaser, regardless of the number of transactions.

10. 30-Day Purchase Limits on Consumers: Individuals are prohibited from purchasing more than 9 grams PSE per 30-day period.

11. Non-Liquid Forms: All non-liquid forms (including gelcaps) of PSE products must be sold in blister packs with not more than two dosages or in unit-dose packets or pouches.

12. Mail Order Limits: Mail-order companies may not sell more than 7.5 grams to a customer within a 30-day period.

13. Behind-the-Counter Placement: All PSE products must be placed behind a counter (any counter, not necessarily the pharmacy counter) that is not accessible to purchasing consumers or in a locked display case that is located on the selling floor. Retailers must give the product directly to the purchaser; therefore, a retailer without a pharmacy may still sell the combination PSE products from behind a counter or locked display case.

14. Logbook: Retailers must maintain a logbook of information on transactions involving PSE products. The logbook must be available for inspection and copying by a law enforcement officer upon request to the retailer. The logbook may be maintained in either written or electronic form. The logbooks must capture the following information:
    a. Purchaser's signature;
    b. Purchaser's name and address, legibly entered or written;
    c. Date and time of sale;
    d. Name of product sold; and
    e. Quantity sold.

    Logbooks must provide notice to purchasers that entering false statements or misrepresentations in the logbook may subject purchasers to criminal penalties federally under 18 United States Code §1001 and locally under this local law. The purchaser must sign the logbook and enter the name, address, and date and time of sale. The retailer must check the information entered by the purchaser against the photo ID and enter the name and quantity of product sold. Logbook requirements do not apply to purchases of single sales packages that contain no more than 60 mg of PSE. Each entry must be maintained for two (2) years following the date of entry and the format may be written or electronic.

15. Photo ID: In conjunction with the logbook requirement, retailers will be required to ask for photo identification (ID) issued by either a state or the federal government or other appropriate ID.

16. Training and Certification: Retailers must train applicable sales personnel to ensure that they understand the requirements of PSE product sales and submit self-certifications to the attorney general in this regard. The Drug Enforcement Administration will issue regulations on the training criteria.

SECTION 3: This law shall be enforced by any certified law enforcement officer within his/her respective jurisdiction within the geographical boundaries of Steuben County. Further, this law shall apply and be enforced in all unincorporated areas, or other municipal entities within the geographical boundaries of Steuben County. If any of the aforementioned substances, *pseudoephedrine, its compounds, salts or isomers, or products containing ephedrine, pseudoephedrine, or phenylpropanolamine,* in excess of these quantities enumerated above, are found to be purchased, attempted to be purchased and/or in the possession of any person, (a) such substances may be confiscated and destroyed by law enforcement officials, or (b) such substances may be maintained as evidence, or (c) the person purchasing, attempting to purchase or possessing such substances in excess of such quantities may be charged with a class "A" misdemeanor.

SECTION 4: Possession is defined pursuant to the New York State Penal Law §10.00 (8) "to have physical possession or otherwise to exercise dominion or control over tangible property." The term "possess" includes actual or constructive possession of tangible property. (See *People v Manini*, 79 NY2d 561, 573) For the purposes of this Local Law, it shall be unlawful for any person to purchase, attempt to purchase and/or possess more than the quantities as set forth in Section 2, above, and as set forth in *USA Patriot Act, Title VII, Combat Methamphetamine Epidemic Act of 2005* and are subject to charges as stated in Section 3 of this Local Law.

SECTION 5: It is not an offense under Section 2 above of this law if the person was acting at the direction of an authorized law enforcement agent to enforce or ensure compliance with this law prohibiting the sale of the aforementioned substance.

SECTION 6 - JURISDICTION: It should be noted that under New York State Criminal Procedure Law section 20.40 (4)(c) and (g), an offense committed within five hundred (500) yards of the boundary of a particular county, and in an adjoining county of this state, may be prosecuted in either such county; or an offense committed in a private vehicle during a trip thereof extending through more than one county may be prosecuted in any county through which such vehicle passed in the course of such trip.

SECTION 7: Any person found to be in violation of this law will be guilty of a Class A Misdemeanor and subject to a term of imprisonment not to exceed one year and a fine not to exceed $1000.00.

SECTION 8: This law shall apply to all actions occurring on or after the effective date of this article. This law may be enforced by any law enforcement agency having jurisdiction to act in the County of Steuben, by either the arrest of or the issuance of a summons to a party violating the provisions of this act and requiring their appearance before a court of competent jurisdiction.

SECTION 9: This law shall be null and void on the day that statewide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Steuben. The County Legislature may determine by resolution whether or not identical or substantially similar statewide legislation or pertinent preempting state or federal regulations have been enacted for the purposes of triggering the provisions of this section. In no event shall the recited actions of this section prevent the continued prosecution of matters pending judicial determination at the time of such action(s) take place.

SECTION 10 - SEVERABILITY: If any provision of this law is held invalid, such invalidity shall not affect the remaining provisions of the law which shall remain effective absent the invalid provision, and to this end, the provisions of the law are declared to be severable.

SECTION 11 – EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this law, being necessary for the preservation of the health, safety and welfare of citizens of Steuben County, New York, shall be effective immediately upon its passage and approval and filing with the New York State Secretary of State.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on November 24, 2014 at 3:30 P.M. at the Legislative Chambers, Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Six for the Year 2014, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney.

Mr. Weaver stated his concern is that we have the Federal law, however, what good does this do if no one is checking the books? Mr. Baker explained that is why we want this. Now we have the Federal law and we have no capacity to enforce it. They do not want to handle misdemeanor crimes. Our undercover officers do check the books from time to time. This local law would provide a resource to us. If we can actually enforce, then this will be a tremendous resource. We are looking at how we change prosecuting those cases. At this point, we cannot enforce the Federal law.

Mr. Swackhamer asked what is 3.6 grams? Mr. Weaver replied that is approximately 100 – 120 tablets.

Mr. McAllister commented not every drug arrest is a slam dunk; many are close calls. If you had this local law and you arrested someone for meth, would you then be able to go and check all of the establishments to see what and where they bought? Mr. Baker replied we will do that if we can. We would want to search the local area.

Mrs. Lando commented when you look at these local laws as a package, hopefully the drug dealers will see we are being proactive and go somewhere else. Mr. Baker stated that was the goal of law enforcement. We want to make this a bad place to do and sell drugs.

Mrs. Ferratella stated enforcement is key. How do you handle it if a person comes from Chemung County to purchase drugs here and then goes back? Mr. Baker replied the individual would be logged in when they purchase. If you exceed the amount you are allowed to purchase, you will be arrested and prosecuted. We share information with the State Police and other counties when necessary. Mrs. Ferratella asked are you linked to the Sheriff's tipline? Mr. Baker replied yes.

Mr. Van Etten stated that he agrees with the package of local laws and that it sends a strong message. His concern is that we do not infringe on the rights of our citizens.

<u>Vote</u>: Roll Call – Adopted.

RESOLUTION NO. 194-14

Introduced by P. McAllister and L. Crossett. Seconded by B. Schu.

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS.

Pursuant to Section 2.07 of the Steuben County Charter and Section 261 of the Tax Law of the State of New York.

RESOLVED, that the apportionment of tax on mortgages in the County of Steuben collected by the County Clerk from the 1st day of April, 2014 to the 30th day of September 2014, pursuant to provisions of Section 261 of the Tax Law, as made by the Clerk of this Legislature be and the same hereby is ratified and confirmed, and the statement of such apportionment in compliance with the provisions of said Law, filed with the Commissioner of Finance of this County, is hereby and in all things ratified and confirmed and such statement shall be to the said Commissioner a sufficient Warrant for the payment by him of the various sums as apportioned for the various purposes as designed by Law, and be it further

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

MORTGAGE TAX APPORTIONMENT

The amount of money in your hands on September 30, 2014, which was received by you from the County Clerk as taxes paid to her upon the real property mortgages filed in her office since April 1, 2014, the date of the last apportionment, and which must be distributed to the various tax districts of the County of Steuben, pursuant to Section 261 of the Tax Law, is the sum of $583,385.99.

You are therefore commanded to pay the various towns and cities the amount placed opposite the name of said towns and cities and pay over to the various village officers the amount hereinafter stated to be the distributive amounts due said districts for village purposes, as follows:

MORTGAGE TAX DISTRIBUTION – November 2014

TOWN & CITIES	TOWN/CITY AMT DUE	VILLAGES	VILLAGES AMT DUE	TOTAL AMT DUE
ADDISON	6,454.46	ADDISON	2,535.38	**8,989.84**
AVOCA	4,564.64	AVOCA	602.13	**5,166.77**
		BATH (1)	20,423.51	
BATH	72,846.47	SAVONA (2)	1,971.28	**95,241.26**
BRADFORD	2,983.13			**2,983.13**
CAMERON	4,126.21			**4,126.21**
CAMPBELL	10,376.82			**10,376.82**
CANISTEO	10,379.66	CANISTEO	3,020.46	**13,400.12**
CATON	19,318.36			**19,318.36**
COHOCTON	8,714.96	COHOCTON	1,149.17	**9,864.13**
CORNING CITY	66,057.35			**66,057.35**
		RIVERSIDE (1)	2,066.64	
CORNING TOWN	43,745.91	S CORNING (2)	3,139.90	**48,952.45**
DANSVILLE	13,701.78			**13,701.78**
ERWIN	63,599.78	PAINTED POST	4,823.84	**68,423.62**
FREMONT	3,819.95			**3,819.95**
GREENWOOD	865.14			**865.14**
HARTSVILLE	1,360.05			**1,360.05**
HORNBY	5,168.66			**5,168.66**
HORNELL CITY	37,341.33			**37,341.33**

		ALMOND (1)	31.04	
		ARKPORT (2)	1,274.30	
HORNELLSVILLE	14,591.82	V N HORNELL (3)	1,485.70	**17,382.86**
HOWARD	6,827.77			**6,827.77**
JASPER	3,520.07			**3,520.07**
LINDLEY	8,420.97			**8,420.97**
PRATTSBURGH	9,511.37			**9,511.37**
PULTENEY	14,119.48			**14,119.48**
RATHBONE	1,567.29			**1,567.29**
THURSTON	6,487.15			**6,487.15**
TROUPSBURG	3,199.42			**3,199.42**
TUSCARORA	4,609.05			**4,609.05**
URBANA	17,080.87	HAMMONDSPORT	1,507.12	**18,587.99**
WAYLAND	18,128.98	WAYLAND	3,437.24	**21,566.22**
WAYNE	18,097.15			**18,097.15**
WEST UNION	21,692.77			**21,692.77**
WHEELER	6,126.35			**6,126.35**
WOODHULL	6,513.11			**6,513.11**
TOTAL	**535,918.28**		**47,467.71**	**583,385.99**

Foregoing shall be your sufficient warrant for the payment of said sums as above directed.

DATED at Bath, New York: December 3, 2014

STEUBEN COUNTY LEGISLATURE

_____

By: Joseph J. Hauryski, Chairman

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

DATED: December 3, 2014

_____

Brenda K. Mori, Clerk of the Legislature

Vote: Roll Call – Adopted.

RESOLUTION NO. 195-14

Introduced by: P. McAllister. Seconded by H. Lando.

DIRECTING THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO ADD PENALTY TAXES ON CONVERTED FOREST LAND PARCELS.

Pursuant to Section 480-A of the Real Property Tax Law.

WHEREAS, certain parcels on the prior tax roll received an exemption from taxation on forest land and a breach of that commitment may occur; and

WHEREAS, the report may be filed by the various assessors to the Commissioner of Finance requesting penalty taxes to be calculated and added to the 2015 County and Town Tax Levy.

NOW THEREFORE, BE IT

RESOLVED, the Director of the Real Property Tax Service Agency is hereby directed to add the amount of penalty taxes to the 2015 County and Town Tax Levy; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 196-14

Introduced by P. McAllister. Seconded by G. Swackhamer.

DIRECTING THE ADDITION OF OMITTED TAXES AND/OR PRO-RATED OMITTED TAXES ON EXEMPT PARCELS.

Pursuant to Sections 553 and 558 of the Real Property Tax Law of the State of New York.

RESOLVED, the report of the Commissioner of Finance of 2014 omitted taxes, and/or pro-rated omitted taxes on exempt parcels be and hereby is received and filed, and the Director of the Real Property Tax Service Agency is hereby directed to levy the amounts thereof upon the parcels in accordance with said report; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 197-14

Introduced by P. McAllister. Seconded by H. Lando.

DIRECTING THE LEVY OF RETURNED UNPAID SCHOOL TAXES FOR THE YEAR 2014.

Pursuant to Article 13 of the Real Property Tax Law of the State of New York.

RESOLVED, the report of the Commissioner of Finance of the several amounts of "Returned Unpaid School Taxes for the Year 2014" be and the same hereby is received and filed; and be it further

RESOLVED, the Director of the Real Property Tax Service Agency be and hereby is directed to levy the amounts set forth in said report upon the respective parcels therein listed; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 198-14

Introduced by P. McAllister. Seconded by C. Ferratella.

DIRECTING THE LEVY OF RETURNED UNPAID VILLAGE TAXES FOR THE YEAR 2014.

Pursuant to Article 13 of the Real Property Tax Law of the State of New York.

RESOLVED, the report of the Commissioner of Finance of the several amounts of "Returned Unpaid Village Taxes for the Year 2014" be and the same hereby is received and filed; and be it further

RESOLVED, the Director of the Real Property Tax Service Agency be and the same hereby is directed to levy the amounts set forth in said report upon the respective parcels therein listed; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 199-14

Introduced by P. McAllister. Seconded by G. Roush.

ADOPTING THE TABLE OF EQUALIZATION RATES FOR FISCAL YEAR 2015.

Pursuant to Title 2 of Article 8 of the Real Property Tax Law of the State of New York.

WHEREAS, the Director of the Real Property Tax Service Agency and the Administration Committee have submitted to the Legislature of the County of Steuben, the equalization rates for the spread and levy of the County Tax upon the taxable real property of the several tax districts constituting the County of Steuben, and said Administration Committee has recommended the adoption of such equalization rates.

NOW THEREFORE, BE IT

RESOLVED, the Table of Rates of Equalization for the County of Steuben, as submitted by the Administration Committee, be and the same hereby is received and filed; and be it further

RESOLVED, the several rates therein set forth in said Table of Equalization Rates of the several tax districts constituting the County of Steuben be and the same hereby are adopted as the rates of equalization for the spread and levy of the County Tax for the Fiscal Year 2015; and be it further

RESOLVED, the Clerk of the Legislature is hereby directed to forward to the New York State Office of Real Property Tax Services a certified copy of this resolution, together with the Table of Rates, so that the same may be published in the annual report of said Commissioner; and be it further

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

TABLE OF COUNTY EQUALIZATION RATES
STEUBEN COUNTY

10/28/2014

MUNICIPALITY	**2014 COUNTY EQUALIZATION RATES FOR 2015 TAX LEVY**
CITY OF CORNING	100.00
CITY OF HORNELL	100.00
ADDISON	100.00
AVOCA	95.00
BATH	46.00
BRADFORD	93.00
CAMERON	100.00
CAMPBELL	2.87
CANISTEO	99.00
CATON	96.00
COHOCTON	88.00

CORNING TOWN	97.00
DANSVILLE	100.00
ERWIN	100.00
FREMONT	94.40
GREENWOOD	100.00
HARTSVILLE	100.00
HORNBY	98.00
HORNELLSVILLE	99.00
HOWARD	48.00
JASPER	4.80
LINDLEY	2.83
PRATTSBURGH	100.00
PULTENEY	100.00
RATHBONE	100.00
THURSTON	3.76
TROUPSBURG	49.00
TUSCARORA	3.62
URBANA	100.00
WAYLAND	100.00
WAYNE	100.00
WEST UNION	52.00
WHEELER	97.00
WOODHULL	100.00

Vote: Roll Call – Adopted.

RESOLUTION NO. 200-14

Introduced by P. McAllister. Seconded by G. Swackhamer.

FILING THE REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2015.

Pursuant to Title 2 of Article 8 of the Real Property Tax Law of the State of New York.

WHEREAS, Title 2 of Article 8 requires the County to determine the total full valuation of taxable real property for all cities and towns within the County by dividing the taxable assessed value of taxable real property of the city or town plus the amount of assessed value partially exempt from County taxation pursuant to Real Property Tax Law Section 458 (Veteran), Section 460 (Clergy), Section 464 (Volunteer Firemen's Association) and at County option Section 458.3, 458A and 458B (Veterans); Section 467 (Senior Citizens) by the corresponding County Equalization rate.

NOW THEREFORE, BE IT

RESOLVED, the Report of County Equalization for the Year 2015, be and the same hereby is received and filed by this Legislature; and be it further

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

REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2015
BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2014

STEUBEN COUNTY

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10/07/2014

SWIS CODE	MUNICIPALITY	TOTAL ASSESSED BEFORE ALL EXEMPTIONS	COUNTY TAXABLE PLUS SR CITIZEN, REG VET, ALT & COLD WAR VETS, CLERGY, & INC VOL FIRE EXEMPTS	EQUAL RATE	TOTAL FULL VALUE	AGGREGATE TAXABLE FOR COUNTY	AGGREGATE TAXABLE FOR TOWN
462089	ADDISON	52,492,627	42,119,243	1.0000	42,119,243	40,745,604	41,317,482
462001	VILLAGE OF ADDISON	98,762,863	55,472,126	1.0000	55,472,126	52,918,761	53,459,186
	TOWN TOTALS	151,255,490	97,591,369		97,591,369	93,664,365	94,776,668
462289	AVOCA	82,929,150	76,008,959	0.9500	80,009,431	73,565,759	74,792,456
462201	VILLAGE OF AVOCA	43,245,323	23,540,790	0.9500	24,779,779	22,128,081	22,730,590
	TOWN TOTALS	126,174,473	99,549,749		104,789,210	95,693,840	97,523,046
462489	BATH	182,026,625	123,395,264	0.4600	268,250,574	119,913,934	121,517,166
462401	VILLAGE OF BATH	181,475,732	100,815,405	0.4600	219,163,924	97,160,524	98,383,567
462403	VILLAGE OF SAVONA	16,224,335	9,808,280	0.4600	21,322,348	9,265,002	9,496,003
	TOWN TOTALS	379,726,692	234,018,949		508,736,846	226,339,460	229,396,736
462600	BRADFORD	39,241,923	33,325,502	0.9300	35,833,873	32,197,395	36,024,040
	TOWN TOTALS	39,241,923	33,325,502		35,833,873	32,197,395	36,024,040

REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2015
BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2014

STEUBEN COUNTY O:\LA22\LA22 tax levy.xls 10/07/2014

SWIS CODE	MUNICIPALITY	TOTAL ASSESSED BEFORE ALL EXEMPTIONS	COUNTY TAXABLE PLUS SR CITIZEN, REG VET, ALT & COLD WAR VETS, CLERGY, & INC VOL FIRE EXEMPTS	EQUAL RATE	TOTAL FULL VALUE	AGGREGATE TAXABLE FOR COUNTY	AGGREGATE TAXABLE FOR TOWN
462800	CAMERON	71,050,571	49,936,964	1.0000	49,936,964	48,157,163	50,093,162
	TOWN TOTALS	71,050,571	49,936,964		49,936,964	48,157,163	50,093,162
463000	CAMPBELL	6,421,619	4,219,157	0.0287	147,008,955	3,969,403	4,125,370
	TOWN TOTALS	6,421,619	4,219,157		147,008,955	3,969,403	4,125,370
463289	CANISTEO	84,201,792	73,196,652	0.9900	73,936,012	70,912,949	71,972,622
463201	VILLAGE OF CANISTEO	84,626,993	60,987,757	0.9900	61,603,795	57,377,720	59,079,826
	TOWN TOTALS	168,828,785	134,184,409		135,539,807	128,290,669	131,052,448
463400	CATON	156,631,821	151,953,732	0.9600	158,285,138	148,566,008	150,314,203
	TOWN TOTALS	156,631,821	151,953,732		158,285,138	148,566,008	150,314,203
463689	COHOCTON	221,881,235	80,962,710	0.8800	92,003,080	78,191,758	79,084,479
463601	VILLAGE OF COHOCTON	29,618,999	24,528,162	0.8800	27,872,911	23,434,759	24,024,392
	TOWN TOTALS	251,500,234	105,490,872		119,875,991	101,626,517	103,108,871
463889	CORNING	421,379,786	299,157,624	0.9700	308,409,922	291,779,859	294,912,033

REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2015
BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2014

STEUBEN COUNTY

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SWIS CODE	MUNICIPALITY	TOTAL ASSESSED BEFORE ALL EXEMPTIONS	COUNTY TAXABLE PLUS SR CITIZEN, REG VET, ALT & COLD WAR VETS, CLERGY, & INC VOL FIRE EXEMPTS	EQUAL RATE	TOTAL FULL VALUE	AGGREGATE TAXABLE FOR COUNTY	AGGREGATE TAXABLE FOR TOWN
463801	VILLAGE OF RIVERSIDE	35,469,326	31,869,200	0.9700	32,854,845	30,964,543	31,628,845
463803	VILLAGE OF S CORNING	53,030,182	48,793,706	0.9700	50,302,790	47,025,036	48,054,441
	TOWN TOTALS	509,879,294	379,820,530		391,567,557	369,769,438	374,595,319
460300	CITY OF CORNING	835,120,988	641,593,574	1.0000	641,593,574	626,176,550	625,297,295
	CITY TOTALS	835,120,988	641,593,574		641,593,574	626,176,550	625,297,295
464000	DANSVILLE	99,760,724	88,320,008	1.0000	88,320,008	85,586,671	88,303,983
	TOWN TOTALS	99,760,724	88,320,008		88,320,008	85,586,671	88,303,983
464289	ERWIN	668,968,479	520,193,320	1.0000	520,193,320	511,807,435	511,308,465
464201	VILLAGE OF PAINTED POST	124,130,980	86,247,784	1.0000	86,247,784	84,176,019	83,927,904
	TOWN TOTALS	793,099,459	606,441,104		606,441,104	595,983,454	595,236,369
464400	FREMONT	57,667,123	51,861,559	0.9440	54,938,092	50,504,187	51,724,734
	TOWN TOTALS	57,667,123	51,861,559		54,938,092	50,504,187	51,724,734
464600	GREENWOOD	188,610,129	54,222,807	1.0000	54,222,807	52,632,345	54,901,834

REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2015
BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2014

STEUBEN COUNTY

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SWIS CODE	MUNICIPALITY	TOTAL ASSESSED BEFORE ALL EXEMPTIONS	COUNTY TAXABLE PLUS SR CITIZEN, REG VET, ALT & COLD WAR VETS, CLERGY, & INC VOL FIRE EXEMPTS	EQUAL RATE	TOTAL FULL VALUE	AGGREGATE TAXABLE FOR COUNTY	AGGREGATE TAXABLE FOR TOWN
	TOWN TOTALS	188,610,129	54,222,807		54,222,807	52,632,345	54,901,834
464800	HARTSVILLE	42,135,204	39,563,576	1.0000	39,563,576	38,327,009	39,251,021
	TOWN TOTALS	42,135,204	39,563,576		39,563,576	38,327,009	39,251,021
465000	HORNBY	85,825,758	78,038,323	0.9800	79,630,942	76,149,937	80,640,567
	TOWN TOTALS	85,825,758	78,038,323		79,630,942	76,149,937	80,640,567
465289	HORNELLSVILLE	178,940,491	144,681,420	0.9900	146,142,848	139,687,344	141,691,663
465201	VILLAGE OF ALMOND	770,529	768,529	0.9900	776,292	733,654	745,479
465203	VILLAGE OF ARKPORT	46,808,457	31,813,329	0.9900	32,134,676	30,056,630	30,601,115
465205	VILLAGE OF N HORNELL	51,221,686	37,119,186	0.9900	37,494,127	35,102,364	35,677,636
	TOWN TOTALS	277,741,163	214,382,464		216,547,943	205,579,992	208,715,893
460600	CITY OF HORNELL	347,123,001	236,923,361	1.0000	236,923,361	229,725,365	231,551,429
	CITY TOTALS	347,123,001	236,923,361		236,923,361	229,725,365	231,551,429
465400	HOWARD	86,490,699	46,211,644	0.4800	96,274,258	45,236,374	45,809,141

REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2015
BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2014

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SWIS CODE	MUNICIPALITY	TOTAL ASSESSED BEFORE ALL EXEMPTIONS	COUNTY TAXABLE PLUS SR CITIZEN, REG VET, ALT & COLD WAR VETS, CLERGY, & INC VOL FIRE EXEMPTS	EQUAL RATE	TOTAL FULL VALUE	AGGREGATE TAXABLE FOR COUNTY	AGGREGATE TAXABLE FOR TOWN
	TOWN TOTALS	86,490,699	46,211,644		96,274,258	45,236,374	45,809,141
465600	JASPER	5,611,324	3,022,650	0.0480	62,971,875	2,901,657	2,960,214
	TOWN TOTALS	5,611,324	3,022,650		62,971,875	2,901,657	2,960,214
465800	LINDLEY	3,037,195	2,643,006	0.0283	93,392,438	2,532,966	2,576,620
	TOWN TOTALS	3,037,195	2,643,006		93,392,438	2,532,966	2,576,620
466000	PRATTSBURGH	128,744,146	116,285,836	1.0000	116,285,836	113,067,690	114,226,255
	TOWN TOTALS	128,744,146	116,285,836		116,285,836	113,067,690	114,226,255
466200	PULTENEY	280,872,330	270,234,744	1.0000	270,234,744	265,581,259	268,375,553
	TOWN TOTALS	280,872,330	270,234,744		270,234,744	265,581,259	268,375,553
466400	RATHBONE	74,723,438	60,249,576	1.0000	60,249,576	58,777,982	59,429,693
	TOWN TOTALS	74,723,438	60,249,576		60,249,576	58,777,982	59,429,693

REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2015
BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2014

STEUBEN COUNTY

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SWIS CODE	MUNICIPALITY	TOTAL ASSESSED BEFORE ALL EXEMPTIONS	COUNTY TAXABLE PLUS SR CITIZEN, REG VET, ALT & COLD WAR VETS, CLERGY, & INC VOL FIRE EXEMPTS	EQUAL RATE	TOTAL FULL VALUE	AGGREGATE TAXABLE FOR COUNTY	AGGREGATE TAXABLE FOR TOWN
466600	THURSTON	2,744,689	2,640,026	0.0376	70,213,457	2,546,416	2,640,240
	TOWN TOTALS	2,744,689	2,640,026		70,213,457	2,546,416	2,640,240
466800	TROUPSBURG	55,913,089	38,709,673	0.4900	78,999,333	38,243,481	38,491,434
	TOWN TOTALS	55,913,089	38,709,673		78,999,333	38,243,481	38,491,434
467000	TUSCARORA	2,745,093	2,654,300	0.0362	73,323,204	2,583,353	2,634,966
	TOWN TOTALS	2,745,093	2,654,300		73,323,204	2,583,353	2,634,966
467289	URBANA	262,808,729	242,499,057	1.0000	242,499,057	237,974,510	239,105,920
467201	VILLAGE OF HAMMONDSPORT	59,571,217	47,477,582	1.0000	47,477,582	46,220,880	46,278,022
	TOWN TOTALS	322,379,946	289,976,639		289,976,639	284,195,390	285,383,942
467489	WAYLAND	183,787,544	135,093,559	1.0000	135,093,559	131,981,325	132,440,832
467401	VILLAGE OF WAYLAND	71,178,205	63,908,393	1.0000	63,908,393	62,226,234	61,971,026
	TOWN TOTALS	254,965,749	199,001,952		199,001,952	194,207,559	194,411,858
467600	WAYNE	292,075,716	286,853,022	1.0000	286,853,022	283,396,308	283,995,410

REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2015
BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2014

STEUBEN COUNTY O:\LA22\LA22 tax levy.xls 10/07/2014

SWIS CODE	MUNICIPALITY	TOTAL ASSESSED BEFORE ALL EXEMPTIONS	COUNTY TAXABLE PLUS SR CITIZEN, REG VET, ALT & COLD WAR VETS, CLERGY, & INC VOL FIRE EXEMPTS	EQUAL RATE	TOTAL FULL VALUE	AGGREGATE TAXABLE FOR COUNTY	AGGREGATE TAXABLE FOR TOWN
	TOWN TOTALS	292,075,716	286,853,022		286,853,022	283,396,308	283,995,410
467800	WEST UNION	24,203,748	21,150,080	0.5200	40,673,231	20,884,638	20,974,846
	TOWN TOTALS	24,203,748	21,150,080		40,673,231	20,884,638	20,974,846
468000	WHEELER	68,794,342	60,178,705	0.9700	62,039,902	57,964,059	59,982,553
	TOWN TOTALS	68,794,342	60,178,705		62,039,902	57,964,059	59,982,553
468200	WOODHULL	131,945,874	119,970,263	1.0000	119,970,263	117,812,257	118,449,227
	TOWN TOTALS	131,945,874	119,970,263		119,970,263	117,812,257	118,449,227
	COUNTY TOTALS	6,323,041,829	4,821,220,125		5,687,806,847	4,698,871,157	4,746,974,940

I DO HEREBY CERTIFY THAT THE PRECEDING IS A TRUE STATEMENT OF THE AGGREGATE ASSESSED VALUATIONS OF THE TAXABLE REAL PROPERTY, THE RATES OF EQUALIZATION AND THE FULL VALUATIONS IN THE CITIES AND TOWNS IN STEUBEN COUNTY, AS DETERMINDED BY THE BOARD OF LEGISLATORS ON THE 24TH DAY OF NOVEMBER, 2014.

SIGNED: WENDY G FLAITZ, DIRECTOR, STEUBEN COUNTY REAL PROPERTY TAX SERVICE AGENCY

DATED: 11/24/14

Vote: Roll Call – Adopted.

RESOLUTION NO. 201-14

Introduced by M. Hanna. Seconded by B. Peoples.

AUTHORIZING THE COUNTY OF STEUBEN TO MAINTAIN CERTAIN STATE HIGHWAY(S) WHICH ARE A PORTION OF THE ROUTE 15/I99 CR 5 PRESHO VERTICAL CLEARANCE; ERWIN-LAWRENCEVILLE PT. 1, S.H.1593 PROJECT DESIGNATED AS NEW YORK PROJECT PIN 6008.52, D262262.

WHEREAS, the New York State Department of Transportation has submitted to the County of Steuben a proposed agreement by which the County of Steuben is to maintain:

- For Pavement, Shoulders, Drainage System, Striping and Signing (Ramp Guide-Rail Runouts are NYSDOT, any other Guide-Rail is County):
  0.139 Centerline Kilometers of County Road No. 5 shown as Part No. 1 on the Table of Maintenance Jurisdiction
- For Snow Removal:
  Snow Removal on Parts Shown as No. 1, No. 2 and No. 3 on the Table of Maintenance Jurisdiction

AND to be designated as a portion of New York Project No. 6008.52, D262262 and said proposed agreement also provides for the County of Steuben to request the Department of Transportation, to submit the aforementioned project with the recommendation that it be approved by the Administrator of the United States Federal Highway Administration, and that if such project is approved and constructed by the Department and the Administrator of the United States Federal Highway Administration, the County of Steuben will thereafter at its own cost and expense maintain the previously described portion of this project in a manner satisfactory to the Department of Transportation and the Administrator of the United States Federal Highway Administration, or their authorized representatives, and make ample provision each year for such maintenance.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben shall maintain such road(s) and structure(s) and guarantee the maintenance of such road(s) and structure(s) when constructed and will pay the cost of such maintenance and will maintain the project in a manner satisfactory to the New York State Department of Transportation or its authorized representatives, and will make ample provisions each year for such maintenance; and be it further

RESOLVED, that the New York State Department of Transportation submit such project to the Administrator of the United States Federal Highway Administration and recommend to him the approval of the same for construction with funds apportioned to the State for construction of Highways and related projects under the provisions of Federal Highway Acts; and be it further

RESOLVED, that the Steuben County Legislature act through its Chairperson and County Manager which are hereby authorized to act for this County of Steuben and make and enter into agreement with the State Department of Transportation, in manner and form and substance as herein stated and in accordance with the form of contract herein mentioned as having been submitted to this Legislature for action, and that this Legislature furnish two certified copies of this resolution authorizing the Chairperson of the Steuben County Legislature and County Manager of Steuben County to execute the agreements on behalf of the County of Steuben such Chairperson and County Manager being fully authorized and directed to make and enter into agreements on behalf of the County of Steuben in any manner and form required by the Department of Transportation, or the Administrator of the United States Federal Highway Administration and attach the seal of the County thereto; and be it further

RESOLVED, that two (2) certified copies of this resolution shall be forwarded to the New York State Department of Transportation, 107 Broadway, Hornell, NY 14843, Attn: Contract Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 202-14

Introduced by M. Hanna. Seconded by B. Peoples.

AUTHORIZING THE COUNTY OF STEUBEN TO MAINTAIN CERTAIN STATE HIGHWAY(S) AND CERTAIN STRUCTURE(S), WHICH ARE A PORTION OF THE WATSON CREEK TO PRESHO, PHASE 2 PROJECT DESIGNATED AS NEW YORK PROJECT PIN 6008.22, D261946.

WHEREAS, the New York State Department of Transportation has submitted to the County of Steuben a proposed agreement by which the County of Steuben is to maintain:

- For Pavement, Shoulders, Drainage System, Curb, Landscaping, Guide-Rail, Traffic Signs and Pavement Markings:
  7.794 Centerline Kilometers of S.H. No. 8146 Existing State Route 15 shown as Part No. 4 on the Maintenance Jurisdiction Table
- For Entire Structure Maintenance including Guide-Rail, Signs, and Drainage System:
  Kuhl Road Structure (BIN 1078790) west of Watson Creek Road shown as Part No. 28 on the Maintenance Jurisdiction Table
- For Snow Removal:
  County Roads shown within the limits of Part No. 4 on the Maintenance Jurisdiction Table

AND to be designated as a portion of New York Project No. 6008.22, D261946 and said proposed agreement also provides for the County of Steuben to request the Department of Transportation, to submit the aforementioned project with the recommendation that it be approved by the Administrator of the United States Federal Highway Administration, and that if such project is approved and constructed by the Department and the Administrator of the United States Federal Highway Administration, the County of Steuben will thereafter at its own cost and expense maintain the previously described portion of this project in a manner satisfactory to the Department of Transportation and the Administrator of the United States Federal Highway Administration, or their authorized representatives, and make ample provision each year for such maintenance.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben shall maintain such road(s) and structure(s) and guarantee the maintenance of such road(s) and structure(s) when constructed and will pay the cost of such maintenance and will maintain the project in a manner satisfactory to the New York State Department of Transportation or its authorized representatives, and will make ample provisions each year for such maintenance; and be it further

RESOLVED, that the New York State Department of Transportation submit such project to the Administrator of the United States Federal Highway Administration and recommend to him the approval of the same for construction with funds apportioned to the State for construction of Highways and related projects under the provisions of Federal Highway Acts; and be it further

RESOLVED, that the Steuben County Legislature act through its Chairperson and County Manager which are hereby authorized to act for this County of Steuben and make and enter into agreement with the State Department of Transportation, in manner and form and substance as herein stated and in accordance with the form of contract herein mentioned as having been submitted to this Legislature for action, and that this Legislature furnish two certified copies of this resolution authorizing the Chairperson of the Steuben County Legislature and County Manager of Steuben County to execute the agreements on behalf of the County of Steuben such Chairperson and County Manager being fully authorized and directed to make and enter into agreements on behalf of the County of Steuben in any manner and form required by the Department of Transportation, or the Administrator of the United States Federal Highway Administration and attach the seal of the County thereto; and be it further

RESOLVED, that two (2) certified copies of this resolution shall be forwarded to the New York State Department of Transportation, 107 Broadway, Hornell, NY 14843, Attn: Contract Management.

<u>Vote</u>: Roll Call – Adopted.

RESOLUTION NO. 203-14

Introduced by M. Hanna. Seconded by G. Roush.

AUTHORIZING THE COUNTY OF STEUBEN TO MAINTAIN CERTAIN STATE HIGHWAY(S) AND CERTAIN STRUCTURE(S), WHICH ARE A PORTION OF THE ROUTE 15US, PRESHO-PAINTED POST, S.H. 1593 & 8146 PROJECT DESIGNATED AS NEW YORK PROJECT PIN 6008.57, D262586.

WHEREAS, the New York State Department of Transportation has submitted to the County of Steuben a proposed agreement by which the County of Steuben is to maintain:

- For Pavement, Shoulders and Drainage:
  a. 2.9 centerline miles of a State Road shown as Part No. 1 on the Table of Maintenance Jurisdiction
  b. 1.3 centerline miles of a State Road shown as Part No. 2 on the Table of Maintenance Jurisdiction, known as US Route 15, Part No. 1 S.H. 8146 and Part No. 2 US Route 15, S.H. 1593
- For Entire Structure Maintenance:
  a. BIN 1011110 bridge over Watson Creek shown as Part No. 3 on the Table of Maintenance Jurisdiction
  b. BIN 1011120 bridge over Morgan Creek shown as Part No. 4 on the Table of Maintenance Jurisdiction
- For Intersection Maintenance including Pavement, Shoulder, and Drainage:
  a. Morgan Creek Road (W) shown as Part No. 5 on the Table of Maintenance Jurisdiction
  b. CR 73 (Morgan Creek Road E) shown as Part No. 6 on the Table of Maintenance Jurisdiction
  c. Caroline Drive shown as Part No. 7 on the Table of Maintenance Jurisdiction
  d. Cemetery Road shown as Part No. 8 , on the Table of Maintenance Jurisdiction
  e. Stowell Road shown as Part No. 9 on the Table of Maintenance Jurisdiction
  f. Glick Road shown as Part No. 10 on the Table of Maintenance Jurisdiction
- For Snow Removal:
  a. US Route 15, S.H. 8146 shown as Part Nos. 1,3,4,5,6,7,8, & 9,
  b. US Route 15, S.H. 1593 shown as Part Nos. 2 and 10;

AND to be designated as a portion of New York Project No. 6008.57, D262586 and said proposed agreement also provides for the County of Steuben to request the Department of Transportation, to submit the aforementioned project with the recommendation that it be approved by the Administrator of the United States Federal Highway Administration, and that if such project is approved and constructed by the Department and the Administrator of the United States Federal Highway Administration, the County of Steuben will thereafter at its own cost and expense maintain the previously described portion of this project in a manner satisfactory to the Department of Transportation and the Administrator of the United States Federal Highway Administration, or their authorized representatives, and make ample provision each year for such maintenance.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben shall maintain such road(s) and structure(s) and guarantee the maintenance of such road(s) and structure(s) when constructed and will pay the cost of such maintenance and will maintain the project in a manner satisfactory to the New York State Department of Transportation or its authorized representatives, and will make ample provisions each year for such maintenance; and be it further

RESOLVED, that the New York State Department of Transportation submit such project to the Administrator of the United States Federal Highway Administration and recommend to him the approval of the same for construction with funds apportioned to the State for construction of Highways and related projects under the provisions of Federal Highway Acts; and be it further

RESOLVED, that the Steuben County Legislature act through its Chairperson and County Manager which are hereby authorized to act for this County of Steuben and make and enter into agreement with the State Department of Transportation, in manner and form and substance as herein stated and in accordance with the form of contract herein mentioned as having been submitted to this Legislature for action, and that this Legislature furnish two certified copies of this resolution authorizing the Chairperson of the Steuben County Legislature and County Manager of Steuben County to execute the agreements on behalf of the County of Steuben such Chairperson and County Manager being fully authorized and directed to make and enter into agreements on behalf of the County of Steuben in any manner and form required by the Department of Transportation, or the Administrator of the United States Federal Highway Administration and attach the seal of the County thereto; and be it further

RESOLVED, that two (2) certified copies of this resolution shall be forwarded to the New York State Department of Transportation, 107 Broadway, Hornell, NY 14843, Attn: Contract Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 204-14

Introduced by C. Ferratella and L. Crossett. Seconded by R. Lattimer.

ACCEPTING AND APPROPRIATING THE SNAP PROCESS AND TECHNOLOGY IMPROVEMENT GRANT FUNDS INTO THE 2014 BUDGET.

WHEREAS, the U.S. Department of Agriculture's Food and Nutrition Service (FNS) has approved funding for Steuben County under the SNAP Process and Technology Improvement Grant; and

WHEREAS, the FNS has awarded Steuben County $20,692 as requested and additionally approved the plan detail as submitted by the Steuben County Department of Social Services; and

WHEREAS, the Steuben County Department of Social Services plan detail supports Equipment, computers and printers in order to improve access, reduce errors and assist those accessing SNAP benefits; and

WHEREAS, the Steuben County Department of Social Services plan detail places 2 work stations in the DSS waiting room, 3 additional application stations in Pro Action's One Stop Career Search Centers located in Bath, Corning and Hornell and 2 mobile work stations for use by 2 Outreach workers, 1 each from Catholic Charities of Steuben County and 1 from the Steuben County Office for the Aging; and

WHEREAS, the Steuben County Department of Social Services plan detail supports installation of said equipment by the IT Department for 4 hours at $93/hour.

NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts and appropriates these funds into the 2014 Budget as follows:

Expenditure		
601000 5250026	Computer Equipment	$20,320.00
601000 5408900	Data Processing Chargeback	$372.00
Revenues:		
601000 44611000	SNAP Federal Revenue	$20,692.00

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Social Services and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 205-14

Introduced by P. McAllister and L. Crossett. Seconded by H. Lando.

AUTHORIZING PAYMENT OF $127,000 FROM THE SOUTHERN TIER FIBER CAPITAL PROJECT.

WHEREAS, Steuben County has developed a plan with the Southern Tier Network (STN) for the last mile fiber connections to Steuben's public safety communication towers; and

WHEREAS, STN and its contractors will complete design, installation, and maintenance of 24 miles of 24-strand fiber to the public safety communication towers at a total cost of $1,192,300; and

WHEREAS, Steuben has secured state grant funding in the amount of $1,065,300 for this project, resulting in $127,000 in remaining costs to be funded from the Southern Tier Fiber Capital Project; and

WHEREAS, STN desires to enter into an Indefeasible Right of Use (IRU) contract with Steuben for the marketing of 12 strands of fiber on these laterals, with any derived profits being directed to a fund, managed by STN, to support future fiber expansion.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is hereby authorized to sign all contracts and documents related to the Southern Tier Network Laterals; and be it further

RESOLVED, that the Steuben County Legislature authorizes the use of $127,000 from the Southern Tier Fiber Capital Project (1230H1-H0100) to fund the construction cost; and be it further

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

Mr. Swackhamer asked for a report on the status of the fiber. Mr. Wheeler replied we are in good shape. A number of customers are on the fiber. The goal is for STN (Southern Tier Network) to be profitable and self-sustaining in five years. They will be approaching that goal in early 2015. This is the last piece to finalizing our connection to the radio towers.

Vote: Roll Call – Adopted.

RESOLUTION NO. 206-14

Introduced by P. McAllister. Seconded by G. Roush.

REAPPOINTING THE COMMISSIONER OF FINANCE OF THE COUNTY OF STEUBEN.

Pursuant to Article VI, Section 6.00 of the Steuben County Charter.

WHEREAS, throughout the term as County Treasurer and Commissioner of Finance, **Patrick F. Donnelly** has dutifully demonstrated the requisite administrative experience and qualifications for the Office of Commissioner of Finance; and

WHEREAS, **Patrick F. Donnelly** of Bath, New York, has been recommended by the Administration Committee for reappointment as Commissioner of Finance to serve for a five-year term.

NOW THEREFORE, BE IT

RESOLVED, **Patrick F. Donnelly** of Bath, New York, be and the same hereby is reappointed Commissioner of Finance for the County of Steuben for a five-year term commencing January 1, 2015 through December 31, 2019; and be it further

RESOLVED, his Oath of Office shall be filed in the County Clerk's Office, and that the Clerk of this Legislature is directed to file certified copies of this resolution with the above named appointee, the County Clerk, the Commissioner of Finance and the Personnel Officer.

Vote: Roll Call – Adopted.

Mr. Donnelly stated he appreciates the Legislature's support. He has tried to set a good example and has received the support of his staff and peers. He appreciates everyone's support and encouragement and is looking forward to continuing to work with the Legislature for the next five years.

RESOLUTION NO. 207-14

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

MEMORIALIZING THE NEW YORK STATE DEPARTMENT OF HEALTH TO ENSURE THAT RESIDENTS IN THE AREA SERVED BY ST. JAMES MERCY HOSPITAL CONTINUE TO HAVE ADEQUATE HEALTH CARE IN THE FUTURE, INCLUDING A LIMITED IN-PATIENT PRESENCE.

WHEREAS, St. James Mercy Hospital located in the City of Hornell, County of Steuben and State of New York currently is a full-service hospital with beds available for the in-patient treatment of patients and a maternity ward; and

WHEREAS, Catholic Health East has notified St. James Mercy Hospital that they will no longer be supporting the hospital operations and, as a result, St. James Mercy Hospital will be losing its maternity ward as well as any and all in-patient services; and

WHEREAS, there is a lack of adequate public transportation in the area which would allow the local population to travel to other regional hospitals to receive medical care; and

WHEREAS, the Steuben County Legislature is very concerned regarding the nature and availability of the quality of the future health care in this geographic area; and

WHEREAS, the Steuben County Legislature acknowledges that the health care industry is constantly changing and the general population of New York State must adapt to its changing nature.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby urges that Dr. Howard A. Zucker, the Acting Commissioner of the New York State Department of Health, and all other federal, state and local government officials to do anything in their power to ensure that the people in the area served by St. James Mercy Hospital have adequate health care in the future, which would include a limited in-patient presence, along with a maternity ward; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Dean Skelos, NYS Senate Republican Conference Leader And Majority Coalition Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Independent Conference Leader And Majority Coalition Leader, 913 Legislative Office Building, Albany, NY 12247; Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Sheldon Silver, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York

State Assembly, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Honorable Tom Reed, 89 West Market Street, Corning, NY 14830; Honorable Charles E. Schumer, 15 Henry Street, Room 100 A-F, Binghamton, NY 13901; Honorable Kirsten Gillibrand, Kenneth B. Keating Federal Office Building, 100 State Street, Room 4195, Rochester, NY 14614; Stephen J. Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, Albany, NY 12207; Honorable Jerry Davis, President, Inter-County Association of Western New York, c/o Wyoming County Board of Supervisors, Government Center, 143 North Main Street, Warsaw, NY 14569; and Dr. Howard A. Zucker, M.D., J.D., Acting Commissioner of the New York State Department of Health, Corning Tower, Empire State Plaza, Albany, NY 12237.

Vote: Acclamation – Adopted.

BUDGET WORKSHOP

Chairman Hauryski opened the floor for any comments or questions regarding the proposed 2015 Budget. There being none, he declared the Budget Workshop closed.

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

SPECIAL MEETING
Afternoon Session
Monday, November 24, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers, Bath, NY on Monday, the 24th day of November, 2014, at 6:00 p.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present.

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

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Notice of Completion and Filing of the Assessment Roll for the Marsh Ditch Watershed Protection District. Chairman Hauryski asked if anyone wished to address the Legislature relative to this Public Hearing. There being none, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Notice of Completion and Filing of the Assessment Roll for the Upper Five Mile Creek Watershed Protection District. Chairman Hauryski asked if anyone wished to address the Legislature relative to this Public Hearing. There being none, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Notice of Completion and Filing of the Assessment Roll for the Lamoka/Waneta Lakes' Protection and Rehabilitation District. Chairman Hauryski asked if anyone wished to address the Legislature relative to this Public Hearing. There being none, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. Seven for the Year 2014, establishing the annual salaries of certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office for the Fiscal Year 2015. Chairman Hauryski asked if anyone wished to address the Legislature relative to this Public Hearing. There being none, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing on the Tentative Budget for the Fiscal Year Beginning January 1, 2015. Chairman Hauryski asked if anyone wished to address the Legislature relative to this Public Hearing. There being none, he declared the Public Hearing closed.

RESOLUTION NO. 208-14

Introduced by P. McAllister. Seconded by S. Van Etten.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. SEVEN FOR THE YEAR 2014, ESTABLISHING THE ANNUAL SALARIES OF CERTAIN ELECTED OR APPOINTED OFFICIALS AND DEPARTMENT HEADS OF THE COUNTY OF STEUBEN WHO HAVE A FIXED TERM OF OFFICE FOR THE FISCAL YEAR 2015.

Pursuant to Sections 200, 201, and 214 of the County Law and Sections 10, 20, and 24 of the General Municipal Law of the State of New York.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on November 13, 2014, County of Steuben Local Law Tentatively No. Seven for the Year 2014, Establishing the Annual Salaries of Certain Elected or Appointed Officials and Department Heads of the County of Steuben who have a Fixed Term of Office for the Fiscal Year 2015, and this Legislature by resolution, preliminarily adopted said Local Law on November 13, 2014, making the final adoption of said Local Law subject to a Public Hearing to be held on November 24, 2014, and also subject to a permissive referendum; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on November 24, 2014 at 6:00 P.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing and requirement for a permissive referendum.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Seven for the Year 2014, as hereinafter set forth be and the same hereby is finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. SEVEN FOR THE YEAR 2014

A LOCAL LAW, Establishing the Annual Salaries of Certain Elected or Appointed Officials and Department Heads of the County of Steuben who have a Fixed Term of Office for the Fiscal Year 2015.

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

SECTION 1: Except where inconsistent by operation of law due to prohibitions of increases of compensation during a fixed term of office for County officers and employees as provided in County Law §201 and Municipal Home Rule Law §24(2)(h), the "Steuben County Management Evaluation and Salary Plan", Administrative Code of the County of Steuben Part XV be, and the same hereby is, applicable to officers and employees having a fixed term of office, whether elected or appointed, as are any and all resolutions of the Steuben County Legislature relative to rights and entitlements of County executive and management personnel.

SECTION 2: Effective with the first county payroll for the County Fiscal Year 2015, the annual salaries of the certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office are hereby established for the Fiscal Year 2015 as follows, to wit:

TITLE	2014 SALARY	2015 SALARY
County Auditor	$ 48,743	$ 51,473
Clerk of Legislature	$ 59,749	$ 61,243
County Clerk	$ 61,000	$ 63,500
County Attorney	$ 110,316	$ 114,205
Personnel Officer	$ 86,908	$ 89,081
Public Defender	$ 90,807	$ 93,077
Commissioner, Public Works	$ 97,456	$ 99,892
Director, Real Property Tax	$ 67,000	$ 68,675

Sheriff	$ 81,106	$ 83,134
Commissioner, Social Services	$ 94,024	$ 96,375

SECTION 3: Should any of the above positions become vacant and subsequently filled by one other than the present incumbent, the salary shall in that instance be set by the Legislature prior to filling said vacancy.

SECTION 4: This Local Law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

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

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

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, the Personnel Officer and all appointed and elected officials mentioned above.

Vote: Roll Call – Adopted. Yes – 9275; No – 597
(No – Legislator Mullen)

RESOLUTION NO. 209-14

Introduced by L. Crossett. Seconded by G. Swackhamer.

FINAL ADOPTION OF THE ANNUAL COUNTY BUDGET FOR THE FISCAL YEAR 2015.

Pursuant to Sections 2.07 and 3.2 (10) of the Steuben County Charter, and Section 360 of the County Law and Sections 24 and 25 of the Local Finance Law of the State of New York.

WHEREAS, the Tentative Budget, Budget Message and the Proposed Appropriation Resolution of the County of Steuben for the Fiscal Year 2015 were duly filed with the Clerk of the County Legislature on or before November 15, 2014, and appropriate action taken thereupon and fixing the date, time and place for holding the required public hearings; and

WHEREAS, the duly advertised Public Hearings on the Tentative Budget and for the Watershed Protection Districts were opened, held and completed on November 24, 2014, commencing at 6:00 P.M. in the Legislative Chambers in the Village of Bath; and

WHEREAS, all persons attending said above mentioned hearings were given the right to provide written and oral statements and comments concerning the entire Budget.

NOW THEREFORE, BE IT

RESOLVED, the Clerk of the Legislature is hereby directed to cause to be filed in her office proofs of publication of the notices of the hearings on the above stated Tentative Budget and Watershed Protection Districts for the Fiscal Year 2015; and be it further

RESOLVED, pursuant to Sections 356 and 360 of the County Law of the State of New York said Tentative Budget for the County of Steuben for the Fiscal Year 2015 as may have been changed, amended, altered and revised by this County Legislature to date be and the same hereby is adopted by this Legislature as the Budget of the County of Steuben for the Fiscal Year 2015; and be it further

RESOLVED, the Clerk of the Legislature with the assistance of the County Manager, in accordance with any such changes, amendments, alterations and revisions of the Tentative Budget to date, enter in the column entitled, "adopted" the estimated expenditures in the Tentative Budget as may have been modified or changed; and be it further

RESOLVED, the Clerk of the Legislature, with the assistance of the County Manager, shall enter in the column entitled "adopted" the estimated revenues in the Tentative Budget with any changes or modifications as may have been made to date; and be it further

RESOLVED, the several sums therein mentioned for expenditures and revenues are appropriated for the objects and purposes enumerated, including, but not limited to, the salaries for public officers and officials who are appointed by the Legislature or who are appointed by the Legislature to fixed terms of office commencing January 1, 2015, or thereafter in the Year 2015, and that the salary set forth in the Salary Schedule for Chairman of the Legislature and Legislators be adopted; and be it further

RESOLVED, there be and the same hereby are approved, created and established the following Capital Projects for 2015:

Department / Project	Total Appropriation
Buildings & Grounds	**$140,000**
Telecommunications	**50,000**
District Attorney	**21,250**
E-911 Communications	**50,000**
Information Technology	**237,800**
Planning	**26,000**
Sheriff	**275,000**
Public Works	**7,139,194**
Solid Waste	**470,000**
	$8,409,244

AND BE IT FURTHER RESOLVED, those Capital Projects denoted as "Buildings and Grounds" are hereby appropriated from the Capital Reserve Building Repairs and Renovations; and be it further

RESOLVED, that those Capital Projects denoted as “Telecommunications Phone System Upgrade” are hereby appropriated from telephone chargebacks revenue; and be it further

RESOLVED, that those Capital Projects denoted as “District Attorney” are hereby appropriated from Traffic Diversion Program revenue; and be it further

RESOLVED, from and after January 1, 2015, the Commissioner of Finance is authorized to issue tax anticipation and revenue anticipation notes in such amounts as may be necessary to pay lawful charges, pending the receipt of the taxes and revenues herein appropriated and not longer than a period to January 1, 2016, without the authority of the Legislature and not in excess of the amount of taxes and revenues herein appropriated, and such notes shall be issued to the capital building reserve fund, without interest, unless the money is not available when such notes may be sold at private sale at not exceeding the legal rate of interest pursuant to the Local Finance Law of the State of New York; and be it further

RESOLVED, the above Budget as herein adopted shall be entered in the minutes of this County Legislature and printed in the annual volume of printed Proceedings for the Year 2014 and within thirty (30) days after the date of the adoption of this resolution the Commissioner of Finance is hereby directed to file a certified copy of said 2014 Steuben County Budget with the New York State Comptroller in accordance with State Finance Law, Section 54-a; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency; Commissioner of Finance; and Lawrence P. Crossett, Chairman, Finance Committee.

Vote: Roll Call – Adopted.

RESOLUTION NO. 210-14

Introduced by L. Crossett. Seconded by B. Schu.

AMENDING THE STEUBEN COUNTY BUDGET AND ADOPTING THE APPROPRIATION RESOLUTION FOR THE FISCAL YEAR 2015.

Pursuant to Section 2.07 of the Steuben County Charter, and Section 360 of the County Law of the State of New York in the County of Steuben and in accordance with the official Rules and Regulations of the New York State Department of Audit and Control and Section 520 of the Real Property Tax Law.

WHEREAS, the Legislature, by resolution on even date herewith, has adopted a Budget for the Fiscal Year 2015, for the County of Steuben; and

WHEREAS, Chapter 4 of the official Rules and Regulations of the New York State Department of Audit and Control provides that Sales taxes used to reduce real property taxes on a part-county basis shall not be applied until after the Budget has been adopted and recorded, and that the County Budget shall then be amended by increasing estimated revenues (Account A-1115, Non-Property Taxes to Reduce Town Tax Levy) and reducing the amount to be raised by real property taxes (Account A-1001, Real Property Taxes); and

WHEREAS, Section 360, subdivision 3, of the County Law provides for the raising of the taxes required by the County Budget.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Budget for the Fiscal Year 2015, as previously adopted on even date herewith, is hereby amended to provide that the amount for non-property taxes be applied to the Towns' share of the County tax levy so that the Sales taxes anticipated shall be used to reduce real property taxes on a part-County basis, and hereby directing that the anticipation of Sales tax credit is to be applied on a part-County basis against the County-wide tax levy; and be it further

RESOLVED, other than the amendment, as set forth in the above paragraph of this resolution, the Steuben County Budget for the Fiscal Year 2015 shall remain the same as recorded and adopted in accordance with said prior Budget adoption resolution of even date herewith; and be it further

RESOLVED, the several amounts specified in the 2015 County Budget be and hereby are appropriated for the objects and purposes enumerated therein; and be it further

RESOLVED, the total appropriation required in the Steuben County Budget for the Fiscal Year 2015 to be raised by taxes amounting to the sum of $49,548,516.00 reduced by the pro-rata and omitted taxes of $56,717.29 and also reduced by anticipation of the sales tax credit in the amount of $7,536,477.29 in accordance with the above-stated regulation as to application, shall be levied and assessed upon the property within the County liable therefore for the Fiscal Year beginning January 1, 2015; and be it further

RESOLVED, pursuant to Sections 356 and 360 of the County Law of the State of New York, the Proposed Appropriation Resolution presented November 13, 2014, and filed with the Clerk of the Legislature on November 13, 2014 for the Year 2015, and as amended, altered, or revised by this County Legislature to date, be and the same hereby is adopted by this Legislature as the appropriation resolution for Fiscal Year 2015; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 211-14

Introduced by P. McAllister. Seconded by G. Roush.

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2014 FOR THE MARSH DITCH WATERSHED PROTECTION DISTRICT.

Pursuant to Sections 270 and 271 of the County Law of the State of New York.

WHEREAS, the assessment roll for the Year 2014, for the Marsh Ditch Watershed Protection District in the Towns of Dansville and Hornellsville, in the County of Steuben, and State of New York for the Budget Year 2015, has been completed and properly filed with the Steuben County Real Property Tax Service Agency at its office in the Steuben County Office Building, 3 East Pulteney Square in the Village of Bath, New York for review and inspection by the public and interested parties; and

WHEREAS, proper notice of the completion and filing of said assessment roll, and also proper notice that the Public Hearing on the assessment roll would be held by the County Legislature of the County of Steuben in the Legislative Chambers of the County Office Building in the Village of Bath, New York on November 24, 2014, at 6:00 P.M. to hear and consider any objections pertaining to said assessment roll; and

WHEREAS, due and proper proof of the publication of the notice of the aforesaid Public Hearing has been filed in the Office of the Clerk of the Legislature; and

WHEREAS, the aforesaid Public Hearing was duly held on November 24, 2014, and any persons appearing in regard to the said assessment roll having been heard.

NOW THEREFORE, BE IT

RESOLVED, said assessment roll for the Year 2014 for the Marsh Ditch Watershed Protection District in the Towns of Dansville and Hornellsville in the County of Steuben and State of New York be and the same hereby is approved as completed and filed in the Office of the Steuben County Real Property Tax Service Agency; and be it further

RESOLVED, the Director of the Steuben County Real Property Tax Service Agency and the Commissioner of Finance shall see to the proper procedure for the levy and collection of the appropriate taxes on the several real properties situate and benefited within said Water Protection District; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Real Property Tax Service Agency; Commissioner of Finance; the Attorney for said District; and President of the Board of Directors of the said Water Protection District.

Vote: Roll Call – Adopted.

RESOLUTION NO. 212-14

Introduced by P. McAllister. Seconded by C. Ferratella.

ACCEPTING THE 2014 BUDGET OF THE MARSH DITCH WATERSHED PROTECTION DISTRICT.

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

RESOLVED, the Budget for the Marsh Ditch Watershed Protection District be and the same hereby is established in the amount of $ 12,500.00 of which sum $ 12,500.00 shall be appropriated from surplus; and be it further

RESOLVED, the Steuben County Legislature hereby accepts the report of the Marsh Ditch Watershed Protection District and adopts the respective Budget for 2015; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Real Property Tax Service Agency; Attorney for the Protection District; and the President of the Administrative Board of the Marsh Ditch Watershed Protection District.

Vote: Roll Call – Adopted.

RESOLUTION NO. 213-14

Introduced by P. McAllister. Seconded by S. Van Etten.

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2014 FOR THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT.

Pursuant to Sections 270 and 271 of the County Law of the State of New York.

WHEREAS, the assessment roll for the Year 2014 for the Upper Five Mile Creek Watershed Protection District in the Towns of Prattsburgh, Wheeler and Urbana in the County of Steuben and State of New York for the Budget Year 2015 has been completed and properly filed with the Steuben County Real Property Tax Service Agency at its office in the Steuben County Office Building, 3 East Pulteney Square in the Village of Bath, New York for review and inspection by the public and interested parties; and

WHEREAS, proper notice of the completion and filing of said assessment roll, and also proper notice that the Public Hearing on the assessment roll would be held by the County Legislature of the County of Steuben in the Legislative Chambers of the County Office Building in the Village of Bath, New York on the 24th day of November 2014, at 6:00 P.M. to hear and consider any objections pertaining to said assessment roll; and

WHEREAS, due and proper proof of the publication of the notice of the aforesaid Public Hearing has been filed in the Office of the Clerk of the Legislature; and

WHEREAS, the aforesaid Public Hearing was duly held on the 24th day of November 2014, and any persons appearing in regard to the said assessment roll having been heard.

NOW THEREFORE, BE IT

RESOLVED, said assessment roll for the Year 2014 for the Upper Five Mile Creek Watershed Protection District in the Towns of Prattsburgh, Wheeler and Urbana in the County of Steuben and State of New York, be and the same hereby is, approved as completed and filed in the Office of the Steuben County Real Property Tax Service Agency; and be it further

RESOLVED, the Director of the Steuben County Real Property Tax Service Agency and the Commissioner of Finance shall see to the proper procedure for the levy and collection of the appropriate taxes on the several real properties situate and benefited within said Water Protection District; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Real Property Tax Service Agency; Commissioner of Finance; and President of the Board of Directors of the said Water Protection District.

Vote: Roll Call – Adopted.

RESOLUTION NO. 214-14

Introduced by P. McAllister. Seconded by C. Ferratella.

DIRECTING THE LEVY OF THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT FOR TAXES DUE JANUARY 2015.

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

RESOLVED, the report of the Administrative Board of the Upper Five Mile Creek Watershed Protection District of the several amounts of taxes due January 2015, levied upon the various parcels of land in the said Protection District in the amount of $ 46,400.00 to be received and filed, and the Director of the Steuben County Real Property Tax Service Agency is directed to levy the amount upon the various parcels therein mentioned in accordance with said report; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Real Property Tax Service Agency; and the President of the Administrative Board of the Upper Five Mile Creek Watershed Protection District.

Vote: Roll Call – Adopted.

RESOLUTION NO. 215-14

Introduced by P. McAllister. Seconded by G. Roush.

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2014 FOR THE LAMOKA/WANETA LAKES' PROTECTION AND REHABILITATION DISTRICT.

Pursuant to Sections 270 and 271 of the County Law of the State of New York.

WHEREAS, the assessment roll for the Year 2014 for the Lamoka/Waneta Lakes' Protection and Rehabilitation Districts in the Towns of Wayne and Bradford in the County of Steuben and State of New York for the Budget Year 2015 has been completed and properly filed with the Steuben County Real Property Tax Service Agency at its office in the Steuben County Office Building, 3 East Pulteney Square in the Village of Bath, New York for review and inspection by the public and interested parties; and

WHEREAS, proper notice of the completion and filing of said assessment roll and also proper notice that the Public Hearing on the assessment roll would be held by the County Legislature of the County of Steuben in the Legislative

Chambers of the County Office Building in the Village of Bath, New York on November 24, 2014, at 6:00 P.M. to hear and consider any objections pertaining to said assessment roll; and

WHEREAS, due and proper proof of the publication of the notice of the aforesaid Public Hearing has been filed in the Office of the Clerk of the Legislature; and

WHEREAS, the aforesaid Public Hearing was duly held on 24th day of November 2014, and any persons appearing in regard to the said assessment roll having been heard.

NOW THEREFORE, BE IT

RESOLVED, said assessment roll for the Year 2014 for the Lamoka/Waneta Lakes' Protection and Rehabilitation Districts in the Towns of Wayne and Bradford in the County of Steuben and State of New York be and the same hereby is approved as completed and filed in the Office of the Steuben County Real Property Tax Service Agency; and be it further

RESOLVED, the Director of the Steuben County Real Property Tax Service Agency and the Commissioner of Finance shall see to the proper procedure for the levy and collection of the appropriate taxes on the several real properties situate and benefited within said Lakes' Protection and Rehabilitation Districts; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Director of the Real Property Tax Service Agency, and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 216-14

Introduced by P. McAllister. Seconded by H. Lando.

DIRECTING THE LEVY OF THE LAMOKA/WANETA LAKES' PROTECTION AND REHABILITATION DISTRICT FOR TAXES DUE JANUARY 2015.

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

RESOLVED, the report of the Lamoka/Waneta Lakes' District Commission of the several amounts of taxes due January 2015, levied upon the various parcels of land in the said Lakes' Protection and Rehabilitation Districts in the amount of $ 29,796.70 to be received and filed, and the Director of the Steuben County Real Property Tax Service Agency is directed to levy the amount upon the various parcels therein mentioned in accordance with said report; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Director of the Real Property Tax Service Agency, and the Commissioner of Finance.

Vote: Roll Call – Adopted.

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

REGULAR MEETING
Morning Session
Monday, December 15, 2014
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 15th day of December, 2014, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present except Legislator Crossett.

Mr. Mullen provided the Invocation and also asked for a moment of silence to recognize the passing of former Steuben County Treasurer, Helen Jane Barton and former Steuben County Fire Coordinator, Leo Jacobus. The Pledge of Allegiance was led by Mr. Weaver.

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

Chairman Hauryski stated it is that time of year for the annual Fruitcake Presentation. He asked last year's recipient, Brooks Baker to come forward. Mr. Baker stated last year he was ambushed by Mr. Reed and presented with this honor. At the time, he had no idea what it was, and still is really not sure. In order to protect the County, he has taken the additional step of enclosing the fruitcake in an evidence bag. The responsibility for the fruitcake is really humbling and difficult, especially given the fact that the Attorney General wants to oversee everything that District Attorney's do. He took it upon himself to make the perfect choice. He first thought of an individual of whom he had a picture of as a child in the late 70's, however, he opted to leave Mr. Welch alone for this year. Then he thought about the fruitcake, and how it has fruits and nuts and how that would correlate to an individual who deals with the "fruits and nuts". There is an individual who recently left another position and joined the County. This individual has done a great job, especially with the lights in the District Attorney's Office and also has had to deal with members of the public and moving smokers away from the building. This year he would like to present the fruitcake to Eric Rose, Superintendent of Buildings and Grounds. ***Congratulations Eric!***

Mr. Rose stated he does not know what to say, however, there will not be much happening in the District Attorney's Office anymore. On a serious note, he came here from a different environment and was not sure how he would fit in here or how the job would go. Once he got to know everyone and stopped bothering Mr. Alger and Mr. Wheeler, things are going well. He works closely with Mr. Spagnoletti, Mr. Foster and Mrs. Crocker with the community service workers and mobile work program and that has helped to complement our staff and has made a huge difference. As far as the fruitcake, he is not sure what is happening with that, but he is sure that his wife will be happy to know that she has to clean the freezer out now.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. Four for the Year 2014, Relative to Secondhand Dealers, as amended. Chairman Hauryski asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

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

RESOLUTION NO. 217-14

Introduced by G. Swackhamer. Seconded by C. Ferratella.

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

RESOLVED, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "A" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof and as upon the "Notice to Bidders and Terms of Sale – 2014" as applicable; and be it further

RESOLVED, the said grantee(s) must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be; and be it further

RESOLVED, that certified copies of this resolution contained in Schedule "A" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1
Former Owner	Angela K. Allington-Wilcox & Mark A. Allington
In Rem Index No.	2012-1440CV, Judgment Filed 04/29/2014
Parcel No.	299.14-04.005-000
Municipality	Corning Town
Grantee(s)	Angela K. Allington-Wilcox & Mark A. Allington
Grantee(s) Address	3415 Fenderson St. Ext., Painted Post, NY 14870
Consideration	$5,609.73, inclusive of recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	A-2
Former Owner	Robin L. Tormey & Bonnie S. Tormey
In Rem Index No.	2011-1564CV, Judgment Filed 05/09/2013
Parcel No.	378.16-01-004.000
Municipality	Troupsburg Town
Grantee(s)	Kenneth A. LeCrone Jr. & Tracy L. LeCrone
Grantee(s) Address	PO Box 87, Troupsburg, NY 14885
Consideration	$500.00, inclusive of recording fees

Vote: Roll Call – Adopted.

RESOLUTION NO. 218-14

Introduced by J. Hauryski. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE DECEMBER 15, 2014 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:

November 14, 2014
NYS Office of the Attorney General – Re: Notification of assistance with helping municipalities in crafting laws that further efforts to curb abuse and expand the standards for the treatment of animals sold in New York's pet stores. ***Referred to: A.I.P. Committee; and Joseph Hauryski, Legislature Chairman.***

November 19, 2014
New York State Department of Labor – Re: Notification of approval of the Chemung-Schuyler-Steuben Workforce Investment Board (WIB) local plan for the Workforce Investment Act and Wagner-Pesyer Act Programs. ***Referred to: Joseph Hauryski, Legislature Chairman.***

City of Corning, Chief Trentanelli – Re: Letter of appreciation for the recent ICS-300 training provided by Tim Marshall, EMO Director. ***Referred to: Public Safety & Corrections Committee; Mark Alger, County Manager; and Tim Marshall, EMO Director.***

November 24, 2014
Steuben County Association of Chiefs of Police – Re: Letter of support in passing local laws to help prevent illegal use of drugs in Steuben County. ***Referred to: Steuben County Legislature.***

November 26, 2014
Joseph Pelych – Re: Additional funding needed for the 2014 Assigned Counsel budget. ***Referred to: Public Safety & Corrections Committee; and Mark Alger, County Manager.***

December 2, 2014
NYS Department of Transportation – Re: Notification of vouchers recently sent to the State Comptroller that distributes the third quarter 2014-2015 Statewide Mass Transportation Operating Assistance (STOA) payments to the upstate formula bus systems. ***Referred to: Amy Dlugos, Planning Director.***

NYS Department of Health – Re: Notification of the determination of insufficient evidence of neglect on the compliant investigation #NY00154262. ***Referred to: Human Services/Health & Education Committee.***

December 4, 2014
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $2,827, which represents the October 2014 retained surcharge revenue for Steuben County. ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 219-14

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

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2014, RELATIVE TO SECONDHAND DEALERS, AS AMENDED.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on November 24, 2014, County of Steuben Local Law Tentatively No. Four for the Year 2014, Relative to Secondhand Dealers, as Amended, preliminarily adopted said Local Law on November 24, 2014, making the final adoption of said Local Law subject to a Public Hearing to be held on December 15, 2014; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on December 15, 2014, at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Four for the Year 2014, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2014

A Local Law, Relative to Secondhand Dealers.

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

SECTION 1: SECONDHAND DEALER DEFINED

As used in this Local Law, a secondhand dealer is any person, partnership, corporation, association, joint venture, trustee, court-appointed representative or agent thereof which operates a business for profit which buys , sells, possesses on consignment for sale or trades jewelry, stamps, coins or any precious metals which may have been previously owned by a consumer; or which derives more than thirty five percent (35%) of its gross receipts from the sale, consignment for sale, pledge or trade of any goods, wares or merchandise which have previously been owned by a consumer, including but not limited to, furniture, appliances, clothing, automobile accessories, books, magazines and athletic cards and memorabilia or metals, whether in bulk or manufactured state. The term secondhand dealer shall include businesses commonly known as pawnbrokers, swap shop operators, stamp dealers, coin dealers, jewelers and auction houses who purchase and resell items from persons other than dealers and suppliers. The fact that any business does any of the following acts shall be prima facie proof that said business is a secondhand dealership:

A. Advertises in any fashion that it buys or sells secondhand or used items. Such advertisements shall include, but are not limited to, media advertisements, telephone listings, and signs whether on the exterior or interior of the business;

B. Devotes a significant segment or section of the business premises to the purchase or sale of secondhand or used items.

SECTION 2: EXEMPTIONS

The following are exempt from the requirements of this Local Law:

A. Garage Sales: As used in this Section, a garage sale is defined as the sale at retail of used personal property by the lawful residents of residentially zoned property which garage sale is not conducted on a periodic or ongoing basis. A garage sale shall be deemed to be periodic or ongoing if a garage sale is held by the lawful resident of residentially zoned property more than ten (10) days in any consecutive ninety (90) day period;

B. Sales conducted by governmental, civic, patriotic, fraternal, educational, religious or benevolent organizations which have been in active and continuous existence for at least one year prior to the holding of the sale, or which are incorporated as a not for profit corporation by the State;

C. Sales or purchases which are regulated by the licensing laws of the State, including automobile dealers, used parts dealers and automotive parts recyclers;

D. Antique Dealers: As used in this Section, an antique dealer is defined as one who derives 75% of his gross sales each year from the sale of antiques and/or primitives. As used in this Section, an antique or primitive is defined as an old and valuable art object or article no longer in production which is at least fifty (50) years old. As used in this section, the term "sale" does not include an exchange, trade, or swap of items;

E. Licensed Firearm Dealers.

SECTION 3: PROHIBITED PURCHASES

No secondhand dealer shall purchase or accept any goods, wares, articles, or things under any of the following circumstances:

A. Where the seller is less than the age of eighteen (18);

B. Where the seller fails to present at least one (1) form of identification which at least contains the seller's full name, date of birth, a photograph or full physical description, and an identification number.

C. Where the article to be purchased had an original manufacturer's serial number at the time it was new, but no longer legibly exhibits said number.

SECTION 4: STATE AND FEDERAL LAWS COMPLIED WITH

Secondhand dealers shall comply with all applicable state and federal laws and regulations that govern the same. This Local Law shall not be construed so as to preempt any state or federal laws.

SECTION 5: RECORD OF PURCHASES

Every secondhand dealer shall keep at the business location a register on forms provided or approved by the District Attorney in which shall be entered in a permanent manner the following information: a succinct and accurate description of all property taken, purchased or received in the course of the business licensed under this Local Law, including any number or inscription that may be in or on said property; the full legal name of the person from whom the property is received, including full first name and middle initial, if any; such person's current residential address, date of birth and physical description; the consideration and terms of the transaction; the signature of the employee who received the property; and the signed statement of the person from whom the property was obtained that he/she is over eighteen (18) years of age and the legal owner of same, clear of all attachments and with the legal right to sell. Entries made in the register shall be printed or typed and shall be legible. All entries shall be made immediately upon receipt or purchase of any property. The register shall be open to inspection by any police agency during normal hours of operation. Records of purchase shall be maintained for at least one (1) year.

No person shall be required to furnish such description of any new property purchased from manufacturers or wholesale dealers having an established place of business, or of any goods purchased at open sale, or from a bankrupt stock. Such goods must be accompanied by a bill of sale or other evidence of open and legitimate purchase and must be shown to police agencies or District Attorney, when demanded.

SECTION 5: INSPECTION OF DEALER PREMISES: SEIZURES:

Every secondhand dealer and every person employed by the secondhand dealer in the conduct of business, shall admit to any and every part of the business premises, during normal business hours, any law enforcement officer to examine any goods, articles, things, pledges, pawns, or books or other records on the premises dealing with purchase or sale of used property and to search for and to take into possession any article known or for which such officer has reasonable grounds to believe to have been stolen. Such law enforcement officer may make any such search or seizure as is provided for in this Section, and property so seized shall be receipted for by such officer, who shall fully describe the

seized property and sign the receipt. Should the officer determine the property not to be stolen, the officer shall promptly return same to the secondhand dealer and obtain a receipt therefore, as aforesaid.

SECTION 6: WAITING PERIOD

Every secondhand dealer, except auction houses, shall keep all property purchases or received from an individual for inspection for a period of at least five (5) calendar days before it can be sold or traded.

Every bonafide auction house shall maintain an accurate record of all transactions, listing the full first name, middle initial, and last name of all buyers, residential address or business name and address, date of birth and physical description. The buyer shall sign the record of transaction.

Every auction house operating a regular secondhand store for the sale of merchandise, other than at auction, shall comply with all provisions of this Local Law the same as a secondhand store or a secondhand dealer.

SECTION 7: PENALTY

Any person who shall violate any of the provisions of this Local Law shall upon a civil adjudication be subject to a fine of not less than FIFTY ($50.00) DOLLARS or more than FIVE HUNDRED ($500.00) DOLLARS for each offense. Each day any violation of any provision of this Local Law shall continue shall constitute a separate offense. The secondhand dealer shall be fully responsible for any violation of this Local Law occasioned by or with the condonation of the secondhand dealer's partners, officers, shareholders, agents, or employees; any such violation shall be imputed to the secondhand dealer. The County Attorney shall be the presentment agency for said proceedings.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on December 15, 2014 at 10:00 A.M. at the Legislative Chambers, Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Four for the Year 2014, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney and the County Attorney.

Mr. Weaver commented that he does not think it is right that we are telling people how to run their businesses.

Vote: Roll Call – Adopted. Yes – 7618; No – 1649; Absent – 605
(No – Legislators Hanna, Mullen and Weaver; Absent – Legislator Crossett)

RESOLUTION NO. 220-14

Introduced by P. McAllister. Seconded by G. Roush.

APPROVING THE STATEMENT OF TAXES DUE AND DIRECTING DELIVERY OF THE COMPLETED TAX ROLLS WITH ATTACHED WARRANTS.

Pursuant to Sections 900, 902, 904 and 1330 of the Real Property Tax Law and Section 361 of the County Law of the State of New York.

WHEREAS, this County Legislature pursuant to Section 361 of the County Law of the State of New York, is deemed to have passed a budget for Fiscal Year 2015, and also by prior resolution duly adopted, made appropriations for the conduct of the County government for the Fiscal Year 2015; and

WHEREAS, the Director of the County Real Property Tax Service Agency has prepared the statement of taxes due January 1, 2015, for all towns and cities showing the respective real property tax levies and tax rates; and

WHEREAS, upon the tax rolls of the several tax districts, the several taxes have been duly extended as provided by Law and said completed tax rolls have been laid before this County Legislature for its approval.

NOW THEREFORE, BE IT

RESOLVED, the said statement of taxes due January 1, 2015, tax rates and tax rolls for the taxes for the Year 2015 extended on the several assessment valuations of parcels of land of the several tax districts for County and Town purposes be approved as so completed; that the taxes so extended upon the tax rolls in the several amounts extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and be it further

RESOLVED, there be annexed to each of said rolls a tax warrant in the form prepared by the Clerk of the Legislature and heretofore laid before this Legislature for its approval, as provided by Section 904 of the Real Property Tax Law; that such Warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; that the several Warrants be signed by the Chairman and Clerk of this Legislature, under the Seal of the Legislature; and that the said rolls with the said Warrants annexed thereto be forthwith delivered to the respective collectors of the several tax districts in the County; and be it further

RESOLVED, the Warrant shall designate the amount payable to the Commissioner of Finance and the amount payable to the Supervisor, and shall constitute the authority of such collectors of taxes to collect and receive the several amounts thereof to be paid over to the respective Commissioner of Finance and Supervisor on or before April 1, 2015; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 221-14

Introduced by P. McAllister and G. Swackhamer. Seconded by H. Lando.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A 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 the Cities of Corning and Hornell have negotiated a Sales Tax Allocation Agreement in the form attached to this resolution; and

WHEREAS, this agreement was approved by the Corning City Council on November 3, 2014, and by the Hornell City Council on November 24, 2014, 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 Sales Tax Allocation Agreement with the Cities of Corning and Hornell to be effective March 1, 2015; 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; Shawn Hogan, 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.

AGREEMENT
SALES TAX ALLOCATION
COUNTY OF STEUBEN, CITY OF CORNING, and CITY OF HORNELL

THIS AGREEMENT made this day of _____ 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 1 Nasser 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 have hereto reached an agreement in principal regarding the allocation and distribution of sales and compensating use tax revenue in Steuben County; 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 and taxes were to be stabilized and distributed in an equitable manner; and

WHEREAS, the parties hereto wish to enter into an 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 be 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 1st, 2015, and they shall not reimpose any such taxes to take effect earlier than March 1, 2020.

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. Steuben County shall set aside $15,700,000 each year of this agreement for County purposes, provided that, from that amount set aside for County purposes, the County shall pay the City of Corning and the City of Hornell a 'Sharing Incentive' allocation to each City in the amount each of $80,000 in 2015, $60,000 in 2016, $40,000 in 2017, and $20,000 in 2018.

B. In each year of this agreement~~,~~ Steuben County shall allocate and distribute the following amounts: 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.

C. If the County's net collections in any year are insufficient to cover the annual amount set aside for County purposes and payments described in paragraph A of this section and the allocations described in paragraph B of this section, such set aside, payments and allocations shall each be reduced on a pro rata basis.

D. If the County's net collections in a year exceed the total of the amounts set aside for County purposes and payments described in paragraph A of this section and the allocations described in paragraph B 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 percent (36%) to the Towns and Villages in the County.

E. A Town or Village's share of the amounts that paragraphs B and D 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.

F. 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, 2015, and ending February 29, 2020.

SIXTH: That on or before the first day of 2019, 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, 2019, 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, 2019, and receive approval of such agreement from the State Comptroller by such date, on terms either to extend this Agreement effective March 1, 2020, or to enter into a new agreement to take effect March 1, 2020, 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, 2020, the Steuben County Legislature hereby agrees to waive, and does waive, pursuant to Tax Law section 1223(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, 2020.

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:

Mr. Mullen asked for an explanation. Mr. Alger explained this agreement has been a work in progress for the past couple of years. We have been working to try and address issues surrounding the implementation of the tax cap and the option given to municipalities to take their sales tax as a credit or cash payment. This agreement gives us a measure of control over how that decision on the part of municipalities impacts us. If the municipalities take their sales tax as cash, that comes off the top of your levy. There is no impact to the towns. We have a total of $7 million in cash payments that could potentially be shifted from credit to cash by the municipalities and that would have an impact on our budget. We would have to cut the levy by that $7 million, which would be virtually impossible to do. This agreement does not hurt the towns and villages. We are giving the cities an $80,000 incentive that will be reduced incrementally down to zero over the course of the five-year agreement. Long-term, this agreement gives stability to all the municipalities. Both cities have already approved this agreement.

Mr. Mullen asked would we have the most growth in the cities or outside of the cities? Mr. Alger replied the growth shifts between the cities and other municipalities depends upon the year. Historically, it has been split between the two. Hornell has been very aggressive in adding retail to their community.

Mrs. Ferratella asked is the bridge money for Corning and Hornell eliminated with this agreement? Mr. Alger replied yes.

Mr. Mullen asked if we are talking to the towns, how does this agreement make it that they cannot take the cash payment? Mr. Alger replied another resolution will be presented to the Board for consideration in which we will require the towns and villages to notify us in advance of their selection of cash or credit of the sales tax. Absent this agreement with the cities, the State provides that they already get that option. If the cities were to pre-empt, the County would then have to work with the towns and villages. This agreement is taking back control of the distribution to the towns and villages.

Mr. Farrand asked do the towns and villages have to notify each or year, or is their decision permanent? Mr. Alger replied their notification will be in effect for the term of the agreement. Currently, they have to notify us by September 1st.

Mr. Welch asked so the bridge money is out? Mr. Alger replied yes. There is an incentive for the cities and in lieu of that funding, the bridge money comes out. Mr. Mullen asked how much of an impact will this agreement have? Mr. Alger stated we distribute $14 million in sales tax and we are talking about $200,000. Discussion followed.

Vote: Roll Call – Adopted.

RESOLUTION NO. 222-14

Introduced by M. Hanna. Seconded by R. Weaver.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXTEND THE INTERMUNICIPAL AGREEMENT WITH THE CITY OF MIDDLETOWN.

WHEREAS, Steuben County owns and operates a solid waste landfill facility (the "Facility") located in the Town of Bath designed and permitted for the disposal of solid waste as defined in New York Environmental Conservation Law, Article 27, Title 7 6NYCRR part 360; and

WHEREAS, the Facility is authorized to dispose of 500 tons per day of solid waste and the Facility currently has excess disposal capacity within that daily limit of approximately 300 tons per day; and

WHEREAS, Steuben County is willing to make up to 25,000 tons per year of capacity available for the disposal of municipal solid waste from the City of Middletown or from those with whom Middletown contracts for the disposal of solid waste; and

WHEREAS, the City of Middletown desires to contract with Steuben County to provide for the disposal of up to 25, 000 tons per year of municipal solid waste at a rate of $25.00/ton at the Facility for a period of three (3) years with provision for renegotiating for a period of up to five (5) years; and

WHEREAS, all other provisions in the Intermunicipal Agreement will remain unchanged; and

WHEREAS, the parties are desirous of extending the Intermunicipal Agreement for said purposes.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized to extend the Intermunicipal Agreement with the City of Middletown for the disposal of municipal solid waste at the Steuben County Bath Landfill; and be it further

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

Mr. McAllister asked Mr. Spagnoletti to provide an explanation of this. Mr. Spagnoletti explained the City of Middletown brings us 12,400 tons of garbage annually and have been doing this since 1999. They have asked that the price be reduced to $25.00 per ton. It has been $29.00 per ton. If we did not want to lower the price, they would take their garbage to Seneca Meadows or Casella. There is an advantage to us taking their garbage. We would receive approximately $60,000 in revenue from the garbage, and an additional $60,000 in revenue from the methane production for the electric plant. If we do not do this, we will lose this revenue and he will have to come back in January and ask for a rate increase for taxpayers on their garbage of $2.00 per ton or $.50 per bag.

Mr. Farrand asked what is the cost to Middletown to transport their garbage here? Mr. Spagnoletti replied their cost to truck it here is $40 - $45 per ton. It is not too much further for them to transport to Seneca Meadows. Mrs. Lando asked did you budget for this change? Mr. Spagnoletti replied no. He was very conservative on his revenue estimates for next year.

Mr. Farrand asked were there any negotiations prior to settling on this price? Mr. Spagnoletti replied we have been talking with them for a couple of months. It is important to continue to get this revenue and the methane.

Vote: Roll Call – Adopted.

RESOLUTION NO. 223-14

Introduced by B. Schu and G. Swackhamer. Seconded by A. Mullen.

AUTHORIZING A TRANSFER FROM THE CONTINGENT FUND TO THE 2014 BUDGET FOR THE ASSIGNED COUNSEL PROGRAM.

WHEREAS, the Steuben County 2014 budget for Assigned Counsel Program contains insufficient funds to cover expenditures; and

WHEREAS, the Public Safety & Corrections and Finance Committees have approved this transfer from the Contingent Fund to cover the 2014 expenditures.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to adjust the following accounts in the 2014 budget:

EXPENSE ACCOUNTS:
Account 199000 5-499-000 Contingent - ($50,000)
Account 117300 5-423-200 Assigned Counsel - $50,000

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the administrative offices of the Assigned Counsel Administrator, the Public Defender, and the Commissioner of Finance.

Vote: Roll Call – Adopted.

A M E N D E D

RESOLUTION NO. 224.14

Introduced by P. McAllister and G. Swackhamer. Seconded by M. Hanna.

AUTHORIZING THE COUNTY TO PARTICIPATE IN THE COSTS OF APPEAL WITH WAYNE AND ONTARIO COUNTIES IN CASES RESPECTING *IN REM* FORFEITURE, IF REQUESTED, IN THE AMOUNT OF $2,000, EACH.

WHEREAS, there are two cases pending or on appeal in/from the Western District of New York, United States Bankruptcy Court from which a decision in favor of the Debtor(s) will have a long-term negative impact on the County's ability to convey acceptable title to buyers of tax-foreclosed properties sold at its annual tax sale; and

WHEREAS, the County forecloses tax liens pursuant to Article 11 of the Real Property Tax Law of the State of New York, with title to the property being the sole remedy provided therein; and

WHEREAS, pursuant to statute the various counties within the State of New York are required to guarantee and pay to the various towns and school districts within its borders the unpaid town/county/school taxes levied each January 1st; and

WHEREAS, the amount of such taxes guaranteed and paid in 2014 was $7,365,991; and

WHEREAS, the New York State Association of Counties has recommended that each County participate in the costs of document preparation and legal expenses for defense and or appeals of the Counties of Ontario and Wayne, in the suggested amount of $2,000 per case.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is authorized to designate an expense account from which such costs are to be paid; and be it further

RESOLVED, that upon the application of the said County of Wayne and/or County of Ontario, as approved by the County Attorney, the Commissioner of Finance is authorized to disburse the payments herein recited; and be it further

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

Mr. Roush asked if we are giving $2,000 to both Wayne and Ontario Counties, should the resolution title read ..."if requested, in the amount of $2,000, each"?

Mr. Mullen asked for an explanation. Mr. Reed explained there are two cases that are currently in bankruptcy court. Ontario County has appealed their case and Wayne County is set for a hearing. Both cases deal with the integrity of the County's title and availability for debtors to challenge the County's in an in rem proceeding. This is a rather aggressive approach. Rather than wait for us to have a case come in our direction, he is submitting that we participate with both counties in their appeals. He stated that the basis for our participation is to protect the County's title interest. Mr. Donnelly commented that if these cases fail, the counties would be required to hold property for two years prior to sale.

Mr. Alger stated what is important is that during a tax foreclosure proceeding, we make the other parties whole. We could have an additional two-year period with cash out, and no way to recoup it. Ms. Lattimer asked would this impact only tax foreclosures in bankruptcy, or all of them? Mr. Alger replied it would cover all of them; this could affect every property.

Mr. Mullen asked is the purpose for this to allow the trustee to recover equity after the back taxes are paid? Mr. Reed replied yes.

Vote: Roll Call – Adopted.

RESOLUTION NO. 225-14

Introduced by R. Weaver. Seconded by H. Lando.

AUTHORIZING THE ASSIGNMENT OF THE COFFEE CART LEASE.

WHEREAS, following a request for proposals, on December 1, 2005, Steuben County executed a lease to operate a coffee cart/vending counter within the County Office Building located in Bath NY; and

WHEREAS, said contract was transferred by this body to Migliore Amica, a corporate partnership between Gloria Moran and Michele Cavanaugh in August 2012; and

WHEREAS, Migliore Amica, LLC, has sold the coffee cart/vending counter equipment to follow other pursuits; and

WHEREAS, the terms of the 2005 contract allow the contract to be assigned to another vendor when consent is given by the County of Steuben; and

WHEREAS, the County desires to continue to have a coffee cart/vending counter for the convenience of the Court Systems, County Employees, and visitors to the County Office Building; and

WHEREAS, said vendor would like to operate the coffee cart/vending counter within the County Office Building; and

WHEREAS, said vendor is found to be of good standing with the necessary skills and permits to operate the coffee cart/vending counter.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is authorized to execute a contract with Sara E. Golden, doing business as The Golden Cup, to operate the coffee cart/vending counter in the County Office Building; and be it further

RESOLVED, that the period of said contract shall be December 15, 2014 through December 31, 2015; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager.

Vote: Roll Call – Adopted.

RESOLUTION NO. 226-14

Introduced by P. McAllister. Seconded by R. Weaver.

TRANSFERRING A POSITION FROM THE HEALTH CARE FACILITY TO THE DEPARTMENT OF SOCIAL SERVICES.

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

WHEREAS, there is need for an Accountant within the Department of Social Services; and

WHEREAS, there is one position within the Health Care Facility that can be transferred; and

WHEREAS, the Administration Committee has approved transferring said position to the Department of Social Services.

NOW THEREFORE, BE IT

RESOLVED, effective January 1, 2015, the following position in Steuben County is transferred as follows:

TRANSFER

FROM Health Care Facility one (1) Accountant, Grade 14, $37,654 - $53,159
TO Social Services one (1) Accountant, Grade 14, $37,654 - $53,159;

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 227-14

Introduced by P. McAllister. Seconded by R. Lattimer.

APPOINTING THE REPUBLICAN COMMISSIONER OF ELECTIONS OF THE COUNTY OF STEUBEN FOR A TERM COMMENCING JANUARY 1, 2015.

Pursuant to Section 3-204 of the Election Law of the State of New York.

WHEREAS, Russell Smith, Chairman of the County Committee of the Republican Party of the County of Steuben, has in pursuance of law, made, signed, and filed with the Clerk of the County Legislature, in proper form, his certification that

Veronica Olin, residing in Hornell, County of Steuben and State of New York, is a suitable and qualified person to be appointed as a Commissioner of Elections.

NOW THEREFORE, BE IT

RESOLVED, Veronica Olin, residing in Hornell, Steuben County, New York, be and is hereby appointed a Commissioner of Elections in and for the County of Steuben for a term of two (2) years commencing January 1, 2015 and terminating December 31, 2016 and setting the salary at $50,107; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee at 6321 Crosby Creek Road, Hornell, NY 14843; Rusty Smith, Chairman, Steuben County Republican Committee, PO Box 198, Corning, NY 14830; the County Clerk; the Personnel Officer; and the Clerk of the Steuben County Board of Elections.

Mr. Van Etten stated that he realizes he is in the minority with this, however, he still feels that there is no justification to have these positions be full-time. For years the Election Commissioner positions were part-time. We were sold a bill of goods six years ago about the amount of work needed to implement the Help America Vote Act. We were told that there would be all sorts of training, equipment purchases, setup, ballot design and printing, site inspections, etc., and that in order to do this we needed full-time commissioners. Whether we hold 2, 3 or 4 elections a year, there is no way that you can convince me that these are full-time positions worthy of $50,000 per year, plus benefits. With fringes, $80,000 each. There are four other full-time clerical positions that manage the day-to-day workload in that office, as well as an army of part-time positions who come in during the busy times. Given the performance of the prior Democratic Commissioner, I think it's more than obvious that we can still hold elections successfully with only a part-time commissioner. Earlier this year the Republican Commissioner terminated a long-term County employee, and when called on the carpet by the Republican Caucus, she was never able to justify her actions. When asked to come back with a detailed analysis of job responsibilities and why her position should remain as full-time, she never followed up and produced none of the information that was requested. As full-time employees, these people need to be held accountable and answer questions about their roles and responsibilities. If they can't even justify their own job, it begs the question as to why they are in that role in the first place. It is my opinion that we need to revert back to having part-time positions for these Commissioners and save this County about $100,000. Because of that, I cannot in good faith support appointing either Commissioner position as full-time.

Vote: Roll Call – Adopted. Yes – 8129; No – 1138; Absent – 605
(No – Legislators Farrand and Van Etten; Absent – Legislator Crossett)

RESOLUTION NO. 228-14

Introduced by P. McAllister. Seconded by H. Lando.

APPOINTING THE DEMOCRATIC COMMISSIONER OF ELECTIONS OF THE COUNTY OF STEUBEN FOR A TERM COMMENCING JANUARY 1, 2015.

Pursuant to Section 3-204 of the Election Law of the State of New York.

WHEREAS, Shawn Hogan, Chairman of the County Committee of the Democratic Party of the County of Steuben, has in pursuance of law, made, signed, and filed with the Clerk of the County Legislature, in proper form, his certification that Kelly J. Penziul, residing in Painted Post, County of Steuben and State of New York, is a suitable and qualified person to be appointed as a Commissioner of Elections.

NOW THEREFORE, BE IT

RESOLVED, that Kelly J. Penziul, residing in Painted Post, Steuben County, New York, be and is hereby appointed a Commissioner of Elections in and for the County of Steuben for a term of two (2) years commencing January 1, 2015 and terminating December 31, 2016 and setting the salary at $50,107; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee at 175 Beartown Rd., Painted Post, NY, 14870; Shawn Hogan, P.O. Box 627, 82 Main Street, Hornell, New York, 14843; the Steuben County Clerk; Personnel Officer, and to the Clerk of the Steuben County Board of Elections.

Vote: Roll Call – Adopted. Yes – 8129; No – 1138; Absent – 605
(No – Legislators Farrand and Van Etten; Absent – Legislator Crossett)

RESOLUTION NO. 229-14

Introduced by J. Hauryski. Seconded by R. Lattimer.

APPOINTING MEMBERS TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

Pursuant to Chapter 1030 of the Laws of 1969 of the State of New York.

WHEREAS, the by-laws of the Steuben County Industrial Development Agency authorize as many as seven (7) members to serve on the Steuben County Industrial Development Agency; and

WHEREAS, the Board members are appointed to serve three (3) year staggered terms, excepting one appointee who shall serve a term of one (1) year; and

WHEREAS, the term has expired for various Board members.

NOW THEREFORE, BE IT

RESOLVED, the following persons, as recommended by the Chairman of the Legislature, are hereby appointed (reappointed) as members of the Steuben County Industrial Development Agency for the terms as indicated and shall hold office until reappointed or successor is appointed, and has qualified to wit:

January 1, 2015 through December 31, 2017
Christine G. Sharkey, Corning Enterprises, One West Market Street – 6th Floor, Corning, NY 14831
Michael J. Doyle, 54 Lake Street, Hammondsport, NY 14840

January 1, 2015 through December 31, 2015
Joseph J. Hauryski, Chairman, Steuben County Legislature, 6031 County Route 17, Campbell, NY 14821

January 1, 2013 through December 31, 2015
Philip J. Roche, Esq., County resident, 5 Fox Lane East, Painted Post, NY 14870
Dr. Katherine P. Douglas, President, Corning Community College, 1 Academic Drive, Corning, NY 14830

January 1, 2014 through December 31, 2016
Michael L. Nisbet, 20 Bennett Street, Canisteo, NY 14823
Brenda Copeland, Steuben Trust Company, One Steuben Square, Hornell, NY 14843

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 Industrial Development Agency; and be it further

RESOLVED, certificates of appointment, as required by law, shall be filed with the Secretary of the State of New York, by Jeff Evans, Esq., of Welch and Zink, Counsel to the Steuben County Industrial Development Agency; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to each of the above-named appointees; the Steuben County Planning Director, James C. Johnson, Executive Director, Steuben County Industrial Development Agency, 7234 Route 54N, P.O. Box 393, Bath, NY 14810; Marcia Weber, Executive Director, Southern Tier Central Regional Planning & Development Board, 8 Denison Parkway East, Suite 310, Corning, NY 14830; counsel to the agency and the County Auditor.

Vote: Acclamation – Adopted.

Motion to Adjourn made by Ms. Lattimer, seconded by Mr. Roush and duly carried.