

ORGANIZATIONAL MEETING
Morning Session
Monday, January 4, 2016
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 seven districts comprising the towns and cities of Steuben County convened in the Legislative Chambers, Bath, New York, on Monday, the 4th day of January, 2016, at 10:00 a.m. for the purpose of organizing the County Legislature of Steuben County for the years 2016 and 2017 and for the transaction of such other business as would properly and lawfully come before the meeting.

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

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

Mr. Swackhamer offered the Invocation and the Pledge of Allegiance was led by Mr. Hauryski.

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

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

Temporary Chairman Swackhamer called for a Republican and Democratic caucus.

Motion to adjourn into caucuses made by Mr. Weaver, seconded by Mr. Schu and duly carried.

Temporary Chairman Swackhamer reconvened the Organizational Meeting of the Legislature.

Temporary Chairman Swackhamer called for nominations for Chairman of the Steuben County Legislature for 2016 and 2017. *Mrs. Ferratella nominated Joseph Hauryski, seconded by Mr. Hanna.*

Motion to close nominations for Chairman of the Steuben County Legislature made by Ms. Lattimer, seconded by Mr. Mullen and duly carried.

RESOLUTION NO. 001-16

Introduced by G. Swackhamer.

Seconded by R. Weaver.

APPOINTING THE CHAIRMAN OF THE STEUBEN COUNTY LEGISLATURE FOR A TWO-YEAR TERM OF 2016 AND 2017.

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 4th day of January 2016, 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, 2016.

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, 2016, 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. Swackhamer asked Legislator Ferratella and Legislator Hanna to escort Chairman Hauryski to his chair.

The Honorable 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. *Mrs. Ferratella nominated Scott J. Van Etten, seconded by Mr. Hanna.*

Motion to close nominations for Vice Chairman of the Steuben County Legislature made by Ms. Lattimer, seconded by Mrs. Lando and duly carried.

RESOLUTION NO. 002-16

Introduced by J. Hauryski.

Seconded by B. Schu.

APPOINTING THE VICE-CHAIRMAN OF THE STEUBEN COUNTY LEGISLATURE FOR A TWO-YEAR TERM OF 2016 AND 2017.

Pursuant to Section 2.04 of the Steuben County Charter.

WHEREAS, this Steuben County Legislature has on this 4th day of January 2016, been duly organized and has in accordance with Section 2.04 of the Steuben County Charter, duly selected County Legislator **SCOTT J. VAN ETTEN** of Corning, New York, as Vice-Chairman of the Legislature for a two-year term commencing January 1, 2016.

NOW THEREFORE, BE IT

RESOLVED, SCOTT J. VAN ETTEN of Corning, 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, 2016, 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 Joseph Latham administered the Oath of Office to Mr. Van Etten for the position of Vice Chairman of the Legislature.

Chairman Hauryski stated thank you for your confidence in re-electing me as your Chairman for another two-year term. I will do my best to service in this capacity. Sometimes it is a struggle and sometimes it is very interesting. Overall, I am very proud and pleased with the Legislature that I have had an opportunity to work with and I look forward to another two years. As always, the tax cap will impact

our funding decisions as we prepare our 2016 budget, and we will have to comply with the property tax initiative and the efficiency plan that we submitted. I have to be honest with you, with the recent announcement by Kraft-Heinz to close the milk plant in my district, it got me thinking about what we do, or do not do, as a Legislature in spurring economic development in the County. It is because of this that I am going to make the role of this Legislature in economic development a top priority. In the very near future, I hope to convene a meeting with our partners in this effort, namely Jamie Johnson of the IDA Board, Marcia Weber from the Southern Tier Central Regional Planning and Development Board, Steve Manning of the Southern Tier Network, Dr. Katherine Douglas, of Corning Community College and Betsy Hale, Three Rivers Development. I would like to hear from the Legislature as to your thoughts and ideas on what we as a Legislature can do to make a difference in economic development. I invite you to join me for this discussion.

Chairman Hauryski stated one idea that has been suggested to me was that the Legislature have a staff person that can directly support our economic development partners. After giving that some thought, I decided what better representative than the County Manager and his deputy. This assignment will work in concern with our partners that I have previously mentioned. In the coming year I would like to see the AdHoc Municipal Coordination Committee continue to move forward with how we can help towns get to 100 percent assessment. Additionally, I would like to have them take a look at all the departments' use of shared services, how they are being used, and efficiencies realized. The AdHoc Committee on Office Space will continue its oversight on the new office building, and they still need to come up with a plan for what to do with the old courthouse in Hornell, as well as the courthouse in Corning. What do we do with the offices currently occupying those buildings? The office space on Liberty Street will need a determination as to what we are going to do with it.

Chairman Hauryski stated with fiber being installed to this building, I am asking each standing committee to ask how the departments are able to use it and how it is benefitting them. Along with that, I would like to ask how the departments can utilize GIS technology. Let's use this technology to our advantage. Here are a few possible goals that will need to be taken up by the appropriate standing committees:

- ❖ Review and rewrite our Ethics Local Law.
- ❖ Evaluate and select options for increased volume of waste at the Landfill.
- ❖ Plan and conduct strategic planning sessions for the Legislature.
- ❖ Establish regular communication of County activities to partner towns and municipalities.

Finally, I am asking that each standing committee come up with one or more goals of their own that they feel can benefit our operation. Each department will again be asked to provide a list of their goals that can be achieved this year to the County Manager. I want to thank all County employees for their work and dedication in serving the residents of Steuben County. Keep up the good work!

RESOLUTION NO. 003-16

Introduced by J. Hauryski.

Seconded by G. Roush.

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, 2016; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 004-16

Introduced by J. Hauryski.

Seconded by H. Lando.

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, 2016; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 005-16

Introduced by J. Hauryski.

Seconded by G. Swackhamer.

RECOGNIZING THE AUTHORITY OF THE CHAIRMAN OF THE LEGISLATURE OF THE COUNTY OF STEUBEN TO APPOINT STANDING AND SPECIAL COMMITTEES FOR THE YEARS 2016 AND 2017.

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 2016 and 2017, 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 2016 and 2017; 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. 006-16

Introduced by J. Hauryski.

Seconded by C. Ferratella.

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 2016 and 2017;

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. 007-16

Introduced by G. Swackhamer.

Seconded by G. Roush.

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 2016 and 2017:

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 4th day of January 2016; 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 4, 2016

/s/ Eric T. Booth

/s/ Aaron I. Mullen

/s/ Dan C. Farrand

/s/ Robert V. Nichols

/s/ Carol A. Ferratella

/s/ Gary B. Roush

/s/ Kelly H. Fitzpatrick

/s/ Brian C. Schu, Esq.

/s/ K. Michael Hanna

/s/ Gary D. Swackhamer

/s/ Joseph J. Hauryski

/s/ Scott J. VanEtten

/s/ Robin K. Lattimer

Vote: Acclamation – Adopted.

RESOLUTION NO. 008-16

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 2016 and 2017:

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 4th day of January 2016; 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 4, 2016

/s/ Hilda T. Lando

/s/ Steven P. Maio

/s/ John V. Malter

/s/ Randolph J. Weaver

Vote: Acclamation – Adopted.

Chairman Hauryski reminded the Legislature that the Public Safety & Corrections and Public Works Committees will be meeting at 10:00 a.m. and 11:00 a.m. respectively. He also distributed the 2016 committee assignments. He asked that the Chairs of the committees meet with him immediately following this morning's meeting.

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

REGULAR METTING
Morning Session
Monday, January 25, 2016
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 January, 2016, 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.

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

Chairman Hauryski asked Mary Ellen Johnson to come forward. Ms. Johnson is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement with 34 years of service to Steuben County.

Chairman Hauryski asked Joyce Allen-Sullivan to come forward. Ms. Allen-Sullivan 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 Colleen Eason to come forward. Ms. Eason 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 Karen Pickard to come forward. Ms. Pickard 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 Kelly Penziul to come forward. Ms. Penziul is an employee in the Board of Elections. 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 to comments by members of the public.

Jeff Walker stated he is an attorney with the law firm of Schlather, Stumbar, Parks and Salk and is representing Kristen Klemenz. They have sent prior correspondence with regard to the 2013 RFP for towing in Steuben County. He stated that his client has obtained the proper equipment to be able to participate in commercial towing. We would like to bring the RFP back up for discussion. What can we do to get this process moving?

Kristen Klemenz, B & W Towing, stated that we are looking for a new RFP for towing to be done.

Chairman Hauryski commented this issue will be referred to the Public Safety & Corrections Committee for discussion.

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

Dr. Katherine Douglas, President, Corning Community College stated that she is here today to provide an overview of where we are heading for 2016. She stated 2015 was a year of much good news and we looked at numerous ideas to maximize the future of the college. The college did receive an unqualified 10-year reaccreditation from the Middle States Commission for Higher Education. Dr. Douglas stated we

have centralized our learning commons, which has increased the number of students who use it. We also are streamlining our student services and have instituted new software which allows students to view their transcripts and review their class lists. We also have refreshed our website information.

Dr. Douglas stated they are expanding their academic partnership. One way we have done that is by applying for a seven-year grant for P-Tech, which is Pathways to Technology. This is a program which allows high school students the opportunity to participate in early college learning. We will be accepting our first class in September 2016. She stated that they conducted an economic impact study, and for every dollar that the County has invested, there is a return of 9.63 percent.

Dr. Douglas announced that the college will be receiving CFA and URI funding for a new health education center. The new center will be located at the intersection of Chemung and Denison. We will also be constructing private market housing on the former hospital site.

Dr. Douglas stated that nationwide, there is a trend that when the economy improves, the students go into the workforce and do not attend college. Additionally, locally we are seeing less high school students. These two things combined are resulting in a decrease in the number of students attending Corning Community College. The college is looking at consolidation. We do not own the business development center, so that will be coming back to the Spencer Hill Campus. We will be closing our Goff Road facility and the Criminal Justice Program and the Law Enforcement Academy will be housed at Spencer Hill. Additionally, we are looking at our facilities at the Airport Corporate Park and Elmira to determine the best use for the future. We also have reorganized various departments within the college, which have resulted in some positions being eliminated. She stated that they no longer provide child care, however, they do provide a subsidy to student parents.

Dr. Douglas thanked the Legislature for their support throughout the year. It means a great deal to the college.

Mrs. Lando commented there has been a lot of buzz about consolidation and the loss of positions. She suggested getting the information out to the public that has been presented here today, to help them have a better understanding of what is happening. Dr. Douglas replied our annual report to the community will include a lot of the information that has been presented to you today.

Ms. Fitzpatrick commented that some of the things you are offering sound good. As a past graduate, it sounds like you are heading in the right direction. Ms. Lattimer asked how soon will the health education center be open? Dr. Douglas replied it all depends on the URI process. We anticipate opening the facility and welcoming student by the Fall of 2018, but it could be earlier.

Motion adopting the minutes of the previous meeting(s) made by Mr. Van Etten. Seconded by Mrs. Ferratella and duly carried.

Mrs. Ferratella stated that she would like to thank Mr. Wheeler and Mr. Alger for the newsletter that is going out to all municipalities. This is a great communication tool. Chairman Hauryski stated that this is something that he and Mr. Wheeler have been talking about. He appreciates Mr. Wheeler and Mr. Alger working together on this project. This is a good avenue for the departments to get information out to the municipalities. If you have any item that you think would be appropriate to include, please let Mr. Wheeler know. We will be sending out the newsletter every two months.

A M E N D E D

RESOLUTION NO. 009-16

Introduced by S. Van Etten.

Seconded by R. Weaver.

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

Pursuant Section 2.07 of the Steuben County Charter.

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of applications for correction of real property taxes levied on the parcels contained in Schedule "A"; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to make the proper tax adjustment, and/or refund, with respect to the parcels contained in Schedule "A", as set forth in the approved applications, copies of which shall be forwarded to the taxpayer and collecting authority; and 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 – 2015" 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	Brett J Cochran & Ann A Lepkowski
Parcel No.	206.00-03-017.000
Municipality	Town of Campbell
Disposition	Correction

Resolution No.	A-2
Name	Christopher and Tammy Goll
Parcel No.	224.00-02-003.100
Municipality	Town of Campbell
Disposition	Correction

Resolution No.	A-3
Name	David and Beverly Pierce
Parcel No.	226.00-01-017.120
Municipality	Town of Campbell
Disposition	Correction

Resolution No.	A-4
Name	Gary and Toni Brown
Parcel No.	224.34-01-005.000
Municipality	Town of Campbell
Disposition	Correction

Resolution No. A-5
Name Dean A. & Denise A. Knowles
Parcel No. 242-00-01-002.110
Municipality Town of Campbell
Disposition Correction

Resolution No. A-6
Name Colleen Sutton
Parcel No. 260.00-01-009.114
Municipality Town of Campbell
Disposition Correction

Resolution No. A-7
Name Dale R. Tombs
Parcel No. 261.00-01-032.000
Municipality Town of Campbell
Disposition Split

Resolution No. A-8
Name Randall & Colleen Sutton
Parcel No. 260.00-01-032.000
Municipality Town of Campbell
Disposition Correction

Resolution No. A-9
Name Richard E. Herrick Jr.
Parcel No. 262.03-01-053.200
Municipality Town of Campbell
Disposition Correction

Resolution No. A-10
Name Norman D. & Barbara A. Maynard
Parcel No. 279.00-03-007.200
Municipality Town of Campbell
Disposition Correction

Resolution No. A-11
Name James & Stacey Richtmeyer
Parcel No. 084.00-01-067.121
Municipality Town of Avoca
Disposition Split

Resolution No. A-12
Name Mitchell A. Parker
Parcel No. 145.00-03-036.000
Municipality Town of Bath
Disposition Correction

Resolution No. A-13
Name John P. and Kathleen A. Bell
Parcel No. 203.00-02-021.000
Municipality Town of Bath
Disposition Correction

Resolution No. A-14
Name Jared E. & Sarah M. Clark
Parcel No. 177.00-01-004.112
Municipality Town of Bradford
Disposition Correction

Resolution No. A-15
Name Slayton Ag. LLC
Parcel No. 389.00-03-009.111
Municipality Town of Caton
Disposition Split

Resolution No. A-16
Name William A. & Kathleen Aman
Parcel No. 067.00-01-007.100
Municipality Town of Dansville
Disposition Split and Consolidation

Resolution No. A-17
Name Triple H Ranch LLC
Parcel No. 217.00-01-025.000
Municipality Town of Canisteo
Disposition Split

Resolution No. A-18
Name Stephen R. & Jody W. Mixon
Parcel No. 298.06-01-018.000
Municipality Town of Erwin
Disposition Correction

Resolution No. A-19
Name Brian C. Lewis
Parcel No. 298.00-01-003.580
Municipality Town of Erwin
Disposition Correction

Resolution No. A-20
Name Margaret S. Goodwin Estate
Parcel No. 204.00-03-032.200
Municipality Town of Bath
Disposition Split

Resolution No. A-21
Name Larry C. Amidon
Parcel No. 196.00-01-029.000
Municipality Town of Hartsville
Disposition Split

Resolution No. A-22
Name Nathan J. & Rose A. McLaughlin
Parcel No. 227.00-02-014.000
Municipality Town of Hornby
Disposition Correction

Resolution No. A-23
Name Barry L. & Patricia M. Whitney
Parcel No. 227.00.02-019.000
Municipality Town of Hornby
Disposition Correction

Resolution No. A-24
Name Darcy D. Detine
Parcel No. 227.00-02.025.220
Municipality Town of Hornby
Disposition Correction

Resolution No. A-25
Name Richard Sr. & Pamela VanEtten
Parcel No. 228.00-01-026.211
Municipality Town of Hornby
Disposition Correction

Resolution No. A-26
Name Julian & Maggie Dalton
Parcel No. 228.00-01-049.000
Municipality Town of Hornby
Disposition Correction

Resolution No. A-27
Name Noel & Edwin Bablo
Parcel No. 245.00-01-027.100
Municipality Town of Hornby
Disposition Correction

Resolution No. A-28
Name David L. & Tracy L. Fleet
Parcel No. 246.00-01-020.113
Municipality Town of Hornby
Disposition Correction

Resolution No. A-29
Name Leslie Coumbe
Parcel No. 246.00-01-061.000
Municipality Town of Hornby
Disposition Correction

Resolution No. A-30
Name Beverly J. & Ben C. Causer
Parcel No. 246.00-01-050.000
Municipality Town of Hornby
Disposition Correction

Resolution No. A-31
Name Thomas & Marlene Bulkley
Parcel No. 247.00-01-027.000
Municipality Town of Hornby
Disposition Correction

Resolution No. A-32
Name Terry Axtell
Parcel No. 264.00-01-006.000
Municipality Town of Hornby
Disposition Correction

Resolution No. A-33
Name Dennis & Joan Conway
Parcel No. 265.17-01-003.000
Municipality Town of Hornby
Disposition Correction

Resolution No. A-34
Name William P. Becker
Parcel No. 265.17-01-009.000
Municipality Town of Hornby
Disposition Correction

Resolution No. A-35
Name John & Terry Mangiagli
Parcel No. 281.00-01-011.100
Municipality Town of Hornby
Disposition Correction

Resolution No. A-36
Name Lois Jeanette Joyner
Parcel No. 247.16-01-022.000
Municipality Town of Hornby
Disposition Correction

Resolution No. A-37
Name Daniel & Deborah Stewart
Parcel No. 405.00-01-042.000
Municipality Town of Lindley
Disposition Correction

Resolution No. A-38
Name Daniel & Deborah Stewart
Parcel No. 405.00-01-041.200
Municipality Town of Lindley
Disposition Correction

Resolution No. A-39
Name Larry Jr. & Jennifer Baker.
Parcel No. 406.06-01-027.000
Municipality Town of Lindley
Disposition Correction

Resolution No. A-40
Name James L. Haner
Parcel No. 407.00-01-004.120
Municipality Town of Lindley
Disposition Correction

Resolution No. A-41
Name Leonard & Ann Marie Falsone
Parcel No. 050.00-02-085.100
Municipality Town of Pulteney
Disposition Correction

Resolution No. A-42
Name Brian R. Smalt
Parcel No. 130.00-01-046.110
Municipality Town of Urbana
Disposition Split

Resolution No. A-43
Name Thomas K. Bowers
Parcel No. 040.00-03-012.200
Municipality Town of Wayland
Disposition Split

Resolution No. A-44
Name John & Ruby Bloom
Parcel No. 115.00-01-020.220
Municipality Town of Wheeler
Disposition Split and Consolidation

Resolution No. A-45
Name John C. Bloom
Parcel No. 115.00-01-020.212
Municipality Town of Wheeler
Disposition Split and Consolidation

Resolution No. A-46
Name Jacquelyn, Neil & Douglas Partridge
Parcel No. 087.00-01-023.111
Municipality Town of Wheeler
Disposition Split

Resolution No.	A-47
Name	Chris A. & Crystal E. Meyers
Parcel No.	349.12-01-007.000
Municipality	Village of Addison
Disposition	Correction

Resolution No.	A-48
Name	New York State
Parcel No.	333.00-30-002.000
Municipality	Town of Bath
Disposition	Correction

Resolution No.	A-49
Name	Reginald J Tostanoski
Parcel No.	279.16-01-003.000
Municipality	Town of Erwin
Disposition	Correction

Resolution No.	A-50
Name	John Drew
Parcel No.	067.00-01-007.200
Municipality	Town of Dansville
Disposition	Split and Consolidation

Resolution No.	A-51
Name	Brian Knight
Parcel No.	335.00-02-015.000
Municipality	Town of Corning
Disposition	Correction

Resolution No.	A-52
Name	Lawrence & Karen Torpey
Parcel No.	015.00-01-061.100
Municipality	Town of Wayland
Disposition	Split

Resolution No.	A-53
Name	State of New York
Parcel No.	333.00-24-002.000
Municipality	Town of Bath
Disposition	Correction

Resolution No.	A-54
Name	World Kitchen LLC — Tax Dept. c/o Stavitsky & Associates, Agent
Parcel No.	318.10-01-001.200
Municipality	City of Corning
Disposition	Refund

(This is a duplicate and the Legislature approved a motion to remove)

Resolution No.	A-55
Name	Craig & Janet Dougherty
Parcel No.	218.00-01-013-100 218.00-01-013.200 218.00-01-014.000
Municipality	Town of Canisteo
Disposition	Split and Consolidation

SCHEDULE "B"

Resolution No.	B-1
Former Owner	Michael & Lisa Nichols
In Rem Index No.	2013-1427CV, Judgment filed May 6, 2015
Parcel No.	336.06-02-043.100
Municipality	Village of South Corning
Grantee(s)	Nickolas J. Blackman & Renee R. Austin
Grantee(s) Address	15 S. Maple Street, Corning, NY 14830
Consideration	\$800.00, inclusive of recording fees

Mr. Hanna and Mr. Mullen both commented that they would need to abstain as they have clients listed on the resolution.

Mr. Reed commented that there has been an adjustment to Schedule A, relative to A-54. This is a duplicate and action had already been taken in September.

Motion to remove A-54 from Schedule A as it is a duplicate made by Mrs. Lando, seconded by Mr. Malter and duly carried.

**Vote: Roll Call – Acclamation. Yes – 7598; No – 0; Absent – 1076; Abstained – 1198.
(Absent: Legislators Farrand and Swackhamer; Abstained: Legislators Hanna and Mullen)**

RESOLUTION NO. 010-16

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE JANUARY 25, 2016 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 18, 2015

NYS Office for the Aging – Re: Annual Evaluation for the Steuben County Office for the Aging and notification of a follow up letter is needed by January 25, 2016. *Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.*

NYS Office for the Aging – Re: Notification of Grant Award (NGA) for the Nutrition Services Incentive Program (NSIP) for the 2016 federal fiscal year. *Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.*

December 23, 2015

NYS Sheriffs' Association – Re: The option to continue to participate in the programs negotiated by the Association or select other vendors once the agreements expire for the Jail Inmate Phone System and the Expedited Bail by Credit Card Program. *Referred to: Finance and Public Safety & Corrections Committees; Alan Reed, County Attorney and David Cole, Steuben County Sheriff.*

Harris Beach, PLLC, Attorneys at Law — Re: City of Hornell Industrial Development Agency and Lowe's Home Centers, Inc. distribution of first amendment PILOT (payment in lieu of tax) agreement and RP-412-a form. *Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.*

December 24, 2015

NYS Homes & Community Renewal — Re: Notification of the Federal Assistance Expenditure Form needs to be submitted no later than February 28, 2016. *Referred to: Amy Dlugos, Planning Director; and Patrick Donnelly, Commissioner of Finance.*

December 28, 2015

NYS Governor's Traffic Safety Committee – Re: Notification of approval of the 2016 STOP DWI plan. *Referred to: Public Safety & Corrections Committee; and Sheriff Cole.*

January 5, 2016

The Greater Hammondsport Chamber of Commerce – Re: 2015 Annual Report on the disbursement of the \$15,000 allocated funds. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Department of Transportation – Re: Statewide Mass Transportation Operating Assistance (STOA) 4th quarter SFY 2015-2016 payment. *Referred to: Amy Dlugos, Planning Director.*

NYS Homeland Security and Emergency Services – Re: Notification of being awarded \$185,710 under the New York State 2015-2016 Public Safety Answering Points Operations Grants Program (2015-16 PSAP Grant). *Referred to: Public Safety & Corrections Committee; and David Hopkins, 911 Director.*

January 6, 2016

NYS Office of Parks, Recreation and Historic Preservation – Re: Notification of the Temple Beth El located at 12 Church Street, Hornell, NY 14843 is now listed on the New York State Register of Historic Places and nominated to the National Register of Historic Places. *Referred to: A.I.P. Committee; and Eleanor Silliman, County Historian.*

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$2,184, which represents the November 2015 retained surcharge revenues for Steuben County. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

January 8, 2016

Glenn O. Hawbaker Inc. – Re: Post construction conditions (USB drive) of the detour route for the Pennsylvania P3 JV 133 SR 4017, Section 017, Tioga County, MPMS NO. 7347 Bridge Construction Project including NY Route 101, NY Route 100, NY Route 99, Brook Road, McCaslin Road, Sealy Road, PA SR 4017, PA SR 49 and PA SR 4021. *Referred to: Vince Spagnoletti, Commissioner of Public Works.*

Vote: Acclamation – Adopted.

RESOLUTION NO. 011-16

Introduced by B. Schu.

Seconded by H. Lando.

AMENDING THE STEUBEN COUNTY ADMINISTRATIVE CODE RELATIVE TO THE FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY.

Pursuant to Section 2.07(6) of the Steuben County Charter.

WHEREAS, the Steuben County Administrative Code, adopted in 1985 and amended various times since, details policies and procedures of Steuben County; and

WHEREAS, the Personnel Officer has completed a comprehensive review of the Family and Medical Leave Act Policy in the Administrative Code and recommended revisions to bring the County policy more in line with the Family and Medical Leave Act; and

WHEREAS, said revisions have been distributed to the Legislature for review; and

WHEREAS, the Administration Committee has reviewed the proposed changes and recommends approval by the Legislature.

NOW THEREFORE, BE IT

RESOLVED, that the revised Administrative Code is hereby adopted; and be it further

RESOLVED, the revised Administrative Code will be made available via the Steuben County intranet, and employees and staff will be notified of said revisions; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, Personnel Officer, and County Attorney.

Vote: Roll Call – Adopted.

A M E N D E D

RESOLUTION NO. 012-16

Introduced by B. Schu and S. Van Etten.

Seconded by G. Roush.

AMENDING THE INVESTMENT POLICY OF THE COUNTY OF STEUBEN.

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

WHEREAS, the Steuben County Administration and Finance Committees reviewed and approved on January 12, 2016, revisions to the Investment Policy of the County of Steuben.

NOW THEREFORE, BE IT

RESOLVED, that the Investment Policy reviewed and revised on the date recited above, be filed with the Clerk of the Legislature, and the same hereby is, adopted by the Steuben County Legislature, as follows:

COUNTY OF STEUBEN INVESTMENT POLICY

I. SCOPE

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

OBJECTIVES

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

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

To adequately safeguard the principal (safety);

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

To obtain a reasonable rate of return (yield).

II. DELEGATION OF AUTHORITY

The County of Steuben's responsibility for the administration of the investment program is delegated to the Commissioner of Finance, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level

of accountability based on records incorporating description and amounts of investments, transaction dates, and other relevant information and to direct and supervise the activities of subordinate employees.

III. PRUDENCE

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

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

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

IV. DIVERSIFICATION

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

V. INTERNAL CONTROLS

It is the policy of the County of Steuben for all monies collected by any officer or employee of the government to transfer either the funds or the notice of deposit of said funds to the Commissioner of Finance within five (5) days of receipt, or within the time period specified in law, whichever is shorter. In many cases the time period is 24 hours, but funds should be deposited as soon as possible after receipt.

The Commissioner of Finance is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, are managed in compliance with applicable laws and regulations, that transactions are executed in accordance with management's authorization, and that transactions are properly recorded.

AUTHORIZED DEPOSITORY AND INVESTMENT INSTITUTIONS AND DEALERS

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

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

SAFEKEEPING AND COLLATERALIZATION

All County of Steuben deposits and investments in banks or trust companies that exceed the amounts insured under the provisions of the Federal Deposit Insurance Act (FDIC), including pursuant to a Deposit Placement Program in accordance with law, shall be secured in accordance with the provisions of General Municipal Law, Article 2, §10 and the

requirements as set forth by the New York State Comptroller. Further guidance is recited in the Model Investment Policy issued by the New York State Comptroller's Office. Permissible means of securing deposits and investments consist of any one, or combination, of the following, subject to statutory requirements:

1. A pledge of "eligible securities" with an aggregate "market value" (as provided by the General Municipal Law §10) that is at least equal to the aggregate amount of deposits by the officers. See Appendix B of this policy for a listing of "eligible securities."
2. An "eligible surety bond" payable to the County for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.
3. An "eligible letter of credit," payable to the County as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An "eligible letter of credit" shall be an irrevocable letter of credit issued in favor of the County, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company's commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.
4. An "irrevocable letter of credit" issued in favor of the County by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

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

The security agreement shall provide that eligible securities are being pledged to secure the County's deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities held may be sold, presented for payment, substituted or released and the events of default which will enable the County to exercise its rights against the pledged securities.

In the event that the securities are not registered or inscribed in the name of the County, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Steuben or its custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a Federal Reserve Bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the County in the securities as set forth in the security agreement.

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

VI. PERMITTED INVESTMENTS

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

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

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

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

VII. PURCHASE OF INVESTMENTS

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

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

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

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law §10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the County of Steuben, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the

securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the County with a perfected interest in the securities.

The Commissioner of Finance can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law §10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

COURIER SERVICE

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

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

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

Appendix A
Authorized Banking and Investment Entities

	Maximum Percentage (Of Total Cash & Investments)
Bank of America	35%
Five Star Bank	35%
Steuben Trust Company	35%
Community Bank, NA	35%
Chemung Canal Trust	35%
M&T Bank & Trust	35%
J.P. Morgan Chase	35%
Key Bank, N. A.	35%
HSBC	15%
Cooperative Liquid Assets Securities	10%
Morgan-Stanley/Dean Witter	10%

Appendix B
Eligible Securities for Collateral

Eligible Securities	For purposes of determining aggregate “market value,” eligible securities shall be valued at these percentages of “market value”:
(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.	100%
(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank and the African Development Bank.	100%
(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.	100%
(iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.	100%
(v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	These bonds deleted by County Legislature amendment January 25, 2016, when policy reviewed and approved.
(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.	80%
(ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.	70%
(x) Commercial paper and bankers’ acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.	80%
(xi) Zero-coupon obligations of the United States government marketed as “Treasury STRIPS.”	80%

Mr. Mullen asked relative to Appendix B, could we remove item (vi) which references Puerto Rico? Mr. Donnelly stated that he has no objection to it. Generally, we would not take a bond of that nature. We receive collateral securities of U.S. bonds. This is a model policy from the State Comptroller.

Motion to remove section vi from Appendix B made by Mr. Mullen, seconded by Mr. Weaver and duly carried.

Vote: Roll Call – Adopted.

RESOLUTION NO. 013-16

Introduced by R. Lattimer.

Seconded by Mrs. Lando.

EXTENDING THE COFFEE CART LEASE.

Pursuant to Section 2.07 of the Steuben County Charter and Section 215 of the County Law of the State of New York.

WHEREAS, on December 15, 2014 the County entered into a lease agreement with Sara E. Golden, doing business as The Golden Cup, to operate the coffee cart/vending counter in the County Office Building; 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 continue operating 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 lease extension 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 lease shall be January 1, 2016 through December 31, 2016; and be it further

RESOLVED, that the Legislature delegates the authority for future review, approval and/or renewal of this lease to the Agriculture, Industry & Planning Committee; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager and the Director of Planning.

Vote: Roll Call – Adopted.

RESOLUTION NO. 014-16

Introduced by R. Lattimer.

Seconded by C. Ferratella.

AUTHORIZING THE COUNTY MANAGER TO EXTEND THE LEASE OF THE OLD HOSPITAL BUILDING TO PRO ACTION OF STEUBEN AND YATES COUNTIES THROUGH DECEMBER 31, 2019.

Pursuant to Section 2.07 of the Steuben County Charter and Section 215 of the County Law of the State of New York.

WHEREAS, the County of Steuben is the owner of the former Bath Hospital Building at 117 East Steuben Street; and

WHEREAS, since 1997 the County has leased this building to Pro Action of Steuben and Yates Counties with the current term expiring on December 31, 2017; and

WHEREAS, Pro Action of Steuben and Yates Counties has agreed to assume the daily operation and maintenance of the building at 117 East Steuben Street, including the payment of all utilities; and

WHEREAS, Pro Action of Steuben and Yates Counties has an opportunity to apply for certain grant funds, but must demonstrate that it has a lease for its building through December 31, 2019.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby approve the lease extension between Steuben County and Pro Action of Steuben and Yates Counties through December 31, 2019, and authorizes the County Manager to sign said lease; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Laura Rossman, Executive Director of Pro Action of Steuben and Yates Counties, 117 East Steuben Street, Bath, New York.

Mr. Mullen asked what do we have in the budget for maintenance and how much is the lease? Mr. Wheeler replied the lease is \$1.00 and we share maintenance costs. We do the plowing and patching of the asphalt. We also fund the maintenance of the elevator.

Mr. Mullen asked could we consider having them do all of the maintenance? Otherwise we are losing the value of the building. Ms. Lattimer commented historically, having a good tenant in that building is an advantage for the County. Mr. Wheeler replied that is something that can be discussed as the lease is coming due.

Vote: Roll Call – Adopted.

RESOLUTION NO. 015-16

Introduced by A. Mullen and B. Schu.

Seconded by H. Lando.

AUTHORIZING THE TRANSFER AND RECLASSIFICATION OF A VACANT POSITION IN THE OFFICE OF COMMUNITY SERVICES TO TWO PART-TIME POSITIONS IN THE DISTRICT ATTORNEY'S OFFICE.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, there is a need for two Assistant District Attorney (PT) positions; and

WHEREAS, there is one vacant position within Community Services that can be transferred and reclassified; and

WHEREAS, the Public Safety and Corrections and the Administration Committee have approved the reclassification of the position listed below and transferring said position to the District Attorney'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 15 (\$39,510 – \$55,777)

TO: District Attorney’s Office: two (2) Assistant District Attorney (PT), Mgmt Grade E (\$37,000 annually)

AND BE IT FURTHER RESOLVED, the 2016 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, District Attorney, Director of Community Services, and the County Manager.

Vote: Roll Call – Adopted.

RESOLUTION NO. 016-16

Introduced by B. Schu.

Seconded by H. Lando.

CONFIRMING THE APPOINTMENT OF THE PART-TIME RISK MANAGER.

Pursuant to Section 12.16 of the Steuben County Charter.

WHEREAS, Scott E. Sprague of Hammondsport, New York, has been appointed by the County Manager as Risk Manager, in a part-time capacity; and

WHEREAS, the Administration Committee has recommended the Steuben County Legislature confirm said appointment.

NOW THEREFORE, BE IT

RESOLVED, Scott E. Sprague of Hammondsport, New York, appointed as Risk Manager, part-time, is hereby confirmed by the Steuben County Legislature; and be it further;

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 017-16

Introduced by A. Mullen.

Seconded by S. Maio.

CONFIRMING THE APPOINTMENT OF THE PART-TIME CONFLICT DEFENDER.

Pursuant to Section 12.04 of the Steuben County Charter.

WHEREAS, Brenda Aston of Bath, New York, has been appointed by the County Manager as Conflict Defender, in a part-time capacity; and

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

NOW THEREFORE, BE IT

RESOLVED, Brenda Aston of Bath, New York, appointed as Conflict Defender, part-time, is hereby confirmed by the Steuben County Legislature; and be it further;

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

Vote: Roll Call – Adopted.

Motion to block vote resolutions 10-26 and dispense with the reading, as well as to withdraw resolution 21 made by Mr. Van Etten, seconded by Mr. Roush and duly carried.

RESOLUTION NO. 018-16

Introduced by J. Hauryski.

Seconded by H. Lando.

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

Pursuant to Section 12.20 of the Steuben County Charter.

BE IT RESOLVED, the appointments of Hilda T. Lando, Legislator, District 2, and Robert V. Nichols, 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, 2016 and ending December 31, 2017, 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. 019-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING MEMBERS TO THE STEUBEN COUNTY ETHICS BOARD.

Pursuant to Section 12.20 of the Steuben County Charter.

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

January 1, 2016 through December 31, 2018

- R. Michael Ingalls, 383 Cleveland Avenue, Hornell, NY 14843
- Brenda K. Mori, 8057 Briglin Road, Hammondsport, NY 14840
- Eric Shults, Esq., 427 Seneca Road, North Hornell, NY 14843
- Rhonda B. Sweet, 6 Whiting Street, Bath, NY 14810

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 shall be forwarded to the County Auditor and all members of the Steuben County Ethics Board.

Vote: Acclamation – Adopted.

RESOLUTION NO. 020-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING REPRESENTATIVES TO THE FISH AND WILDLIFE MANAGEMENT ACT BOARD.

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

BE IT RESOLVED, upon the recommendation of the 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, 2015 – December 31, 2016

Mike Warren
2901 County Road 56
Hornell, NY 14843

Steuben County Sportsman Representative:
January 1, 2016 – December 31, 2017

Thomas J. Ryan
41 Chestnut Street
Canisteo, NY 14823

Steuben County Legislative Representative:
January 1, 2016 – December 31, 2017

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, Avon, NY 14414; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 021-16

Introduced by J. Hauryski.

Seconded by H. Lando.

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

Pursuant to Section 12.20 of the Steuben County Charter and Article 4, Title 4 of the Public Authorities Law.

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, 2016 through December 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 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. 022-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING REPRESENTATIVES TO THE INTERCOUNTY ASSOCIATION OF WESTERN NEW YORK.

Pursuant to Section 12.20 of the Steuben County Charter.

BE IT RESOLVED, from January 1, 2016 through December 31, 2017, the Steuben County Legislature does hereby designate the following as representatives of this Legislature to the InterCounty Association of Western New York:

1. **CAROL A. FERRATELLA**, voting representative
2. **HILDA T. LANDO**, voting representative
3. **BRENDA K. MORI**, voting representative
4. **K. MICHAEL HANNA**, alternate voting representative
5. **JACK K. WHEELER**, 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. 023-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING A REPRESENTATIVE TO THE STEUBEN COUNTY JURY BOARD.

Pursuant to Section 12.20 of the Steuben County Charter and 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, Hilda T. Lando, Steuben County Legislator representing District 2, is hereby appointed as the Legislative Representative to the Steuben County Jury Board for a two (2) year term commencing January 1, 2016 and expiring December 31, 2017; and be it further

RESOLVED, said representative shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of her 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 Boulevard, Rochester, NY 14614; the Commissioner of Jurors; the County Clerk; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 024-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING STEUBEN COUNTY REPRESENTATIVES TO THE COMMITTEES ON PRESCHOOL SPECIAL EDUCATION.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, New York State law requires school districts to establish committees on Preschool Special Education, and

WHEREAS, Counties have been given the option of appointing representatives to each of the school districts therein.

NOW THEREFORE, BE IT

RESOLVED, that Steuben County hereby appoints the following as representatives to all School Districts serving Steuben County residents; and be it further

RESOLVED, that the following appointments to said Committees by recommendation of the Steuben County Manager are hereby approved and ratified:

Diane Kiff, Administrative Officer
Special Children's Services
Steuben County Public Health
3 East Pulteney Square
Bath, NY 14810

Anne Roser, Service Coordinator
Special Children's Services
Steuben County Public Health
3 East Pulteney Square
Bath, NY 14810

Karen Dgien, Service Coordinator
Special Children's Services
Steuben County Public Health
3 East Pulteney Square
Bath, NY 14810

Danielle Lange, Service Coordinator
Special Children's Services
Steuben County Public Health
3 East Pulteney Square
Bath, NY 14810

BE IT FURTHER RESOLVED, that the above-named appointees shall serve without compensation and shall only receive reimbursement for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Preschool Special Education Committee; 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. 025-16

Introduced by J. Hauryski.

Seconded by H. Lando.

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

Pursuant to Section 12.20 of the Steuben County Charter.

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, 2016 and ending December 31, 2017; and be it further

RESOLVED, that Mitchell M. Alger, 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 West Morris Street, Bath, NY, and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 026-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING MEMBERS TO THE RURAL TRANSPORTATION ADVISORY COMMITTEE.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, the Steuben County Legislature adopted Resolution No. 188-02 creating a permanent, two-County Rural Transportation Advisory Committee.

NOW THEREFORE, BE IT

RESOLVED, the Chairman of the Steuben County Legislature has recommended the following individuals to serve as representatives from Steuben County to serve on the Committee:

Tracey Yorio
ARC of Steuben
One Arc Way
Bath, NY 14810

Michael Steele, General Manager
Steuben County Transit and CEATS
1201 Clemens Center Parkway
Elmira, NY 14901

Amy Dlugos, Director
Steuben County Planning Department
3 East Pulteney Square
Bath, NY 14810

Andrew Williams
New York State DOT
Region 6, 107 Broadway
Hornell, NY 14843

Vincent Spagnoletti, Commissioner
Steuben County Public Works Department
3 East Pulteney Square
Bath, NY 14810

Seth Corwin
Hornell Area Transit System
158 Thatcher Street
Hornell, NY 14843

Jim Arey, Director
Elmira-Chemung Transportation Council
400 East Church Street
Elmira, NY 14902-0588

BE IT FURTHER RESOLVED, that the above-named appointees shall serve without compensation and shall only receive reimbursement for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Rural Transportation Advisory Committee; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; Dennis Fagan, Chairman, Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Marcia Weber, Executive Director, Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East, Suite 310, Corning, NY 14830; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 027-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING A MEMBER TO THE SOUTHERN TIER EXTENSION RAILROAD AUTHORITY.

Pursuant to Section 12.20 of the Steuben County Charter and Article 8, Title 28-AA of the Public Authorities Law.

WHEREAS, Article 8, Title 28-AA of the Public Authorities Law creates the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority to continue and strengthen the system of railroads serving the Counties through the creation of a regional, public benefit corporation; 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 and one member has resigned.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby appoint the following individual to serve as a member of the Southern Tier Extension Railroad Authority for the term as indicated:

Seth M. Corwin
48 Hillside Place
Hornell, NY 14843
Term: September 1, 2015 through August 31, 2018

AND BE IT FURTHER RESOLVED, said members 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 appointees; the Southern Tier Extension Railroad Authority, Center for Regional Excellence, 4039 Route 219, Salamanca, NY 14779-1493; and the County Auditor.

RESOLUTION NO. 028-16

Introduced by J. Hauryski.

Seconded by H. Lando.

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

Pursuant to Section 12.20 of the Steuben County Charter, 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 County Manager, **Timothy Marshall**, 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, 2016 through December 31, 2017; 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 West Church Street, Elmira, NY 14905.

Vote: Acclamation – Adopted.

RESOLUTION NO. 029-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING MEMBERS TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

Pursuant to Section 12.20 of the Steuben County Charter and Section 895-i of the General Municipal Law 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, 2016 through December 31, 2016

Joseph J. Hauryski, Chairman, Steuben County Legislature, 6031 County Route 17, Campbell, NY 14821

January 1, 2016 through December 31, 2018

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.

RESOLUTION NO. 030-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING MEMBERS TO THE STEUBEN COUNTY TRAFFIC SAFETY BOARD.

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

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

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature appoints the following persons as members of the Steuben County Traffic Safety Board for the terms indicated:

JANUARY 1, 2015 TO DECEMBER 31, 2017

David V. Cole	Steuben County Sheriff or Designee
Amy R. Dlugos	Steuben County Planning Director or Designee
Vincent Spagnoletti	Commissioner of Public Works or Designee
Salvatore Trentanelli	Corning City Police Chief or Designee
Lorelei Wagner	Steuben County Public Health

JANUARY 1, 2016 TO DECEMBER 31, 2018

Brooks T. Baker	Steuben County District Attorney or Designee
Carol A. Ferratella	Steuben County Legislator, District 13
Timothy Marshall	Steuben County Emergency Management Office Director or Designee
Chad Mullen	Bath Village Police Chief or Designee
Ted Murray	Hornell City Police Chief or Designee
Cathy Rouse-Nicholson	Steuben County Magistrate's Association Designee

EX-OFFICIO MEMBER SERVING JANUARY 1, 2016 TO DECEMBER 31, 2018

New York State Police Designee

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

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 031-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING MEMBERS TO THE E-911 ADVISORY BOARD.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, the Steuben County Legislature adopted Resolution No. 058-02 on February 25, 2002, appointing the members of the E-911 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, 2015.

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 Services Representatives (1 paid city; 3 volunteers)

Anthony Hopper, Bath VA (<i>filling unexpired term of Larry Day</i>)	01/01/14 – 12/31/16
Joseph J. Dick, North Hornell	01/01/15 – 12/31/17
Brian D. McCarthy, Painted Post	01/01/15 – 12/31/17
Dan Smith, Hornell City Fire Chief	01/01/16 – 12/31/18

Volunteer Ambulance Representative

Rick Andrews, Woodhull	01/01/16 – 12/31/18
Gregg Learned, Hammondsport	01/01/14 – 12/31/16

Paid Ambulance Representative

Alan Lewis, Rural Metro	01/01/14 – 12/31/16
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Local Police Representative

Chad Mullen, Bath Village Police Chief (<i>filling unexpired term of David Rouse</i>)	01/01/14 – 12/31/16
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State Police Representative

Captain Eric Dauber, Bath Zone Commander (<i>filling unexpired term of Captain Kevin Reilly, Bath Zone Commander</i>)	01/01/14 – 12/31/16
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Sheriff Representative

David V. Cole, Sheriff	01/01/14 – 12/31/16
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City Police Representative

Salvatore Trentanelli, Corning City Police Chief	01/01/16 – 12/31/18
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City At-Large Representative

Shawn Hogan, Hornell City Mayor	01/01/16 – 12/31/18
Mark L. Ryckman, Corning City Manager	01/01/16 – 12/31/18

County Government Representative

Jack K. Wheeler, County Manager	01/01/16 – 12/31/18
<u>Alternate:</u> Mitchell M. Alger, Deputy County Manager	

County Legislature Representatives

K. Michael Hanna, District 5	01/01/16 – 12/31/18
John V. Malter, District 4, Chairman's Designee (<i>filling unexpired term of Carol A. Ferratella</i>)	01/01/14 – 12/31/16
Aaron I. Mullen, District 7 (<i>filling unexpired term of Brian C. Schu</i>)	01/01/15 – 12/31/17

Ex-Officio Members (Non-Voting)

David Hopkins, E-911 Director
Timothy Marshall, Director, Emergency Management Office

AND BE IT FURTHER RESOLVED, the Chairman of the Steuben County Legislature hereby appoints Jack K. Wheeler 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 E-911 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. 032-16

Introduced by J. Hauryski.

Seconded by H. Lando.

REAPPOINTING THE COUNTY REPRESENTATIVE TO THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION BOARD OF DIRECTORS.

Pursuant to Section 12.20 of the Steuben County Charter, Chapter 346 of the Session Laws of the State of New York for 1973 and County of Steuben Local Law No. Two of 1973.

WHEREAS, it is necessary for the County of Steuben to have a legal representative by and through a member on the Board of Directors of the Western Regional Off-Track Betting Corporation in order to participate in the operation of said Corporation; and

WHEREAS, the term of the current representative has expired effective December 31, 2015.

NOW THEREFORE, BE IT

RESOLVED, that John Clifford of Cohocton, New York, be and the same hereby is, reappointed as Steuben County's representative to the Western Regional Off-Track Betting Corporation Board of Directors for a term commencing January 1, 2016 through December 31, 2019; and be it further

RESOLVED, that as a member of said Board of Directors, the appointee is hereby authorized and empowered to make decisions and recommendations, and to participate in those activities which would be normally and legally commensurate with the position of a Director of said corporation; and be it further

RESOLVED, that said appointee shall serve without compensation except for necessary expenses as provided for by the Western Regional Off-Track Betting Corporation Board of Directors; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee; the New York State Racing and Wagering Board, 1 Watervliet Avenue Extension, Suite #2, Albany, NY 12206; and Martin C. Basinait, President, Western Regional Off-Track Betting Corporation, 700 Ellicott Street, Batavia, NY 14020.

Vote: Acclamation – Adopted.

RESOLUTION NO. 033-16

Introduced by J. Hauryski.

Seconded by H. Lando.

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

Pursuant to Section 12.20 of the Steuben County Charter and Article 25-AA of the Agriculture and Markets Law.

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

WHEREAS, Article 25-AA 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, 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

January 1, 2015 through December 31, 2018

Shawn Gilson, 3699 State Route 21, Wayland, NY 14572

Tom Massi, 246 Victory Highway, Painted Post, NY 14870

January 1, 2016 through December 31, 2019

Charles Painter, 295 Murray Road, Addison, NY 14801

Mike Slayton, 7195 County Route 27, Hornell, NY 14843

Ex-Officio Members (Voting)

Robert V. Nichols, Steuben County Legislator, District 11

Chairperson, Soil & Water Conservation District Board of Directors, or Designee

Director, Cornell Cooperative Extension, or Designee

Steuben County Planning Director, or Designee

Steuben County Real Property Tax Service Agency, or Designee

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, County Auditor, and Amy Dlugos, Chair, Steuben County Agricultural and Farmland Protection Board.

Vote: Acclamation – Adopted.

RESOLUTION NO. 034-16

Introduced by R. Lattimer.

Seconded by J. Malter.

MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE IN SUPPORT OF RESTORING FUNDING WITHIN THE ENVIRONMENTAL PROTECTION FUND (EPF).

WHEREAS, the Steuben County Soil & Water Conservation District and the Finger Lakes-Lake Ontario Watershed Protection Alliance (FLOWPA) have advocated for the restoration of funding to the Environmental Protection Fund (EPF) for the 2016-17 budget year; and

WHEREAS, this funding is specifically utilized in Steuben County to improve local water quality in efforts such as lake monitoring, stream bank/road ditch stabilization and critical area seeding or hydro-seeding; and

WHEREAS, this funding is utilized by all 25 counties in the watershed to protect our natural resources from the ever changing climate; and

WHEREAS, an increase from the current \$1.75 million level back to the 2008-09 level of \$2.3 million would help the Steuben County Soil & Water Conservation District and FLOWPA make our infrastructure and communities more resilient and focused on water quality protection.

NOW THEREFORE BE IT

RESOLVED, that Steuben County Legislature urges the Governor and the New York State Legislature to support restoring funding to the Environmental Protection Fund (EPF) back to 2008-09 levels; and be it further

RESOLVED, that the State Legislature and Governor are urged to appropriate \$2.3 million to the Environmental Protection Fund in the 2016-17 budget year; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward certified copies of this resolution to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-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 Carl Heastie, Speaker, New York State Assembly, 522 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.

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. Roush, seconded by Ms. Lattimer and duly carried.

Motion to adjourn Executive Session and Reconvene in Regular Session made by Mrs. Lando, seconded by Ms. Lattimer and duly carried.

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

REGULAR SESSION
Monday, February 22, 2016
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 22nd day of February, 2016, 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 Lattimer and Weaver.

Mrs. Ferratella provided the Invocation and the Pledge of Allegiance was led by Ms. Fitzpatrick.

Chairman Hauryski asked Brice Sebring to come forward. Mr. Sebring 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 Sheila Wilson to come forward. Ms. Wilson 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 Jason McLoud to come forward. Mr. McLoud is an employee in the Department of Social Services. He presented him with a Certificate of Appreciation and a pin in recognition of his 15 years of service to Steuben County.

Mr. Gallagher thanked the Legislature for supporting the Youth In Government Program for well over thirty years. During that time, we have had 1,300 youth complete the program. He introduced the student interns for the Spring semester.

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

Terry Nardone, Hammondsport, stated he is a member of Veterans in Government and he recently received information about the City of Boston who initiated a PILOT Program to reduce property taxes and initiate economic development. The City of Boston allowed entities to pay into the tax coffers at will. Loyola University determined they received services from the City of Boston and dedicated \$45 million to their PILOT Program. Mr. Nardone stated that he had met with the previous County Manager, Mr. Alger, and he had suggested that I bring this up to public comment. He also felt it would be a good idea to mention it to the New York State Association of Counties due to their ability to conduct research. Mr. Nardone encouraged the Legislature to look into this further.

There being no further comment, 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. Malter and duly carried.

Ms. Mori announced March 18, 2016, Steuben County will be hosting the monthly InterCounty meeting at Snug Harbor. She encouraged Legislators to attend.

Chairman Hauryski announced that lunch with the interns will be at 11:30 a.m., or immediately following the meeting, at the Bath Presbyterian Church.

RESOLUTION NO. 035-16

Introduced by S. Van Etten.

Seconded by G. Swackhamer.

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

Pursuant to Section 2.07 of the Steuben County Charter.

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of applications for correction of real property taxes levied on the parcels contained in Schedule "A"; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to make the proper tax adjustment, and/or refund, with respect to the parcels contained in Schedule "A", as set forth in the approved applications, copies of which shall be forwarded to the taxpayer and collecting authority; and 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 – 2015" 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 withdraw the property(ies) contained in Schedule "C" from tax foreclosure proceedings pursuant to Real Property Tax Law §1138; and the Commissioner of Finance is further authorized to cancel any unpaid taxes against the property(ies), pursuant to Real Property Tax Law §558, as approved by the Steuben County Finance Committee on January 12, 2016; 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, and the Clerk of the Board of Education of the appropriate School District.

SCHEDULE "A"

Resolution No.	<u>A-1</u>
Name	<u>Joseph A & Sally Feeley</u>
Parcel No.	<u>136.14-01-001.200</u>
Municipality	<u>Village of North Hornell</u>
Disposition	<u>2014 Refund</u>

Resolution No.	<u>A-2</u>
Name	<u>Joseph A & Sally Feeley</u>
Parcel No.	<u>136.14-01-001.200</u>
Municipality	<u>Village of North Hornell</u>
Disposition	<u>2015 Refund</u>

Resolution No. A-3
Name Joseph A & Sally Feeley
Parcel No. 136.14-01-001.200
Municipality Village of North Hornell
Disposition 2016 Correction

Resolution No. A-4
Name Elwood & Karen Gill
Parcel No. 331.20-01-036.000
Municipality Village of Addison
Disposition Correction

Resolution No. A-5
Name Edgar & Irene Parker
Parcel No. 262.03-01-034.000
Municipality Town of Campbell
Disposition Refund

Resolution No. A-6
Name Robert & Cynthia Folmar
Parcel No. 177.00-03-008.211
Municipality Town of Bath
Disposition Split

Resolution No. A-7
Name Paul W. & Martin R. Schimmel
Parcel No. 188.00-01-021.100
Municipality Town of Bath
Disposition Split

Resolution No. A-8
Name David E. Balch
Parcel No. 426.00-01-029.111
Municipality Town of Caton
Disposition Split

Resolution No. A-9
Name Kyle & Heather Hillman
Parcel No. 103.00-01-001-130
Municipality Town of Urbana
Disposition Correction

Resolution No. A-10
Name Mark Foster & David Fusco
Parcel No. 159.53-01-038.000
Municipality Village of Bath
Disposition Split

Resolution No. A-11
Name Gary B. Stewart
Parcel No. 371.00-03-069.000
Municipality Town of Caton
Disposition Correction

Resolution No. A-12
Name Charles D. Becraft Jr.
Parcel No. 091.07-01-005.000
Municipality Town of Wayne
Disposition Correction

Resolution No. A-13
Name Cynthia Hines Tychi
Parcel No. 153.00-01-019.140
Municipality Town of Howard
Disposition Split

Resolution No. A-14
Name Paul W. Jayne
Parcel No. 144.02-01-012.000
Municipality Town of Bath
Disposition Correction

Resolution No. A-15
Name Dittmar Forestry Inc.
Parcel No. 204.00-01-021.000
Municipality Town of Thurston
Disposition Split

Resolution No. A-16
Name Animal Rescue & Rehab Foundation
Parcel No. 177.00-03-006.200
Municipality Town of Bath
Disposition Correction

SCHEDULE "B"

Resolution No.	B-1
Former Owner	David M. Cummings
In Rem Index No.	2013-1472CV, Judgment filed May 6, 2015
Parcel No.	017.15-01-035.000
Municipality	Town of Cohocton
Grantee(s)	David M. Cummings
Grantee(s) Address	16 River Street, Atlanta, NY 14808
Consideration	\$3,356.30, inclusive of recording fees

SCHEDULE "C"

Resolution No.	C-1
Name	Arthur J. & Elizabeth J. Truax
Parcel No.	280.00-01-050.000/314
Municipality	Town of Erwin
Disposition	Cancellation of Void Taxes

Resolution No.	C-2
Name	Ann Barrett
Parcel No.	280.00-01-050.000/104
Municipality	Town of Erwin
Disposition	Cancellation of Void Taxes

Mr. Mullen stated that he will be abstaining as he purchased one of the parcels that is being split.

Vote: Roll Call – Adopted. Yes – 8219, No – 0, Absent – 1056, Abstained – 597
(Absent: Legislators Lattimer and Weaver; Abstained: Legislator Mullen)

RESOLUTION NO. 036-16

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE FEBRUARY 22, 2016 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 21, 2016

Central New York Chapter Association for Talent Development – Re: Notification of Steuben County receiving the Champion of Learning recognition for the 2015 Employee Learning Week proclamation. *Referred to: Joseph Hauryski, Legislature Chairman.*

January 27, 2016

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

January 28, 2016

NYS Homes and Community Renewal – Re: Notification of the Single Audit for the period ending December 31, 2014 is incomplete. Response and/or corrections need to be submitted to the Office of Community Renewal within 30 days. *Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Patrick Donnelly, Commissioner of Finance.*

NYS Homes and Community Renewal – Re: Notification of not being selected for funding for the 2015 NYS CDBG Competitive Housing Application Project Number#1115WS346-15. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

February 2, 2016

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$2,551, which represents the December 2015 retained surcharge revenues for Steuben County. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

February 4, 2016

Thomas O'Mara, NYS Senator – Re: Notification of the application deadline process for the next round of funding under the Water Infrastructure Improvement Act of 2015 is April 15, 2016. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

February 5, 2016

NYS Department of Taxation & Finance, Office of Real Property Tax Services – Re: Notice of 2016 Assessment Roll (Tentative) Oil and Gas unit of Production Values. *Referred to: Wendy Flaitz, Real Property Director; and Patrick Donnelly, Commissioner of Finance.*

Vote: Acclamation – Adopted.

RESOLUTION NO. 037-16

Introduced by B. Schu.

Seconded by H. Lando.

PRESENTING LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2016, AMENDING LOCAL LAW NO. TWO OF THE YEAR 1978, RELATIVE TO WRITTEN NOTICE OF DEFECT.

Pursuant to Section 2.07(5) of the Steuben County Charter and Section 10 of the Municipal Home Rule Law.

WHEREAS, Steuben County has previously passed Local Law No. Two of the Year 1978; and

WHEREAS, the recited Local Law provides for a process of providing Steuben County with written notification of defects in the condition of its highways; and

WHEREAS, Steuben County is responsible for the conditions of premises other than County roads and highways; and

WHEREAS, it is in the best interest of Steuben County to provide for a process of written notification for all premises that Steuben County is responsible to maintain in addition to its highways.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. One for the Year 2016, Amending Local Law No. Two of the Year 1978, Relative to Written Notice of Defect.

**COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2016**

A Local Law, Amending Local Law No. Two of the Year 1978, Relative to Written Notice of Defect.

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

SECTION 1. No civil action shall be maintained against the County of Steuben, the Steuben County ~~Superintendent~~ Commissioner of Highways Public Works or any employee of the County of Steuben for damages or injuries to person or property sustained by reason of any highway, bridge, ~~or~~ culvert, ~~or any other property owned by the County of Steuben or~~

any property owned by any improvement district therein, being defective, out of repair, unsafe, dangerous, or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway bridge, or culvert or any other property owned by the County of Steuben, or any property owned by any improvement district, was actually given to the Clerk of the Steuben County Clerk Legislature or the Steuben County Superintendent Commissioner of Highways Public Works, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of; but no action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any town, state, or county highway, bridge, or culvert; or any other property owned by the County of Steuben or any property owned by any improvement district of the County of Steuben unless written notice thereof, specifying the particular place, was actually given to the Clerk of the Steuben County Clerk Legislature or the Steuben County Superintendent Commissioner of Highways Public Works and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

SECTION 2. No civil action shall be maintained against the County of Steuben and/or the Steuben County Commissioner of Public Works for damages or injuries to person or property sustained by reason of any defect in the sidewalks of the existence of snow or ice upon any of its sidewalks, unless such sidewalks have been constructed or are maintained by the County of Steuben and/or the Steuben County Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds pursuant to law, nor shall any action be maintained for damages or injuries to person or property sustained by reason of such defect or in consequence of such existence of snow or ice unless written notice thereof, specifying the particular place, was actually given to the Clerk of the Steuben County Legislature or to the Steuben County Commissioner of Public Works and there was a failure or neglect to cause such defect to be remedied, such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

SECTION 3. The Steuben County Superintendent Commissioner of Highways Public Works shall transmit in writing to the Clerk of the Steuben County Clerk Legislature within five (5) days after the receipt thereof all written notices received by him pursuant to this local law and the Clerk of the Steuben County Clerk Legislature shall keep an indexed record, in a separate book, of all written notices which he shall receive of the existence of such defective, unsafe, dangerous or obstructed condition, or of such snow or ice, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. The Clerk of the Steuben County Clerk Legislature shall preserve the record of each notice for a period of at least ~~five (5)~~ six (6) years after the date it is received.

SECTION 4. The Clerk of the Steuben County Clerk Legislature shall transmit in writing to the Steuben County Superintendent of Highways Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds, as applicable, within five (5) days after receipt thereof a copy of any written notice of defect, unsafe, dangerous or obstructed conditions filed in accordance herewith, which has not previously been filed with the Steuben County Superintendent of Highways Commissioner of Public Works, and the notices shall be properly recorded in the records of the Steuben County Highway Department and the Steuben County Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds, as applicable, shall take any and all corrective action with respect thereto, as soon as reasonably practicable.

SECTION 5. This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

NOTE: Old law is ~~strikeout~~ and deleted;
New matter is underlined.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on March 28, 2016 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 County Manager, Risk Manager, and the County Attorney.

Vote: Acclamation – Adopted.

RESOLUTION NO. 038-16

Introduced by B. Schu.

Seconded by S. Van Etten.

AMENDING THE STEUBEN COUNTY ADMINISTRATIVE CODE.

WHEREAS, the Steuben County Administrative Code, adopted in 1985 and amended various times since, details policies and procedures of Steuben County; and

WHEREAS, the Office of the County Manager has completed a review of and has made recommended revisions to the Administrative Code; and

WHEREAS, said revisions have been distributed to the Legislature for review and are on file with the Clerk of the Legislature; and

WHEREAS, the Administration Committee has reviewed the proposed changes and recommends approval by the Legislature.

NOW THEREFORE, BE IT

RESOLVED, that the revised Administrative Code, and policies and forms contained within, is hereby adopted; and be it further

RESOLVED, the revised Administrative Code will be made available via the Steuben County intranet, and employees and staff will be notified of said revisions; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 039-16

Introduced by B. Schu.

Seconded by G. Swackhamer.

RATIFYING AND CONFIRMING THE UNIVERSAL SETTLEMENT AS EXECUTED BY THE COUNTY MANAGER AND PROVIDING INDEMNIFICATION TO THE COUNTY MANAGER UNDER THE UNIVERSAL SETTLEMENT.

Pursuant to Section 18 of the Public Officers Law, Resolution 36-85 and Section 2.07 of the Steuben County Charter.

WHEREAS, the Universal Settlement is a settlement of Medicaid reimbursement challenges between the State of New York and most skilled nursing facilities in this state; and

WHEREAS, Steuben County has multiple rate appeals that have been included in the Universal Settlement; and

WHEREAS, on December 10, 2015, Steuben County submitted all required documents for the Universal Settlement to our attorneys, Harter Secrest and Emery, LLP, who filed the documents with the State on or about December 22, 2015; and

WHEREAS, on January 27, 2016 the County was notified that the release submitted with the above-referenced settlement documents was insufficient because the County, upon advice of counsel, had removed language requiring a personal guarantee on the part of the signer; and

WHEREAS, the January 27, 2016 notice stated that new, conforming releases must be submitted to the State no later than January 31, 2016; and

WHEREAS, on January 29, 2016, the County Manager signed the conforming releases, which were then submitted to counsel; and

WHEREAS, on February 2, 2016, the State announced that Universality had been achieved and the Universal Settlement would proceed; and

WHEREAS, without the County Manager's prompt execution of the required release the County would lose the opportunity to make a claim to an approximate settlement payment of \$740,000; and

WHEREAS, the County has adopted Resolution 36-85, "Providing for the Defense and Indemnification of Officers and Employees of the County of Steuben," conferring the benefits of Section 18 of the Public Officers Law upon all employees of Steuben County.

NOW THEREFORE, BE IT

RESOLVED, that the Legislature confirms and ratifies the action of Jack K. Wheeler, County Manager, in signing the conforming release personally guaranteeing his own assets to secure the County's share of the Universal Settlement; and

RESOLVED, that the Legislature finds that, pursuant to Section 18 of the Public Officers' Law, subdivisions 3(a) and 4(a), Jack K. Wheeler, Steuben County Manager, acted wholly within the scope of his employment and duties in executing the release, and pledges to defend, indemnify and hold Jack K. Wheeler, Steuben County Manager, and his heirs harmless from and against any and all claims or judgments brought by the State of New York, and all associated expenses, arising from or in any way connected with the recited Universal Settlement; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 040-16

Introduced by G. Swackhamer.

Seconded by J. Malter.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO LOWER THE OVERNIGHT CABIN FEE AT KANAKADEA PARK.

WHEREAS, the present cabin fee at Kanakadea Park is \$69/night; and

WHEREAS, weekday use of the cabins has been low; and

WHEREAS, the County wants to increase the weekday use; and

WHEREAS, the County deems it appropriate to offer lower weekday cabin fees.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works is hereby authorized and directed to lower the fee for cabins on Monday, Tuesday, Wednesday and Thursday nights to \$60/night; and be it further

RESOLVED, that the Commissioner of Public Works is hereby authorized and directed to offer a four- night package for Monday night through Thursday night for the cabins for \$200.

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 041-16

Introduced by D. Farrand and S. Van Etten.

Seconded by H. Lando.

AUTHORIZING THE DIRECTOR OF 911 TO ACCEPT THE 2015-2016 NEW YORK STATE PUBLIC SAFETY ANSWERING POINTS (PSAP) OPERATIONS GRANT.

Pursuant to Section 2.07(12) of the Steuben County Charter.

WHEREAS, Steuben County has a Public Safety Answering Point (911 Department) that answers emergency and non-emergency calls for assistance as well as dispatches responders to those requests; and

WHEREAS, New York State collects cell phone surcharges that allow for state support to counties with eligible public safety call-taking and dispatching expenses; and

WHEREAS, the New York State Division of Homeland Security and Emergency Services is responsible for the administration of grant allocation provided by the State Government; and

WHEREAS, the New York State Office of Homeland Security has awarded Steuben County with Federal Fiscal Year 2016 grant funds in the amount of \$185,710 under the State PSAP Grant; and

WHEREAS, \$185,710 of the funding will reimburse dispatch personnel payroll costs paid by the County and the grant reimbursement will be directed to the 911 Capital Project in the Steuben County Budget titled “E-911 Dispatch Console Replacement”.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager be authorized to enter into agreement with the New York State Division of Homeland Security and Emergency Services to accept funding in the amount of \$185,710 for county 911 personnel payroll costs; and be it further

RESOLVED, that the County Manager, the 911 Director, and the Director of Emergency Services are authorized and directed to execute the requisite documentation to effectuate this grant and agreement; and be it further

RESOLVED, that the Commissioner of Finance be and the same hereby is authorized to accept the grant funding from the State Government and the New York State Office of Homeland Security; and be it further

RESOLVED, that the Commissioner of Finance be and the same hereby is authorized to appropriate such revenue to the appropriate Capital Project (E-911 Dispatch Console Replacement) within the budget of the Steuben County 911 Department 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 Office of Homeland Security, 1220 Washington Avenue, State Office Building 7A, Albany NY 12226; the Commissioner of Finance; the 911 Director and the Director of Emergency Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 042-16

Introduced by C. Ferratella and S. Van Etten.

Seconded by G. Swackhamer.

AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ACCEPT VITAL ACCESS PROVIDER (VAP) FUNDING FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH.

Pursuant to Section 2.07(12) and Section 9.02(i) of the Steuben County Charter.

WHEREAS, New York State Office of Mental Health has made \$260,000 of State Aid funding available to provide operating assistance to financially distressed mental health clinics; and

WHEREAS, the Steuben County Community Mental Health Center will utilize this to fund initiatives to improve the fiscal viability of its mental health clinic program; and

WHEREAS, it is in the best interest of Steuben County to improve the fiscal viability of its mental health clinic program on behalf of the residents of the County; and

WHEREAS, the Human Services, Health and Education and Finance Committees have approved acceptance of said funds.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby approves the acceptance of \$260,000 from the New York State Office of Mental Health; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 043-16

Introduced by S. Van Etten.

Seconded by G. Roush.

AUTHORIZING THE ISSUANCE OF A BOND ANTICIPATION NOTE FOR THE UPPER FIVE MILE CREEK WATERSHED PROTECTON DISTRICT.

Pursuant to Sections 21 and 63 of the Local Finance Law of the State of New York.

WHEREAS, the Upper Five Mile Creek Watershed Protection District is in need of replacing and/or repairing piping and culverts, trenching and hookups, cisterns and associated labor installing same amounting to an estimated project total of \$200,000; and

WHEREAS, it is anticipated that said capital improvements are in need of immediate repair, reconstruction and dredging, funding for which may be accomplished by borrowing of a bond or bonds in an aggregate sum not to exceed \$150,000; and

WHEREAS, the Upper Five Mile Creek Watershed Protection District is responsible for the repayment of said borrowing, together with interest; the County, however, being required to pledge the County's full faith and credit in support of said borrowing.

NOW THEREFORE, BE IT

RESOLVED, the said Commissioner of Finance be, and the same hereby is, authorized and directed to issue a Bond or Bonds on behalf of the Upper Five Mile Creek Watershed Protection District and pledge the County's full faith and credit in accordance with the terms and conditions of the Local Finance Law, in total amounts not to exceed \$150,000, for a period of probable usefulness under Local Finance Law not to exceed five (5) years, said sums to be appropriated to a Capital Project "Upper Five Mile Creek Watershed Protection District Capital Expenditures" or such other Capital Project as the Commissioner shall so designate for the purposes above mentioned; and be it further

RESOLVED, said notes shall be redeemed by providing for sums in the 2017 Budget of the Upper Five Mile Creek Watershed Protection District and the balance in the subsequent Budgets of the Upper Five Mile Creek Watershed Protection District, together with any and all interest payments; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Upper Five Mile Creek Watershed Protection District, Attention: Gregory Squires, PO Box 176, Prattsburgh, NY 14873; and the Steuben County Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 044-16

Introduced by K. Michael Hanna.

Seconded by R. Nichols.

AUTHORIZING THE COUNTY MANAGER TO EXECUTE A LEASE WITH THE STEUBEN COUNTY HISTORICAL SOCIETY FOR THE MAGEE HOUSE.

Pursuant to Section 2.07 of the Steuben County Charter and Section 215 of the County Law of the State of New York.

WHEREAS, the Magee House is located at 1 Cohocton Street, Village of Bath, County of Steuben, State of New York; and

WHEREAS, the County Historian's Office has been housed in the Magee House for greater than a decade; and

WHEREAS, the public has become familiar with and accustomed to visiting the Magee House for their Historical needs; and

WHEREAS, the co-location of the Steuben County Historical Society and Steuben County Historian's Office has proven to be an effective arrangement; and

WHEREAS, the County desires to continue to house the County Historian's Office at the Magee House; and

WHEREAS, the Steuben County Historical Society desires to continue to lease a portion of the Magee House to the County.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is authorized to execute an agreement with the Steuben County Historical Society for a two-year lease for space at the Magee House for \$7,655 annually; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager.

Vote: Roll Call – Adopted.

RESOLUTION NO. 045-16

Introduced by K. Michael Hanna.

Seconded by R. Nichols.

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 will 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 28th day of March, 2016, 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 a certified copy of this resolution shall be forwarded to the Director of the Steuben County Planning Department.

Vote: Acclamation – Adopted.

Motion to block vote resolutions 13 – 20 and dispense with the reading made by Mr. Van Etten. Seconded by Mr. Roush and duly carried.

RESOLUTION NO. 046-16

Introduced by J. Hauryski.

Seconded by H. Lando.

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 Section 12.20 of the Steuben County Charter, and 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:

AFFIRMATIVE ACTION COMMITTEE

Term Commencing January 1, 2014 through December 31, 2016

1. Shawn Gardiner, President, Steuben County Corrections Officers, Dispatchers and Court Security Officers Unit
2. Scott J. Van Etten, Legislator
3. Brian C. Schu, Legislator

Term Commencing January 1, 2015 through December 31, 2017

1. Chris Myers, President, CSEA
2. Michael Ramirez, Deputy Sheriff, Steuben County Sheriff's Office
3. April Cook, Employee, Department of Social Services
4. Kathryn Muller, Commissioner, Department of Social Services

Term Commencing January 1, 2016 through December 31, 2018

1. Darlene Smith, Director, Public Health
2. Patrick F. Donnelly, Commissioner of Finance
3. Nancy B. Smith, Personnel Officer

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 Officer; 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. 047-16

Introduced by J. Hauryski.

Seconded by H. Lando.

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:

<u>Community Services Board</u>	<u>TERM</u>
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	01/01/16 – 12/31/19
3. Nancy Bartell 7 Pearl Street Hornell, NY 14843	01/01/16 – 12/31/19
4. The Honorable Gary D. Swackhamer Steuben County Legislator 67 N. Main Street Hornell, NY 14843	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
8596 Oak Hill Road
Arkport, NY 14807 01/01/15 – 12/31/18
7. Mark R. Alger
109 Rumsey Street
Bath, NY 14810 01/01/14 – 12/31/17
8. Michael Morrongiello, Ph.D.
44 West Market Street, Suite 201
Corning, NY 14830 01/01/16 – 12/31/19
9. Gina Reagan
St. James Mercy Hospital
411 Canisteo Street
Hornell, NY 14843 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 01/01/16 – 12/31/19
3. Cora Saxton
310 East Naples Street
Wayland, NY 14572 01/01/13 – 12/13/16
4. Nancy Bartell
7 Pearl Street
Hornell, NY 14843 01/01/16 – 12/31/19
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. Lynn Goodwin
Pathways, Inc.
33 Denison Parkway East
Corning, NY 14830 01/01/16 – 12/13/19

- | | | |
|-----|--|---------------------|
| 8. | Michael Morrongiello, Ph.D.
44 West Market Street, Suite 201
Corning, NY 14830 | 01/01/16 – 12/31/19 |
| 9. | VACANT | 01/01/16 – 12/31/19 |
| 10. | VACANT | 01/01/16/12/31/19 |

Chemical Dependency Subcommittee

- | | | |
|----|--|-----------------------|
| 1. | Carly Cushing
Family Service Society
220 Princeton Avenue Ext.
Corning, NY 14830 | 01/01/14 – 12/31/2017 |
| 2. | Susan Hooker
Hornell Area Concern for Youth
76 East Main Street
Hornell, NY 14843 | 01/01/15 – 12/31/18 |
| 3. | James Bassage
Bath Area Hope for Youth
8 Pulteney Square
Bath, NY 14810 | 01/01/16 – 12/31/19 |
| 4. | Gina Reagan
St. James Mercy Hospital
411 Canisteo Street
Hornell, NY 14843 | 01/01/16 – 12/31/19 |
| 5. | Robert Cole, M.D.
10101 Grandview Lane
Hammondsport, NY 14840 | 01/01/16 – 12/31/19 |
| 6. | Mark Recktenwald
8596 Oak Hill Road
Arkport, NY 14807 | 01/01/13 – 12/31/16 |
| 7. | VACANT | 01/01/15 – 12/31/18 |
| 8. | VACANT | 01/01/13 – 12/31/16 |

Developmental Disabilities Subcommittee

- | | | |
|----|---|---------------------|
| 1. | Vicki Fuerst
7863 Miller Road
Avoca, NY 14809 | 01/01/13 – 12/31/16 |
| 2. | Bernard Burns
Steuben ARC
6838 Industrial Park Road
Bath, NY 14810 | 01/01/14/12/31/17 |

- | | | |
|----|---|---------------------|
| 3. | Mark R. Alger
109 Rumsey Street
Bath, NY 14810 | 01/01/15 – 12/31/18 |
| 4. | The Honorable Gary D. Swackhamer
Steuben County Legislator
67 N. Main Street
Hornell, NY 14843 | 01/01/14 – 12/31/17 |
| 5. | Mary Perham
1976 West Shore Road
Bath, NY 14810 | 01/01/16 – 12/31/19 |
| 6. | Michael Okoniewski
Fawn Hill Drive
Hornell, NY 14843 | 01/01/15 – 12/31/18 |
| 7. | Lynn Goodwin
Pathways, Inc.
33 Denison Parkway West
Corning, NY 14830 | 01/01/15 – 12/31/18 |
| 8. | VACANT | 01/01/13 – 12/31/16 |
| 9. | VACANT | 01/01/16 – 12/31/19 |

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. 048-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING MEMBERS TO THE EMPLOYEE ASSISTANCE PROGRAM ADVISORY PROGRAM.

Pursuant to Section 12.20 of the Steuben County Charter, Article 5 of the County Law, and Article 16 of the Civil Service Law of the State of New York.

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

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

WHEREAS, due to changes in personnel, vacancies now exist on the oversight committee.

NOW THEREFORE, BE IT

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

Legislator Members

Brian C. Schu, Esq.

Management Members

Amy R. Dlugos

Kimberly Jessup

Darlene Smith

Nancy B. Smith

Civil Service Employees' Association Members

Chris Myers

Brenda Campbell

Steuben County Deputy Sheriffs' Association, Inc. Member

Michael Ramirez

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. 049-16

Introduced by J. Hauryski.

Seconded by H. Lando.

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

Pursuant to Section 12.20 of the Steuben County Charter and 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	John Gould 7370 Hickory Hill Road Bath, NY 14810	01/01/16 – 12/31/19 (Four year term)
Steuben County Legislators	Carol A. Ferratella 8 Fenderson Street Painted Post, NY 14870	01/01/16 – 12/31/18 (Four 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, NY 14202; the S2AY Rural Health Network, PO Box 97, Corning, NY 14830; the County Auditor and the Director of Public Health.

Vote: Acclamation – Adopted.

RESOLUTION NO. 050-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPOINTING MEMBERS TO THE STEUBEN COUNTY YOUTH BOARD.

Pursuant to Section 12.20 of the Steuben County Charter, and 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, 2016, through December 31, 2016.

1. Mark R. Alger, 109 Rumsey Street, Bath, NY 14810
2. Peter Bradstreet, Family Court Judge, 3 East Pulteney Square, Bath, NY 14810
3. Jacob Brown, Youth Member, Canisteo, NY 14823
4. Amy L. Christensen, Legal Assistance of Western New York, 104 E. Steuben Street, Bath, NY 14810
5. Cheryl Crocker, Director, Steuben County Probation, 3 East Pulteney Square, Bath, NY 14810
6. Michal Ecklar, Youth Member, Avoca, NY 14809
7. Jillian Farmer, Youth Member, Bath, NY 14810
8. Lynn Lewis, Steuben County Community Services, 115 Liberty Street, Bath, NY 14810
9. Kathryn A. Muller, Commissioner, Steuben County Department of Social Services, 3 East Pulteney Square, Bath, NY 14810
10. Kris Pashley, Community Representative, 27 Fero Avenue, Corning, NY 14830
11. Dustin Sable, Youth Member, Canisteo, NY 14823
12. Cora Saxton, Wayland-Cohocton Central School District, 310 East Naples Street, Wayland, NY 14572
13. Darlene Smith, Director, Steuben County Public Health, 3 East Pulteney Square, Bath, NY 14810

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; Amy Papandrea, NYS Office of Children and Family Services, Office of Youth Development, 52 Washington Street, Room 330 North, Rensselaer, NY 12144-2796; the County Auditor and the County Youth Program Coordinator.

Vote: Acclamation – Adopted.

RESOLUTION NO. 051-16

Introduced by J. Hauryski.

Seconded by H. Lando.

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

Pursuant to Section 12.20 of the Steuben County Charter and 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, 2016, ending December 31, 2017.

LEGISLATOR MEMBERS

1. Joseph J. Hauryski, 6031 County Route 17, Campbell, NY
2. Steven P. Maio, 319 East Second Street, Corning, NY
3. Scott J. Van Etten, 11310 Hendy Hollow Road, Corning, NY

REPRESENTATIVES OF STEUBEN COUNTY PLANNING BOARD

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

MUNICIPAL OFFICERS

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 Road, Addison, NY

AT-LARGE REPRESENTATIVE

1. Jack K. Wheeler, 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 Avenue, 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 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 052-16

Introduced by J. Hauryski.

Seconded by H. Lando.

APPROVING THE APPOINTMENTS OF THE STEUBEN COUNTY EARLY INTERVENTION OFFICIAL TO THE FINGER LAKES REGIONAL EARLY CHILDHOOD COALITION.

Pursuant to Section 12.20 of the Steuben County Charter, and 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 New York State Department of Health has given approval to use the Regional Early Childhood Coalition in place of the 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:

FINGER LAKES REGIONAL EARLY CHILDHOOD COALITION

Steuben County Municipal Representative

Diane Kiff, Director of Special Children’s Services
Steuben County Public Health
3 East Pulteney Square
Bath, NY 14810

Steuben County Parent Representative

Carol White
64 Lamphear Court
Corning, NY 14830

Steuben County Provider Representative

Lee Moran, Speech Therapist
10887 Brown Road
Corning, NY 14830

RESOLVED, the Chairman of the Steuben County Legislature hereby appoints the aforementioned individuals to the Finger Lakes Regional Early Childhood Coalition; and 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, certified copies of this resolution shall 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, Steuben County Commissioner of Finance, County Auditor and to the Early Intervention Official/Administrative Officer of Special Children’s Services.

Vote: Acclamation – Adopted.

RESOLUTION NO. 053-16

Introduced by K. Michael Hanna.

Seconded by H. Lando.

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 appointees have 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 terms indicated:

Gary Mahany
8790 Oak Hill Road, Arkport, NY 14870

01/01/16 – 12/31/19

John Merry
8545 Canaseraga Road, Arkport, NY 14870

01/01/16 – 12/31/19

Jeramie Hurlburt
59 Mill Street, Canaseraga, NY 14822

01/01/16 – 12/31/19

NOW THEREFORE, BE IT

RESOLVED, that these appointees are hereby appointed to the Marsh Ditch Watershed Protection District Administrative Board for terms as indicated; 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 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 appointees; the County Auditor and the Steuben County Soil & Water Conservation District.

Vote: Acclamation – Adopted.

RESOLUTION NO. 054-16

Introduced by D. Farrand.

Seconded by S. Van Etten.

MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO DEVELOP A 100 PERCENT STATE-FUNDED INDIGENT LEGAL DEFENSE SYSTEM AS A WAY TO PROVIDE MANDATE RELIEF AND LOWER PROPERTY TAXES.

WHEREAS, the United States Supreme Court held in Gideon v. Wainwright that the right to counsel for one charged with a crime is fundamental and that it is the State's responsibility to supply counsel 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 a system by which the County and local property taxpayers are burdened with the vast majority of the cost of this State responsibility; and

WHEREAS, the shift of costs for this State mandated service has become so imbalanced that the Counties of New York now cover more than 80% of the cost burden; and

WHEREAS, in 2006 the Kaye Commission on the Future of Indigent Defense Services declared that the New York State System of County-Delivered Indigent Services is in crisis and urged the expeditious establishment of an Independent Public Defense Commission; and

WHEREAS, the State of New York and multiple Counties were defendants, and recently entered into a settlement, in the matter of Hurrell-Harring, et al. v. State of New York, a systemic lawsuit similar to many that have been successful across the country seeking to transform the indigent legal defense system; and

WHEREAS, under this settlement, the State has assumed the costs of alterations to the indigent defense system in the five named Counties, while failing to develop a plan of financial support for the remaining 52 Counties that may soon be required to comply with enhanced standards; and

WHEREAS, New York State Senate and Assembly members have introduced a bipartisan bill (A.6202B/S.6341) which would require the State, not the Counties, to incrementally take over payment for such service; and

WHEREAS, this systematic change would directly lead to improvements to this vital service for residents in need, and provide meaningful fiscal mandate relief for Counties and property taxpayers.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature calls upon the Governor and New York State Legislature to create a 100 percent State-funded indigent legal defense system and relieve the Counties of the burden imposed upon them since 1965; and be it further

RESOLVED, that the Steuben County Legislature calls upon the Governor and New York State Legislature, to support and adopt A.6202B/S.6341, implementing gradual assumption of indigent defense costs by the State; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward certified copies of this resolution to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-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 Carl Heastie, Speaker, New York State Assembly, 522 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: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.F. The Medical, Financial, Credit or Employment 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. Farrand. Seconded by Mrs. Lando and duly carried.

RESOLUTION NO. 055.16

Introduced by K. Michael Hanna.

Seconded by J. Malter.

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. **Lieutenant Colonel Wallace G. Newcomb** – Lieutenant Colonel Wallace G. Newcomb was born July 27, 1940 in Easton, Pennsylvania and his family moved to Painted Post, New York, one week later. He graduated high school in 1958 and attended the University of Michigan where he received a Bachelor of Business Administration. He was commissioned a 2nd Lt. in the U.S. Air Force through the Air Force ROTC program at the University of Michigan on August 17, 1963 and went on active duty that November. Lt. Col. Newcomb completed undergraduate Pilot Training at Craig Air Force Base in Alabama and then completed F-105 Thunderchief Combat Crew Training in August 1965. He served as an F-105 pilot from September 1965 until March 1967, when he was forced to eject over North Vietnam and was taken as a prisoner of war on August 3, 1967. After spending 2,051 days in captivity, Lt. Col. Newcomb was released during Operation Homecoming on March 14, 1973. After a brief hospital stay, he was released and served as a transport pilot from 1974 until he left active duty on December 10, 1976. He then joined Corning Glass and worked until 1979. Lt. Col. Newcomb joined the New York Air National Guard on April 12, 1979 and served as an F-101 Voodoo, F-4 Phantom II, and F-16 Fighting Falcon pilot with the 136th Fighter Interceptor Squadron at Niagara Falls International Airport until his retirement on January 1, 1992. During this time he also attended Cornell University and graduated with an MBA in 1981 and worked for Sierra Research Company in Buffalo, NY in their marketing department. Following his retirement from the National Guard, he taught high school algebra and economics at Corning Community College. Lt. Col. Newcomb received a Silver Star Citation for his gallantry in connection with military operations against an opposing armed force while held a prisoner of war in North Vietnam. After a planned escape from “Zoo Camp”, the enemy launched a massive purge attempting to gain prisoner secrets and propaganda materials. Tortured well beyond the normal threshold of pain, Lt. Col. Newcomb continued to resist the enemy.

2. **Winifred Elizabeth Romeril** – Winifred Romeril grew up in Indiana and Pennsylvania with her four older brothers, before marrying and moving to New York in 1994. She and her husband, David Schenck, met and fell in love while working abroad with Peace Brigades International. Ms. Romeril received her undergraduate degree in Latin American Studies and Spanish from Mount Holyoke College. After working abroad with Peace Brigades International, she was awarded a teaching fellowship and full scholarship at the University of Notre Dame where she earned her Master’s Degree in International Peace Studies. From 1993 to 2007, Ms. Romeril conducted and often organized the logistics and 1-3 week training agenda for dozens of trainings for Peace Brigades, Nonviolent Peaceforce and Kurve Wustrow on four continents. She also sat on the board the Philadelphia-based Training for Change from 2002 – 2013. She has continued volunteering on the Bath Ambulance, serving a number of years on the Board of Directors as Secretary and Vice President, while advancing her training to EMT and then Paramedic. She worked with Rural Metro Medical Services from 1996 – 2007. Additionally, she serves as a volunteer Critical Incident Stress Debriefing for colleagues in the medical, fire and law enforcement fields. Ms. Romeril also volunteers with the American Red Cross where she has taught CPR and first aid classes, and serves as a disaster worker. She has responded to many national and international disasters and earned a place on their elite National Advanced Public Affairs Team and the International Response Team. For her contributions, she was awarded the top two awards from the Steuben County Chapter of the American Red Cross; the Macbeth Award for outstanding volunteer service in 2010, and the “Spirit of Humanity” Award for significant humanitarian contributions by a Steuben County resident, in 2011. The New York State Assembly, in February 2013, awarded her the Certificate of Merit for her commitment to the humanitarian mission of serving communities impacted by Superstorm Sandy. The National American Red Cross also awarded Ms. Romeril the Outstanding Service Award for public affairs service on Typhoon Haiyan in 2014, among other numerous accolades. In 2008, she accepted a job as a flight paramedic at Mercy Flight Central, based in Canandaigua, which provides critical medical care to citizens throughout Central New York, including Steuben County. In 2014 – 2015, Ms. Romeril took a leave of absence to work abroad during the Ebola outbreak. She was spokesperson through the height of the outbreak for the World Health Organization in Sierra Leone.

3. **Major John Stocum** – John Stocum was born in Pulteney, on April 27, 1825. In 1840, he moved to Bath and learned the cabinet making and undertaking trades. Major Stocum in 1852, joined the local militia, the 60th Regiment, 27th Brigade, New York State Volunteers and served as the orderly sergeant. When its commanding officer was promoted to Major, Stocum was commissioned Captain by then Governor Myron H. Clark. He served in this capacity until 1858.

When the Civil War broke out, President Lincoln called for troops. General Van Valkenburgh of Bath asked John Stocum to recruit members. Members were recruited within two weeks and he was elected Captain. The First New York Light Artillery Regiment (Battery E) was mustered into service, however, like many of the volunteer artillery officers, Captain Stocum failed to qualify and he was relieved of command and discharged from service. Battery E served gallantly throughout the war. They fired the first shots on the Army of the Potomac's advance on Yorktown during the Peninsula Campaign. They also saw action at Antietam, Chancellorsville, Gettysburg, the Wilderness, Petersburg and Appomattox. President Lincoln once again called for additional troops, and Stocum was called for assistance with recruiting members to the 161st New York Volunteer Infantry Regiment. He again was elected Captain and led his unit on many daring exploits during the Battles of Plain's Store and the siege and surrender of Port Hudson. Due to a lengthy illness, Captain Stocum was made to resign. The unit continued to fight with great distinction through the war, taking part in Sherman's celebrated March to the Sea. They were mustered out of service in November of 1865. One final call for troopers was made by President Lincoln in the summer of 1864 and Captain Stocum, answered the call and recruited men to form Company A of the 189th New York Infantry Regiment. Promotions allowed Captain Stocum the opportunity to take charge of the entire regiment which consisted of 10 companies. After witnessing his courage and abilities, the commissioned officers of the 189th petitioned New York Governor Reuben E. Fenton for Stocum's promotion to Major, which was granted in February of 1865. The 189th took part in the battles of Hatcher's Run, White Oak Ridge, Five Forks, the fall of Petersburg and the Battle for Appomattox. After the surrender, the regiment marched from Appomattox to Washington DC where they took part in the Grand Review on May 23rd and they were mustered out of service on June 1, 1865. After the war, he and his son focused their attention on their business, Stocum and Son. They were the most prominent furniture business and the oldest of its kind in Bath. He also was the leading undertaking trade in the County and served as Vice President of the Steuben County Undertakers Association. When the Grand Army of the Republic Soldiers Home of the State of New York was established in Bath in 1876, Major Stocum was appointed the official undertaker of the institution. At the time of his death, he had buried nearly 2,000 veterans at the Home. In November 1889, he purchased a cottage site along the west shore of Keuka Lake where he built a three-story summer house called the "Stocum House". He hosted several reunions here for the three hundred plus men he had recruited for the war. Members of Battery E, Company F and Company A were brought to the hotel from Hammondsport by Stocum's steamer yacht, the Sally Beekman. In August 1895, Stocum sold his summer property to Simeon Rathbone of Elmira who renamed the place "Snug Harbor", and used it as a private residence. The property still goes by that name today.

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.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Van Etten. Seconded by Mr. Mullen and duly carried.

Motion to Adjourn made by Mr. Roush. Seconded by Mr. Swackhamer and duly carried.

REGULAR MEETING
Morning Session
Monday, March 28, 2016
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 March, 2016, 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 Booth, Hanna and Weaver.

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

Chairman Hauryski asked Robert Conrad to come forward. Mr. Conrad is an employee in the 911 Department. 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 Linda Herrington to come forward. Mrs. Herrington is an employee in the Risk Manager's Department. He presented her with a Certificate of Appreciation and a watch in recognition of her retirement with 20 years of service to Steuben County. *Congratulations!*

Chairman Hauryski asked Anne Collson to come forward. Mrs. Collson is an employee in the Law Department. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement with 25 years of service to Steuben County. Mr. Reed stated that he would just like to make a few comments about Anne. When you serve publicly, it is the little things that make a big difference. Anne has made a big difference for many years. We will miss her dearly. *Congratulations!*

Chairman Hauryski asked Tom Sears to come forward. Mr. Sears is an employee in the Planning Department. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement with 32 years of service to Steuben County. *Congratulations!*

Chairman Hauryski opened the floor to 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 2016, Amending Local Law No. Two of the Year 1978, Relative to Written Notice of Defect. 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 Relative to Land Submitted for Inclusion in Certified Agricultural Districts 1, 2, 3, 5 and 6 During the 2016 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. Maio, seconded by Mrs. Ferratella and duly carried.

Mrs. Ferratella announced the Hall of Fame Committee will be holding the Annual Hall of Fame Banquet on Saturday, April 16th at the Bath Presbyterian Church. The reception begins at noon. All legislators will be receiving an invitation.

Mr. Wheeler informed the committee that the AdHoc Office Space Committee members will be touring the Hornell Courthouse and the Seneca Street facility on April 12th following the Finance Committee meeting. We will have two motor pool vehicles available and will begin the tour at the Hornell Courthouse at approximately 11:30 a.m.

Chairman Hauryski announced the Youth In Government Simulated Session will be held in the Chambers on Thursday, April 7th at 11:00 a.m.

Ms. Mori announced the annual group photo of the Legislature will be done following the April Legislative Meeting.

Chairman Hauryski asked Judy Hunter to come forward. Mrs. Hunter is the County Clerk. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Mr. Roush reminded the Legislators that it can be very difficult to hear the discussion in the Chambers, especially if they are hearing-impaired. He asked Legislators to be mindful of turning off their microphones when they are not speaking, and turning them on when they are making comments or asking questions.

RESOLUTION NO. 056-16

Introduced by S. Van Etten.

Seconded by H. Lando.

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

Pursuant to Section 2.07 of the Steuben County Charter.

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of applications for correction of real property taxes levied on the parcels contained in Schedule "A"; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to make the proper tax adjustment, and/or refund, with respect to the parcels contained in Schedule "A", as set forth in the approved applications, copies of which shall be forwarded to the taxpayer and collecting authority; and be it further

RESOLVED, the Chairman of the Steuben County Legislature is hereby authorized and empowered on behalf of this Legislature to execute the necessary document(s) for the acquisition of a permanent easement with respect to lands adjoining the Steuben County parcel(s) contained in Schedule "B", to grant to Steuben County the right of ingress and egress to County property across the easterly portion of the servient estate, as it is in the best interests of the County to do so; and the Commissioner of Public Works is hereby authorized to pay landowner "Mullen Trust", aka Mack J. and Verna C. Mullen, the sum of \$1,500.00 as payment in full for the recited permanent easement, upon execution and filing of the easement agreement with the Steuben County Clerk; 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 a certified copy of this resolution contained in Schedule "B" shall be forwarded to the Commissioner of Public Works, the Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, and the grantor.

SCHEDULE "A"

Resolution No. A-1
 Name Tammy Hurd
 Parcel No. 197.11-06-016.000
 Municipality Village of Canisteo
 Disposition Split

Resolution No. A-2
 Name Erastus, LLC
 Parcel No. 298.00-01-022.110
 Municipality Town of Erwin
 Disposition Court-ordered Assessment Correction

Resolution No. A-3
 Name Erastus, LLC
 Parcel No. 298.00-01-022.120
 Municipality Town of Erwin
 Disposition Court-ordered Assessment Correction

Resolution No. A-4
 Name Erastus, LLC
 Parcel No. 298.00-01-022.200
 Municipality Town of Erwin
 Disposition Court-ordered Assessment Correction

Resolution No. A-5
 Name Erastus, LLC
 Parcel No. 298.00-01-022.300
 Municipality Town of Erwin
 Disposition Court-ordered Assessment Correction

Resolution No. A-6
 Name Erastus, LLC
 Parcel No. 298.00-01-022.400
 Municipality Town of Erwin
 Disposition Court-ordered Assessment Correction

Resolution No. A-7
 Name Erastus, LLC
 Parcel No. 298.00-01-022.500
 Municipality Town of Erwin
 Disposition Court-ordered Assessment Correction

Resolution No. A-8
 Name Erastus, LLC
 Parcel No. 298.00-01-022.700
 Municipality Town of Erwin
 Disposition Court-ordered Assessment Correction

Resolution No. A-9
 Name Erastus, LLC
 Parcel No. 298.00-01-022.800
 Municipality Town of Erwin
 Disposition Court-ordered Assessment Correction

SCHEDULE "B"

Resolution No. B-1
 Name Mullen Trust (Mack J. and Verna C. Mullen)
 Dominant Estate Parcel Nos. 250.00-01-003.000 and 250.00-01-028.000
 Servient Estate Parcel No. 250.00-01-002.100
 Municipality Town of Hartsville
 Disposition Permanent Easement [ingress/egress roadway]

Mr. Mullen stated that he would be abstaining as his parents have property listed on this resolution.

**Vote: Roll Call - Adopted. Yes – 7630; No – 0; Absent – 1645; Abstained – 597
 (Absent – Legislators Booth, Hanna and Weaver; Abstained – Legislator Mullen)**

RESOLUTION NO. 057-16

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE MARCH 28, 2016 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 16, 2016

NYS Homes and Community Renewal – Re: Grant Agreement 60-Day Completion Notice for the New York State Community Development Block Grant (NYS CDBG Project#1115HR3-13) ends April 10, 2016. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Department of Environmental Conservation – Re: Draft investigation work plan for the Brownfield Site is available for public comment on the Former Corning Hospital and Related Parcels located at 176 East Denison Parkway, Corning, N.Y. 14830. Written comments are being accepted from February 12, 2016 through March 14, 2016. Referred to: *A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.*

February 17, 2016

Southern Tier Central Regional Planning & Development Board – Re: Request for Steuben County to help sponsor the Regional Leadership Conference scheduled on March 31st at Corning Community College in the amount of \$1,000. *Referred to: Joseph Hauryski, Steuben County Legislature Chairman.*

February 19, 2016

Bishop Sheen Ecumenical Housing Foundation – Re: Notification of available program services for Steuben County. *Referred to: Human Services/Health & Education Committee; Patty Baroody, OFA Director; Dan McRae, Director of Veterans Services; and Amy Dlugos, Planning Director.*

February 22, 2016

Assemblyman Joseph M. Giglio – Re: Correspondence letter on the concerns with the Executive Budget in determining the Tax Levy Growth Factor for local taxing jurisdictions and IDA projects. *Referred to: A.I.P. Committee; Joseph Hauryski, Steuben County Legislature Chairman; and Jack Wheeler, County Manager.*

February 23, 2016

Seagate Alliance – Re: Annual Disclosure Notice in compliance with the Medicare/Medicaid Fraud and Abuse Law. *Referred to: Human Services/Health & Education Committee; Darlene Smith, Public Health Director and Kathryn Muller; Commissioner of Social Services.*

February 29, 2016

Assemblyman Bill Nojay – Re: Correspondence letter on urging support for Assembly bill A.3611 in the adopted FY 2016-2017 State Budget. *Referred to: A.I.P. Committee; Joseph Hauryski, Steuben County Legislature Chairman; and Jack Wheeler, County Manager.*

Harris Beach, PLLC, Attorneys at Law — Re: Steuben County Industrial Development Agency and Corning Properties, Inc. distribution of RP-412-a form and tax agreement. *Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.*

March 2, 2016

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$2,452, which represents the January 2016 surcharge revenue for Steuben County. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

March 3, 2016

NYS Parks, Recreation and Historic Preservation – Re: Notification of the Temple Beth El located at 12 Church Street, Hornell, NY 14843 is now listed on the National Register of Historic Places. *Referred to: A.I.P. Committee; and Eleanor Silliman, County Historian.*

March 7, 2016

NYS Homeland Security and Emergency Services – Re: Notification of being awarded \$130,000 under the FY2016 State Homeland Security Program (SHSP). As per Federal guidelines, 25 percent (\$32,500) 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.*

NYS Homeland Security and Emergency Services – Re: Notification of being awarded \$42,080 under the FY2016 Emergency Management Performance Grant (EMPG). *Referred to: Public Safety & Corrections Committee; and Tim Marshall, EMO Director.*

NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the remaining SFY 2015-2016 Statewide Mass Transportation Operating Assistance (STOA) appropriation balances for the upstate formula bus systems. *Referred to: Amy Dlugos, Planning Director.*

March 11, 2016

NYS Department of Transportation – Re: Department of Transportation official order of abandonment #H2597. *Referred to: Public Works Committee; Vince Spagnoletti, Commissioner of Public Works; Patrick Donnelly, Commissioner of Finance; and Alan Reed, County Attorney.*

March 14, 2016

NYS Office for the Aging – Re: Second notification of grant award (NGA) for the federal fiscal year 2016 (FFY2016) Nutrition Services Incentive Program (NSIP). *Referred to: Human Services/Health & Education Committee; and Patty Barody, OFA Director.*

New York State Electric & Gas – Re: Natural Gas Emergency Response Training. *Referred to: Public Safety & Corrections Committee; and Tim Marshall, EMO Director.*

NYS Department of Public Service – Re: Notice of public statement hearings on the proposed increases to delivery rates for New York State Electric & Gas Corporation and Rochester Gas & Electric Corporation electric and gas customers. *Referred to: filed with the Clerk of the Legislature, Brenda Mori.*

March 16, 2016

Steuben County Hunger Coalition – Re: 2015 Steuben County Hunger Coalition Statistics. *Referred to: Human Services/Health & Education Committee; Patty Barody, OFA Director; and Kathryn Muller, Commissioner of Social Services.*

Mr. Van Etten asked with regard to correspondence received on March 11th from the New York State Department of Transportation, what was abandoned? Mr. Donnelly replied the NYS Department of Transportation (NYSDOT) had an old right-of-way that they abandoned back to the County.

Vote: Acclamation – Adopted.

RESOLUTION NO. 058-16

Introduced by B. Schu.

Seconded by J. Malter.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2016, AMENDING LOCAL LAW NO. TWO OF THE YEAR 1978, RELATIVE TO WRITTEN NOTICE OF DEFECT.

Pursuant to Section 2.07(5) of the Steuben County Charter and Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on February 22, 2016, County of Steuben Local Law Tentatively No. One for the Year 2016, Amending Local Law No. Two of the Year 1978, Relative to Written Notice of Defect, and this Legislature by resolution, preliminarily adopted said Local Law on February 22, 2016, making the final adoption of said Local Law subject to a Public Hearing to be held on March 28, 2016; 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 March 28, 2016, 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. One for the Year 2016, 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 2016**

A Local Law, Amending Local Law No. Two of the Year 1978, Relative to Written Notice of Defect.

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

SECTION 1. No civil action shall be maintained against the County of Steuben, the Steuben County ~~Superintendent~~ Commissioner of Highways Public Works or any employee of the County of Steuben for damages or injuries to person or property sustained by reason of any highway, bridge, ~~or~~ culvert, or any other property owned by the County of Steuben or any property owned by any improvement district therein, being defective, out of repair, unsafe, dangerous, or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway bridge, ~~or~~ culvert or any other property owned by the County of Steuben, or any property owned by any improvement district, was actually given to the Clerk of the Steuben County ~~Clerk Legislature~~ or the Steuben County ~~Superintendent~~ Commissioner of Highways Public Works, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of; but no action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any town, state, or county highway, bridge, ~~or~~ culvert; or any other property owned by the County of Steuben or any property owned by any improvement district of the County of Steuben unless written notice thereof, specifying the particular place, was actually given to the Clerk of the Steuben County ~~Clerk Legislature~~ or the Steuben County ~~Superintendent~~ Commissioner of Highways Public Works and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

SECTION 2. No civil action shall be maintained against the County of Steuben and/or the Steuben County Commissioner of Public Works for damages or injuries to person or property sustained by reason of any defect in the sidewalks of the existence of snow or ice upon any of its sidewalks, unless such sidewalks have been constructed or are maintained by the County of Steuben and/or the Steuben County Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds pursuant to law, nor shall any action be maintained for damages or injuries to person or property sustained by reason of such defect or in consequence of such existence of snow or ice unless

written notice thereof, specifying the particular place, was actually given to the Clerk of the Steuben County Legislature or to the Steuben County Commissioner of Public Works and there was a failure or neglect to cause such defect to be remedied, such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

SECTION 3. The Steuben County ~~Superintendent~~ Commissioner of Highways ~~Public Works~~ shall transmit in writing to the Clerk of the Steuben County Clerk Legislature within five (5) days after the receipt thereof all written notices received by him pursuant to this local law and the Clerk of the Steuben County Clerk Legislature shall keep an indexed record, in a separate book, of all written notices which he shall receive of the existence of such defective, unsafe, dangerous or obstructed condition, or of such snow or ice, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. The Clerk of the Steuben County Clerk Legislature shall preserve the record of each notice for a period of at least ~~five (5)~~ six (6) years after the date it is received.

SECTION 4. The Clerk of the Steuben County Clerk Legislature shall transmit in writing to the Steuben County ~~Superintendent of Highways~~ Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds, as applicable, within five (5) days after receipt thereof a copy of any written notice of defect, unsafe, dangerous or obstructed conditions filed in accordance herewith, which has not previously been filed with the Steuben County ~~Superintendent of Highways~~ Commissioner of Public Works, and the notices shall be properly recorded in the records of the Steuben County ~~Highway Department~~ and the Steuben County Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds, as applicable, shall take any and all corrective action with respect thereto, as soon as reasonably practicable.

SECTION 5. This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

NOTE: Old law is ~~strikeout~~ and deleted;
New matter is underlined.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on February 22, 2016 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. One for the Year 2016, the Clerk of this 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 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 County Manager, Commissioner of Public Works, Superintendent of Buildings and Grounds, Risk Manager, and the County Attorney.

Vote: Roll Call – Adopted.

RESOLUTION NO. 059-16

Introduced by G. Swackhamer.

Seconded by H. Lando.

AUTHORIZING THE PURCHASE OF PROPERTY ADJACENT TO THE COUNTY’S CALL HILL PROPERTY IN THE TOWN OF HARTSVILLE.

WHEREAS, the County of Steuben (“the County”) owns a piece of landlocked property off Call Hill Road in the Town of Hartsville, designated as parcel no. 250.00-01-028.000; and

WHEREAS, the County desires to purchase a fifty (50) acre parcel of land, parcel no. 250.00-01-003.000, which lies adjacent to County parcel no. 250.00-01-028.000, from Joseph F. Townsend, for the purpose of accessing the County’s landlocked property in order to provide access for lawful uses thereon; and

WHEREAS, Joseph F. Townsend, the grantor, in consideration of ten thousand dollars (\$10,000.00) to be paid by the County, the grantee, desires to sell this fifty (50) acre parcel of land to the County.

NOW THEREFORE, BE IT

RESOLVED, that this Steuben County Legislature duly convened does hereby approve of purchasing a fifty (50) acre parcel of land, parcel no. 250.00-01-003.000, from Joseph F. Townsend, for ten thousand dollars (\$10,000.00) for the purpose of accessing the County’s landlocked parcel no. 250.00-01-028.000 in order to provide access for lawful uses thereon; and be it further

RESOLVED, that the County Manager is hereby authorized and directed to execute any and all documents necessary to acquire this parcel; and be it further

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

Mr. Roush stated this resolution pertains to 50 acres of land that is landlocked and is reforestation land that is not really saleable. He asked the Commissioner of Finance to provide an inventory of properties that the County owns. We currently own 395 acres with deed restrictions for reforestation and this resolution would add another 50 acres of deed restricted land. This is a bad investment as we are purchasing this property to gain a sliver of property that is needed for access to the landlocked parcel. There may be a less expensive way to solve this problem.

Mr. Wheeler stated we had a conversation about a less expensive way to obtain an easement, however, the property owner was not interested. This was the only option the property owner wanted. We also do not believe that this additional 50 acres would be part of the reforestation program. Our property on Call Hill is.

Vote: Roll Call – Adopted.

RESOLUTION NO. 060-16

Introduced by B. Schu and S. Van Etten.

Seconded by H. Lando.

AUTHORIZING THE COUNTY TO PARTICIPATE IN TAX CERTIORARI PROCEEDINGS IN THE CITY OF CORNING.

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

WHEREAS, it is in the interest of the County to participate in the appraisals for Tax Certiorari Proceedings where the equalized full value is in excess of \$2 million for roll section one and six parcels as previously set forth in Resolution 010-93, as amended in Resolution 132-03, and as amended in Resolution 047-12; and

WHEREAS, a requesting assessing unit should have completed in due course a town/city wide reassessment program and filed a cyclical reassessment plan; and

WHEREAS, the City of Corning has completed a cyclical reassessment plan and has further requested the County to participate in two (2) Tax Certiorari Proceedings pursuant to the County's participation policy; and

WHEREAS, the recited requests comply with the policy of the County to so participate; and

WHEREAS, the counsel for the City of Corning has submitted initial preliminary appraisal estimates of \$800 each and court-ready appraisal estimates of \$10,000 each; and

WHEREAS, the Real Property Tax Service Agency has computed the County's share of participation as set forth under the County's policy to participate at \$3,600 each.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized and directed to disburse to the properly credentialed and retained appraiser(s) a total sum not to exceed \$3,600 in and for each recited proceeding; 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; Mark L. Ryckman, Corning City Manager, 500 Nasser Civic Center Plaza, Corning, NY 14830; and Bryan J. Maggs, Esq., Corporation Counsel for the City of Corning, Barclay Damon LLP, 243 Lake Street, Elmira, NY 14901.

Vote: Roll Call – Adopted.

RESOLUTION NO. 061-16

Introduced by C. Ferratella.

Seconded by R. Lattimer.

AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER COUNTY FOR STAFF DEVELOPMENT SERVICES.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the Human Services, Health and Education Committee approved an Inter-Municipal Agreement with Schuyler County for sharing the provision of Staff Development services; and

WHEREAS, the Staff Development Coordinator position is appropriated in the 2016 Department of Social Services Budget; and

WHEREAS, it is anticipated the services will require one full-time employee to complete, which will necessitate filling a vacant Staff Development Coordinator; and

WHEREAS, Schuyler County has agreed to support 40% of this position not to exceed \$40,000; and

WHEREAS, the term of the agreement shall commence April 4, 2016 and is for the balance of 2016, with the option to renew and a thirty (30) day opt out provision; and

WHEREAS, it is desirable to enter into the agreement to share services with a neighboring county.

NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts these funds in the 2016 Steuben County Budget and approves a contract between said agencies as follows:

Contracts:

Schuyler County Department of Social Services	
Revenues	
60100 41811100 Repayments/Contracts	\$40,000

AND BE IT FURTHER RESOLVED, that the Commissioner of Social Services is hereby authorized to sign the Inter-Municipal Agreement with Schuyler County; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Tim O 'Hearn, Schuyler County Administrator, 105 Ninth Street, Unit 37, Watkins Glen, NY 14891; Dennis A. Fagan, Chair of the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, N.Y. 14891; JoAnn Fratarcangelo, Commissioner, Schuyler County Department of Social Services; 323 Owego Street, Unit 3, Watkins Glen, N.Y. 14865; Commissioner of the Department of Social Services; Commissioner of Finance; County Attorney; and County Manager.

Mr. Swackhamer asked for an explanation of how this would work. Mr. Wheeler replied we would hire the Staff Development Coordinator and they would also provide services for Schuyler County. It would be very similar to what we do with Livingston County for Weights & Measurers services. We had not filled this position in five years and this agreement will fit in well with shared services.

Mr. Swackhamer asked does the 40 percent include benefits? Mr. Wheeler replied yes. The approximate all-in cost of the position is \$100,000.

Mr. Mullen asked what is this position going to do? Ms. Muller replied they will provide staff training and will also continue to update our policies and procedures as required by the State. She stated that she has implemented a new supervisory model across the Services Unit and she would like to carry that over into the Temporary Assistance Unit and this position can assist with that.

Mr. Swackhamer asked will we receive any reimbursement for this position? Ms. Muller replied we will receive 30 percent reimbursement. She commented this is a state-mandated position.

Vote: Roll Call – Adopted.

RESOLUTION NO. 062-16

Introduced by D. Farrand and B. Schu.

Seconded by S. Maio.

AUTHORIZING THE RECLASSIFICATION OF A POSITION WITHIN THE DISTRICT ATTORNEY'S OFFICE.

Pursuant to Steuben County Charter Section 2.07.

WHEREAS, a Typist in the District Attorney's Office performs basic clerical work; and

WHEREAS, a Senior Typist will have added duties of collecting and compiling information for reports of a higher clerical level; and

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

WHEREAS, the Personnel Officer, the Public Safety and Corrections Committee and Administration Committee have reviewed said position within the District Attorney's Office pursuant to a "desk audit" under the provisions of the Administrative Code and have approved the recommended change.

NOW THEREFORE, BE IT

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

Typist, Grade IV (\$24,825 to \$35,046) to
Senior Typist, Grade VI (\$26,867 to \$37,928)

AND BE IT FURTHER RESOLVED, that the 2016 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 District Attorney.

Vote: Roll Call – Adopted.

RESOLUTION NO. 063-16

Introduced by R. Lattimer.

Seconded by C. Ferratella.

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 and Section 2.07 of the Steuben County Charter.

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 28th day of March, 2016 at 10:00 a.m.; and

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

NOW THEREFORE, BE IT

RESOLVED, the proposed action will not result in any significant adverse environmental impacts;

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No.

1:

468200 364.00-01-010.000
468200 364.00-01-017.112
468200 364.00-01-017.300

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No.

2:

462489 191.00-01-012.110
467600 092.00-01-025.120

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No.

3:

462489	129.00-01-046.300	462489	186.00-01-015.000
462489	157.00-01-033.000	462489	186.00-01-028.100
462489	171.00-01-010.215	462489	187.00-01-006.500
462489	171.00-01-034.000	462489	187.00-01-010.140
462489	172.00-01-012.000	462489	187.00-01-010.161
462489	172.00-01-016.200	465400	185.00-01-010.000
462489	172.00-01-018.112	465400	185.00-01-036.210
462489	172.00-01-022.000	466200	049.00-01-038.110
462489	172.00-01-024.000	466200	062.00-01-013.100
462489	173.00-01-046.111		

AND BE IT FURTHER RESOLVED, that the following tax parcel shall be added to Agricultural District No.

5:

463689 069.00-01-012.000

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District

No.6:

463400	390.00-01-039.200	463889	336.00-02-023.110
463889	283.00-01-004.121	463889	336.00-02-034.000
463889	283.00-01-035.110	463889	337.00-02-018.000
463889	301.00-01-013.121	463889	337.00-02-019.100
463889	301.00-01-048.100	465800	388.00-01-015.110
463889	301.00-01-056.000	466400	347.00-02-002.120
463889	319.00-01-037.100	467000	403.00-01-035.130

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 064-16

Introduced by S. Van Etten.

Seconded by G. Roush.

ESTABLISHING THE DATE AND TIME FOR THE 2016 DELINQUENT REAL PROPERTY 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 and time of the County Delinquent Real Property Tax Auction.

NOW THEREFORE, BE IT

RESOLVED, the 2016 Delinquent Real Property Tax Auction shall be conducted on Friday, July 15, 2016, commencing at 10:00 A.M. at the Bath/Haverling High School, Bath, New York; and be it further

RESOLVED, that the 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. 065-16

Introduced by J. Hauryski.

Seconded by S. Van Etten.

APPOINTING A REPRESENTATIVE TO THE AD-HOC OFFICE SPACE COMMITTEE.

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, it was necessary and desirable to establish an Ad-Hoc Office Space Committee to oversee the development, implementation, and completion of the Office Space Utilization Project; and

WHEREAS, the Legislature adopted Resolution No. 107-15 on July 27, 2015, ratifying the appointment by the Chairman of the Steuben County Legislature of an Ad-Hoc Office Space Committee; and

WHEREAS, one of the Legislative members of said committee has retired.

NOW THEREFORE, BE IT

RESOLVED, Gary D. Swackhamer hereby is appointed to fill the vacancy created by the retirement of Lawrence P. Crossett.

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the County Manager.

Vote: Acclamation – Adopted.

RESOLUTION NO. 066-16

Introduced by J. Hauryski.

Seconded by R. Lattimer.

APPOINTING MEMBERS TO THE STEUBEN COUNTY FIRE ADVISORY BOARD.

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

RESOLVED, the following persons are hereby appointed members of the Steuben County Fire Advisory Board for a term of two (2) years, commencing January 1, 2016 and ending December 31, 2017:

LEGISLATIVE MEMBER

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

NON-LEGISLATIVE MEMBERS

2. John Ford, 58 Maple St., Addison, NY 14801
3. Dan Smith, 108 Broadway, Hornell, NY 14843
4. William Todd Hall, 226 Main St., Painted Post, NY 14870
5. Joseph Dick, 306 First St., Hornell, NY 14843
6. David M. Sereno, 4691 Colvin Hill Road, Woodhull, NY 14898
7. Brad Davies, 1 Civic Center Plaza, Corning, NY 14830
8. Douglas Heinemann, 8425 Jacobs Ladder Road, Avoca, NY 14809
9. Brian McCarthy, 3824 West Hill Road, Painted Post, NY 14870
10. William Waggoner, PO Box 243, Cohocton, NY 14826
11. Evan Brown, 2794 Forrest Hill Drive, Corning, NY 14830
12. J. David Sawyer, 1646 Jasper Street, Woodhull, NY 14898
13. Tom Jamison, 4 Eleventh Street, Canisteo, NY 14823
14. Larry Day, 9623 County Route 87, Hammondsport, NY 14840
15. Dan Hulbert, 8813 State Route 36, Arkport, NY 14807
16. William Fries, Chief DFC, 7344, Fish Hatchery Road, Bath, NY 14810
17. Donald Fredericy, DFC, 27 East Avenue, Wayland, NY 14572
18. Michael Wilson, DFC, 307 Grand Street, Hornell, NY 14843
19. Timothy Martin, DFC, 6300 CR 100, Addison, NY 14801
20. Glen Miller, 11 South Fowler Street, Bath, NY 14810
21. James Webster, Bath, VA, 76 Veterans Avenue, Bath, NY 14810

ADVISORY STAFF (Non-Voting)

22. Timothy D. Marshall, Director, Emergency Management Services
23. Kenneth Forenz, Deputy Director, Emergency Management Services
24. Joseph Gerych, Fire Service Aide, Emergency Management Services
25. David Hopkins, Director, 911, /Tina Goodwin, Deputy Director 911 – Alternate
26. Michael Gilman, PO Box 274, Cohocton, NY 14826
27. Dean Patterson, DFC, 579 Victory Highway, Painted Post, NY 14870

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. 067-16

Introduced by J. Hauryski.

Seconded by H. Lando.

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

Pursuant to Section 12.20 of the Steuben County Charter.

WHEREAS, the Steuben County Legislature adopted Resolution No. 056-93 on October 25, 1993, authorizing and directing the creation of the Steuben County Conference 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, 2015.

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

	<u>TERMS</u>
Jan Ebeling, President/COO, Radisson Hotel, Corning	01/01/14 – 12/31/16
Brett Bixby, General Manager, Hampton Inn, Corning – Painted Post	01/01/15 – 12/31/17
Edward Marden, Owner/General Partner, Camp Bell Campground	01/01/16 – 12/31/18

Attractions

Coleen Fabrizi, Executive Director, Corning's Gaffer District	01/01/16 – 12/31/18
Kerry Miller, Tourism Sales Specialist, Corning Museum of Glass	01/01/14 – 12/31/16
Erin Rafalowski, Marketing Manager, Heron Hill Winery	01/01/15 – 12/31/17

Community-at-Large

Ronald F. Leonard, President, Keuka Lakeside Inn	01/01/14 – 12/31/16
Ken Mortensen, Keuka Brewing Company	01/01/16 – 12/31/18
Shelly Stevens, Executive Director, Hornell Partners for Growth	01/01/15 – 12/31/17

Chamber of Commerce Representative

Sue Van Stine, Hornell Chamber of Commerce	01/01/16 – 12/31/16
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County Manager Designee

Amy Dlugos, Planning Director	01/01/16 – 12/31/18
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County Legislators

K. Michael Hanna, District 5	01/01/16 – 12/31/18
Hilda T. Lando, District 2	01/01/15 – 12/31/17

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 Jacob Buganski, Executive Director, Steuben County Conference and Visitors' Bureau, Inc., 1 West Market Street, Baron Steuben Building, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 068-16

Introduced by G. Swackhamer.

Seconded by R. Nichols.

MEMORIALIZING THE GOVERNOR, THE NEW YORK STATE LEGISLATURE AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO MAKE MUNICIPALITIES AND LANDFILL OPERATORS WHOLE FOR THE ADDITIONAL COSTS OF ELECTRONICS WASTE RECYCLING.

WHEREAS, the New York State Electronic Equipment Recycling and Reuse Act (Act) was adopted by the State Legislature in 2010 in order to assist local governments with managing the fast-growing electronics waste stream by requiring electronics manufacturers to fund electronics recycling and relieve municipalities from the costs; and

WHEREAS, the Act also created a ban on disposal of electronic waste in landfills, effective January 2015; and

WHEREAS, once manufacturers met their performance goal, which in a number of cases is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting a cost of \$47,000 to Steuben County Government; and

WHEREAS, while the Act has succeeded in significantly increasing electronics recovery and recycling in the state, local governments are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs); and

WHEREAS, the Act empowers the New York State Department of Environmental Conservation (NYSDEC) to promulgate regulations to address shortcomings in the law, and in October 2015 NYSDEC officials indicated that such rules were being drafted by department officials.

NOW THEREFORE, BE IT

RESOLVED, that Steuben County calls upon New York State and NYSDEC to restore the recycling channel for all electronic waste as a no-cost service to residents or local municipalities, thereby ending this unfunded mandate upon the citizens; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward certified copies of this resolution to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-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 Carl Heastie, Speaker, New York State Assembly, 522 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; Honorable John Marren, President, InterCounty

Association of Western New York, c/o Ontario County Board of Supervisors, Ontario County Office Building, 20 Ontario Street, Canandaigua, NY 14424 and Basil Seggos, NYSDEC Acting Commissioner, 625 Broadway, Albany, NY 12233-1011.

Vote: Acclamation – Adopted. (Legislator Mullen Opposed)

RESOLUTION NO. 069-16

Introduced by B. Schu.

Seconded by H. Lando.

MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE IN SUPPORT OF A BASE AID INCREASE FOR CORNING COMMUNITY COLLEGE.

WHEREAS, Chancellor Zimpher of the State University of New York, with the support of the State University of New York Board of Trustees, has launched an advocacy plan across the State to “Stand Up for SUNY”; and

WHEREAS, included in this “Stand up for SUNY” initiative, is a request to increase base aid support for our community colleges in 2016-2017 by \$285/Full Time Equivalent (FTE) student; and

WHEREAS, the New York State Association of Counties, SUNY Board of Trustees, CUNY and SUNY Presidents’ Associations, Community College Trustees Association, SUNY Faculty Council, and others have expressed their support for this advocacy plan; and

WHEREAS, recent base aid increases have not kept pace with ongoing increased costs of Corning Community College’s basic operations in spite of substantial staff and other operational reductions in recent years; and

WHEREAS, Corning Community College’s current (2015-2016) base aid, in spite of recent State increases, remains \$78/FTE student lower than it was in 2008-2009 and has not kept pace with mandated increases in health insurance and many other contractual obligations; and

WHEREAS, State support for community college operating budgets, currently at approximately 26.7 percent for Corning Community College, is far below 1/3 of our operating costs or 40 percent for those with full opportunity access that all SUNY community colleges have embraced for decades (see Education Law Article 26, Section 6304); and

WHEREAS, as one of the three counties served by Corning Community College’s Regional Board of Trustees, we find it difficult to support our community college to the extent that we would like due to the limitations imposed by the property tax cap and other financial costs associated with State and Federal mandates, and

WHEREAS, we recognize that Corning Community College is a vital part of the overall economic and workforce development of our communities; and

WHEREAS, our ability to continue to attract and grow business in our community is dependent on an educated and qualified workforce which is provided in large part by the services of Corning Community College; and

WHEREAS, all these circumstances for our SUNY community colleges and their respective regional and county sponsors are similar throughout the SUNY system.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby requests the Governor and New York State Legislature to support a \$285/FTE student base aid increase for SUNY’s community colleges, while leaving counties fiscally harmless for said cost increase; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward certified copies of this resolution to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12244; Honorable John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-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 Carl Heastie, Speaker, New York State Assembly, 522 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 John Marren, President, InterCounty Association of Western New York, c/o Ontario County Board of Supervisors, Ontario County Office Building, 20 Ontario Street, Canandaigua, NY 14424; and Dr. Katherine P. Douglas, President, Corning Community College, One Academic Drive, Corning, New York 14830.

Mr. Mullen stated that he distributed a copy of See Through NY which shows some of the salaries for SUNY employees, not including Corning Community College. This resolution is asking the State to support a \$285 FTE student payment, and he thinks the State needs to get their own house in order more.

Vote: Acclamation – Adopted. (Legislator Mullen Opposed)

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.F. The Medical, Financial, Credit or Employment of a Particular Person, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person and Article 7§ 105.1.D. Discussions regarding Proposed, Pending or Current Litigation made by Ms. Lattimer, seconded by Mr. Schu and duly carried.

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

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

REGULAR MEETING
Morning Session
Monday, April 25, 2016
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 April, 2016, 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 Booth, Ferratella, and Weaver.

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

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

Wayne Wells, Cameron, presented his opinions regarding the Republican Party and the upcoming Presidential Election.

There being no further comments by members of the public, Chairman Hauryski declared the opportunity for public comment closed.

Ms. Muller stated nationally, April is recognized as Child Abuse Prevention Month. I would like to thank the Chairman of the Legislature for signing a proclamation recognizing April as Child Abuse Prevention Month, and for attending and presenting at the annual Pinwheels and Promises kickoff campaign sponsored by the Task Force. I would also take the opportunity to thank this Board and Mr. Wheeler for your continued support of this initiative and for all of the prevention programs operated by the County Youth Bureau and the Department of Social Services.

This marks the 22nd year for Steuben County's Task Force who is charged with promoting child abuse education and prevention activities throughout the year. A multitude of thanks go out to many including, Bill Caudill, our Youth Bureau Coordinator who chairs the Task Force; the Task Force members with representation from various youth agencies, schools, local business and other County departments; Edna Kayes, Assistant Director of Social Services who oversees the Child Protective/Preventive Division, and who also serves on the Task Force; and finally, a huge thanks to the rest of my staff; administration and both direct and indirect services staff.

This is not easy work. It comes with a multitude of challenges, system barriers and often heartbreak. In Steuben County, we have between 22,000 and 23,000 youth. Approximately 25 percent of these youth live in families whose incomes are below the federal poverty level, which for a family of four is \$24,300. Fifty percent of these children living below the federal poverty level are living in extreme poverty where the family income is below 50 percent of the federal poverty level, which equates to \$12,150 for a family of four. Another interesting statistic is that 50 percent of the total school-age children across Steuben County are in receipt of free or reduced school lunches. This does not account for those who are eligible but are too embarrassed or too proud to receive them.

The stress of poverty is often a factor in child abuse. We receive on average, upwards of 1,800 unduplicated child protective hotline reports each year. Strikingly, this represents reports made on 8 children out of every 100 children in our county. Approximately 25 percent of these reports are indicated with some credible evidence of abuse and/or neglect. The overall severity of our cases has dramatically increased. Behavioral health issues are most prevalent; alcohol and substance abuse, specifically Heroin, Crack, Cocaine and Opiates are at an all-time high. Mental health and developmental disabilities are also significant. While the work often appears insurmountable, we have proven prevention works. It requires commitment, perseverance and partnerships. Over the last several years, we have reduced foster care

placements over 50 percent by developing and implementing prevention services. This has been a collaborative effort. These outcomes result from individuals dedicating themselves to their work in serving the welfare of children. They give of themselves and of their time both in and outside normal work hours to help our communities to not only become educated, but to become part of the solution.

Having said that, I would like to recognize one of these individuals who has devoted her career to working with children and families in Steuben County. I would ask Sally Diaz to come to the podium. Sally Diaz was nominated for the Child Abuse Prevention Award by Susan Hooker who is the Director of Hornell Concern for Youth. Sally has served on the Task Force since its inception in 1994. For over 23 years, she has been employed by Arbor Development working in the domestic violence shelter. While her employment experiences varied, one area of her work remained constant. Recognizing her skills, her strengths and her compassion, she was assigned to work with the children and the families living at the shelter. Many years ago, while continuing to work, she attended Corning Community College and through the Honors Program, developed a support group for the kids at the shelter. This group continues today. Her nominator describes Sally as a special person. For years, she has volunteered her time at multiple events, including the Strong Kids/Safe Kids and Family Fling functions. She goes the extra mile. Not only does she volunteer her time, but she also donates supplies to make these events successful. She is described as patient, kind and friendly. She is a teacher to both the children and parents. Her smile is warm, accepting and contagious. She brings comfort to those around her. Her commitment is demonstrated by the time she gives of herself through the endless hours of volunteering and her belief in the cause. In her words, she likes what the Task Force stands for, promoting awareness.

Ms. Muller stated it is her pleasure, on behalf of the Steuben County Task Force for the Prevention of Child Abuse, to present the Child Abuse Prevention Award to Sally Diaz. *Congratulations!*

Ms. Diaz stated this is very thoughtful and she is honored to receive this. It was a total surprise.

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

Mrs. Hunter reminded the Legislature that April and May are Organ Donation Month. She also stated that today the Legislature will be considering a resolution memorializing the Governor and State Legislature to increase the amount of revenue counties receive from providing State DMV services. She stressed the importance of this as revenue generated from DMV is often used to offset other County costs.

Mr. Reed stated last month his Confidential Secretary, Anne Collson retired and is happily enjoying retirement. He is happy to introduce his new Confidential Secretary, Lisa Rodburn. She is already doing fabulous work and he thanked all of the departments for assisting with the transition.

RESOLUTION NO. 070-16

Introduced by S. Van Etten.

Seconded by H. Lando.

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

Pursuant to Section 2.07 of the Steuben County Charter.

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of applications for correction of real property taxes levied on the parcels contained in Schedule "A"; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to make the proper tax adjustment, and/or refund, with respect to the parcels contained in Schedule "A", as set forth in the approved applications, copies of which shall be forwarded to the taxpayer and collecting authority; and 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 execute the necessary documentation to convey the recited parcel(s) to the grantee(s) upon receipt of the consideration indicated, pursuant to Real Property Tax Law §1166 and as approved by the Steuben County Finance Committee on April 12, 2016; 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 as upon the "Notice to Bidders and Terms of Sale" as applicable; and be it further

RESOLVED, as it appears to be in the best interest of the County to convey the property listed on Schedule "C" to the Village of Wayland, the Steuben County Commissioner of Finance is hereby authorized and directed to enter into an agreement by tax districts pursuant to Real Property Tax Law § 1136 and § 1150 (1), to convey the recited parcel to the Village of Wayland as approved by the Steuben County Finance Committee on October 13, 2015 and approved by resolution of the Board of Trustees of the Village of Wayland on November 9, 2015; 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 as upon the "Notice to Bidders and Terms of Sale" as applicable; 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 of the appropriate municipality; 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.	<u>A-1</u>
Name	<u>George Miller Farms LLC</u>
Parcel No.	<u>119.00-03-011.000</u>
Municipality	<u>Town of Wayne</u>
Disposition	<u>Correction / Refund</u>

Resolution No.	<u>A-2</u>
Name	<u>Michael K. Mattison Sr.</u>
Parcel No.	<u>370.00-01-024.115</u>
Municipality	<u>Town of Lindley</u>
Disposition	<u>Split</u>

Resolution No.	<u>A-3</u>
Name	<u>Maureen and Ronald W. Kurtz</u>
Parcel No.	<u>106.00-01-005.000</u>
Municipality	<u>Town of Wayne</u>
Disposition	<u>Correction / Refund</u>

SCHEDULE "B"

Resolution No.	B-1
Former Owner	West, Richard L. Sr.
In Rem Index No.	2014-1414CV
Parcel No.	247.16-01-020.110
Municipality	Town of Hornby
Grantee(s)	Corning Beaver Dams Village, LLC
Grantee(s) Address	605 County Route 24, East Chatham, NY 12060
Consideration	\$15,305.00 including recording fees

SCHEDULE "C"

Resolution No.	C-1
Former Owner	Frank and Vanette Wadsworth
In Rem Index No.	78446
Parcel No.	003.13-02-044.000
Municipality	Village of Wayland
Grantee(s)	Village of Wayland
Grantee(s) Address	15 N. Main Street, Wayland, NY 14572
Consideration	Conveyance pursuant to RPTL § 1150 (1)

Mr. Mullen asked about the transaction to the Village of Wayland. Mr. Donnelly explained this was previously the site of an old gas station that had some environmental contamination that was cleaned up. We are conveying this property to the Village of Wayland in satisfaction of tax liens.

Vote: Roll Call – Adopted.

RESOLUTION NO. 071-16

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE APRIL 25, 2016 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 21, 2016

NYS Department of Taxation & Finance, Office of Real Property Tax Services – Re: Notice of 2016 Oil and Gas unit of Production Values. *Referred to: Wendy Flaitz, Real Property Director; and Patrick Donnelly, Commissioner of Finance.*

March 28, 2016

Steuben Tobacco Asset Securitization Corporation – Annual report from the Steuben Tobacco Asset Securitization Corporation for the fiscal year ending 12/31/2015. *Referred to: Joseph Hauryski, Steuben County Legislature Chairman.*

NYS Department of Public Service – Re: Notice of public hearings regarding New York State Electric & Gas Corporation and Rochester Gas & Electric Corporation's proposal to close three walk-in offices. *Referred to: filed with the Clerk of the Legislature, Brenda Mori.*

March 30, 2016

New York State Association of Counties – Re: Notification of available grant funding in the FY2016 Federal Budget through the POWER (POWER+) Plus program to ensure economic stability to communities seeking clean, renewable energy sources. To submit a pre-application for funding, visit <https://power.arc.gov/> or to view the complete funding announcement of the POWER+ Plan visit <http://eda.gov/power/power2016funds>. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

April 4, 2016

Town of Troupsburg – Re: Correspondence letter on the reconstruction of the Cook Hollow Road Bridge. *Referred to: Public Works Committee; and Vincent Spagnoletti, Commissioner of Public Works.*

NYS Office for the Aging – Re: Notification of Grant Award and approved application the New York Connects Program for the period of October 1, 2015 through September 30, 2016. *Referred to: Human Services/Health & Education Committee; and Patricia Barody, OFA Director.*

NYS Office for the Aging – Re: Notification of revised Grant Award and Annual Implementation plan budget for the Title III-B, Title III-C-1, Title III-C-2, Title III-D and Title III-E programs for the period of January 1, 2015 through December 31, 2015. In addition, revised Notification of Grant Awards and Annual Implementation Plan budgets for CSE, WIN, and EISEP programs for the period of April 1, 2015 through March 31, 2016. *Referred to: Human Services/Health & Education Committee; and Patricia Barody, OFA Director.*

Western Regional Off-Track Betting Corporation – Re: Check #57386 in the amount of \$2,489, which represents the February 2016 surcharge revenue for Steuben County. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

April 6, 2016

NYS Agriculture and Markets – Re: Notification of the eight (8) year review of the Steuben County Agricultural District#7 is due. Forms and review procedures are available on the following links: <http://www.agmkt.state.ny.us/Programs.html> and <http://www.agmkt.state.ny.us/AP/agservices/agdistricts.html>. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

April 11, 2016

New York State Association of Counties – Re: Announcing the 2016-2017 New York State budget provides important new opportunities for financing projects at the local government level. NYSAC encourages local governments to submit projects and funding needs at your earliest opportunity. *Referred to: Jack Wheeler, County Manager.*

Binghamton University – Re: Binghamton University Start-up NY Campus Plan Amendment 4 dated 3/10/2016. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

Vote: Acclamation – Adopted.

RESOLUTION NO. 072-16

Introduced by G. Swackhamer.

Seconded by R. Nichols.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ESTABLISH A TIPPING FEE FOR PUBLIC SECTOR LOADS OF MIXED MUNICIPAL SOLID WASTE DELIVERED TO STEUBEN COUNTY TRANSFER STATIONS.

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

WHEREAS, the County operates municipal solid waste transfer stations in the Towns of Erwin, Hornell and Wayland with combined registered permitted capacity of 37,500 tons per year; and

WHEREAS, the transfer stations receive a combined estimated 16,000 tons per year, making available a combined estimated 21,500 tons per year of permitted capacity; and

WHEREAS, there are local and regional public sector entities engaged in the collection of mixed municipal solid waste that are not currently delivering to County facilities; and

WHEREAS, the County desires to encourage local and regional public sector entities to contract with the County for the disposal of municipal solid waste through the County transfer stations; and

WHEREAS, the current tip fee at the transfer stations is \$59.00/ton and the County wants to establish a contractual public sector tip fee of \$44.00/ton delivered to said transfer stations; and

WHEREAS, for consideration of the reduced tip fee the public sector entity must enter into a three (3) year disposal agreement with provisions for renegotiating terms and conditions mutually agreed to by and of the parties for an additional two (2), one (1) year extensions with the County.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby authorize the Commissioner of Public Works to establish a contractual tip fee of \$44.00/ton for disposal of mixed MSW from public sector entities at said transfer stations; and be it further

RESOLVED, the \$44.00/ton tip fee will be granted upon execution of a contract with the County; and be it further

RESOLVED, the new tip fee for mixed MSW delivered at said transfer stations shall take effect on May 1, 2016; and be it further

RESOLVED, that the Legislature delegates the authority to approve public sector solid waste agreements to the Public Works Committee in accordance with this resolution; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 073-16

Introduced by G. Swackhamer.

Seconded by D. Farrand.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH ALFRED STATE COLLEGE.

WHEREAS, Steuben County owns and operates a solid waste transfer facility located in the Town of Hornellsville designed and permitted for the transfer of municipal solid waste to the County landfill located in the Town of Bath; and

WHEREAS, the transfer facility is authorized to transfer 12,500 tons per year of solid waste, the transfer facility currently has excess capacity within that annual limit of approximately 9,000 tons per year, and the landfill has capacity available; and

WHEREAS, Steuben County is willing to make capacity available for the transfer of municipal solid waste from Alfred State College or from those with whom Alfred State College contracts with for the disposal of solid waste; and

WHEREAS, Alfred State College desires to contract with Steuben County to provide for the disposal of approximately 600 tons per year of municipal solid waste at a rate of \$44.00/ton at the transfer station for a period of three (3) years with provisions for renegotiating terms and conditions mutually agreed to by and of the parties for an additional two (2), one (1) year extensions; and

WHEREAS, the parties are desirous of entering into an intergovernmental cooperation agreement for said purposes.

NOW, THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized to enter into an intergovernmental cooperation agreement with Alfred State College or with those whom Alfred State College contracts with for the disposal of municipal solid waste at the Steuben County Hornell Transfer Station for \$44.00/ton; 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. 074-16

Introduced by D. Farrand.

Seconded by J. Malter.

AUTHORIZING AN AGREEMENT FOR THE INSTALLATION AND OPERATION OF THE NEW YORK STATE EARLY WARNING WEATHER DETECTION SYSTEM AT THE CALL HILL TOWER SITE.

WHEREAS, The Research Foundation, on behalf of University at Albany, is the recipient of a New York State Division of Homeland Security and Emergency Services grant to support the development of the New York State Early Warning Weather Detection System; and

WHEREAS, the network will provide state and local government officials with access to real-time data and robust predictive models, enabling emergency management decision-makers to better plan and mitigate for extreme and devastating weather events; and

WHEREAS, Steuben County is the fee simple owner of a certain parcel of land, located at 942 Call Hill Road, Hartsville, New York, hereinafter referred to as the Call Hill Tower Site, deemed suitable for locating a mesonet station; and

WHEREAS, the parties recognize the benefits and importance to observe mesoscale meteorological and environmental data; and

WHEREAS, Steuben County will provide the Foundation the right to access, use and occupy, at no cost, the Site for the purposes of the Project for 30 years from the date of execution; and

WHEREAS, Installation, maintenance, operation, inspection, repair, replacement, and removal of the Facilities, and any work which may subsequently become necessary with respect thereto, shall be performed only at such time or times as may be acceptable to Steuben County or its duly authorized officer or representative.

NOW, THEREFORE, BE IT

RESOLVED, The Steuben County Legislature authorizes the County Manager to sign the said agreement and thereby bind the respective parties.

RESOLVED, that a certified copy of this resolution shall be forwarded to Director of the Emergency Management Office; and The Research Foundation for the State University of New York, 1400 Washington Ave., MSC 216, Albany, NY 12222.

Vote: Roll Call – Adopted.

RESOLUTION NO. 075-16

Introduced by R. Lattimer.

Seconded by H. Lando.

DESIGNATING THE COUNTY OF STEUBEN AS THE LEAD AGENCY FOR THE SEQRA COMPLIANCE FOR THE PROPOSED REPLACEMENT OF THE STEUBEN COUNTY COURTHOUSE ROOF.

WHEREAS, the County has proposed a replacement project for the Steuben County Courthouse roof; and

WHEREAS, planning of said project necessitates compliance with the State Environmental Quality Review Act (SEQRA).

NOW THEREFORE BE IT

RESOLVED, the County of Steuben acting through its Agriculture, Industry and Planning Committee be, and the same hereby is, designated as the lead agency for purposes of compliance with SEQRA; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Planning Director.

Mr. Van Etten commented the Courthouse has a roof and we are putting another roof on. How does that have anything to do with SEQRA? Mr. Reed replied this is a Type II maintenance action and under SEQRA we are required to file a designation of Steuben County as the lead agency. Since we are represented by a Board of Legislators, the law requires a resolution.

Mr. Wheeler stated we are looking at a potentially different roofing material and that ties in both with SEQRA, as well as the State Historic Preservation Office. We are looking at more sustainable options that will also retain the historic integrity of the courthouse.

Vote: Roll Call – Adopted.

RESOLUTION NO. 076-16

Introduced by H. Lando and S. Van Etten.

Seconded by G. Swackhamer.

ACCEPTING AND APPROPRIATING THE ELDER ABUSE AND OUTREACH PROGRAM GRANT.

WHEREAS, as part of the NYS Office for the Aging's Elder Abuse Education and Outreach Program, (EAEOP) funding is being provided through the Monroe County Office for the Aging to be administered by Lifespan of Greater Rochester for elder abuse prevention, education and training programs across New York State; and

WHEREAS, Lifespan has awarded Steuben County \$6,253.43 as requested and additionally approved the plan detail as submitted by Steuben County Department of Social Services; and

WHEREAS, the Steuben County Department of Social Services plan states EAEOP funds will help provide for training and coordination that enlists others in these efforts, easing the burden of effective response while also mobilizing

the community, and includes distribution of educational materials, training, advertising and support for previously appropriated Salary and Fringe (\$2,378.43); and

WHEREAS, the partners involved in this project include the Institute for Human Services and TRIAD, a SALT Council (Seniors and Lawmen Together), a joint venture of police agencies, senior service organizations, Steuben County Office for the Aging and RSVP and older persons, designed to educate and reduce crime against our county’s older residents; and

WHEREAS, the Steuben County Office for the Aging acts as lead for the TRIAD committee and is designated to assist in 5 community trainings; and

WHEREAS, the Steuben County Department of Social Services desires to enter into a contract with the Steuben County Office for the Aging to provide and assist in the 5 community trainings, and

WHEREAS, Steuben County Office for the Aging and RSVP will utilize the funds to support TRIAD’s collaborative involvement in the 5 community trainings;

NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts and appropriates these funds in the 2016 Steuben County Budget as follows:

Expenditures:

677900 5440121	IHS Project CARE (OFA)	\$500.00
677900 5471000	Employee Mileage (OFA)	\$100.00
677900 5479300	Volunteer Training (OFA)	\$650.00
601000 5444000	Contracts for Services (DSS)	\$1,250.00
601000 5407200	Conference & Training	\$625.00
601000 5406000	Supplies	\$1,650.00
601000 5419100	Advertising	\$350.00

Revenues:

601000 43610000	State Revenues	\$6,253.43
677 900 42801900	Interdepartmental/ Fund Revenue	\$1,250.00

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Commissioner of Social Services, the Director of the Office for the Aging and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 077-16

Introduced by J. Hauryski.

Seconded by G. Roush.

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

Pursuant to Section 12.20 of the Steuben County Charter and 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 **Robert V. Nichols, District 11**, be appointed to fill the Legislative Representative Vacancy on the Soil and Water Conservation District Board of Directors.

NOW THEREFORE, BE IT

RESOLVED, that **Robert V. Nichols, District 11**, be appointed to fill the unexpired term of William A. Peoples, Jr. as Legislative Representative to the Soil and Water Conservation District Board of Directors through December 31, 2016; 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 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 appointee; 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. 078-16

Introduced by B. Schu.

Seconded by A. Mullen.

MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO INCREASE THE SHARE OF REVENUE COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES.

WHEREAS, 51 of the 62 New York counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office; and

WHEREAS, this local DMV operation is one of many examples of shared services that counties provide for the state; and

WHEREAS, under current law the Steuben County Clerk pays 87.3% of the fees collected from work performed by the County operated DMV to the State; and

WHEREAS, the remaining 12.7% county share has not been increased since 1999, yet the amount of work required by the local DMV offices has increased in that same time period; and

WHEREAS, local DMV offices process many no fee transactions on behalf of the state and provide numerous customer services; and

WHEREAS, the Governor and State Legislature have repeatedly stated that lowering property tax burden on local residents is a key priority; and

WHEREAS, increasing the county DMV revenue sharing rate will provide counties with needed revenue to continue to provide necessary local government services and reduce pressure on property taxes without increasing costs or fees to local residents; and

WHEREAS, there is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs, to fulfill these DMV services needed for state residents, yet the State takes 87.3% of the revenue generated from providing these services; and

WHEREAS, the New York State Association of County Clerks (NYSACC) strongly supports Senate Bill S4964B (Ritchie)/Assembly Bill A8201 (Brindisi) which would increase the DMV revenue to counties and provide a more equitable share in order to run DMV offices and help offset county property taxes.

NOW, THEREFORE, BE IT RESOLVED that the Steuben County Legislature supports New York State Senate Bill S4964B and New York State Assembly Bill A8201, which would increase the counties' share of Department of Motor Vehicles (DMV) Revenue to provide a more equitable share for counties and to urge the NYS Senate and Assembly to approve Senate Bill S4964B and Assembly Bill A8201; and

BE IT FURTHER RESOLVED that the Clerk of the Legislature forward copies of this resolution to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-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 Carl Heastie, Speaker, New York State Assembly, 522 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 Patty Ritchie, New York State Senator, Legislative Office Building, Room 412, Albany, NY 12247; Honorable Anthony Brindisi, New York State Assemblyman, 538 Legislative Office Building, Albany, NY 12248; Honorable John Marren, President, InterCounty Association of Western New York, c/o Ontario County Board of Supervisors, Ontario County Office Building, 20 Ontario Street, Canandaigua, NY 14424; and Stephen J. Acquario, Esq., 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.F. The Medical, Financial, Credit or Employment of a Particular Person, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person and Article 7§ 105.1.D. Discussions regarding Proposed, Pending or Current Litigation made by Mr. Mullen, seconded by Mr. Malter and duly carried.

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

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

REGULAR MEETING
Morning Session
Monday, May 23, 2016
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, 2016, 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. Mullen provided the Invocation and the Pledge of Allegiance was led by Mrs. Ferratella.

Chairman Hauryski asked Teresa Stever to come forward. Ms. Stever 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 asked Jan Kenyon to come forward. Ms. Kenyon is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a watch in recognition of her retirement with 21 years of service to Steuben County. *Congratulations!*

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

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

Ms. Mori reminded the Legislators to stay after the conclusion of the meeting for the group photo.

RESOLUTION NO. 079-16

Introduced by S. Van Etten.

Seconded by H. Lando.

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

Pursuant to Section 2.07 of the Steuben County Charter.

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of applications for correction of real property taxes levied on the parcels contained in Schedule "A"; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to make the proper tax adjustment, and/or refund, with respect to the parcels contained in Schedule "A", as set forth in the approved applications, copies of which shall be forwarded to the taxpayer and collecting authority; and 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 of the appropriate municipality.

SCHEDULE "A"

Resolution No.	<u>A-1</u>
Name	<u>Robert L. & Cynthia A. Folmar</u>
Parcel No.	<u>192.00-01-022.122</u>
Municipality	<u>Town of Bradford</u>
Disposition	<u>Correction / Refund</u>

Resolution No.	<u>A-2</u>
Name	<u>Helen L. Rodger</u>
Parcel No.	<u>263.01-01-032.111</u>
Municipality	<u>Town of Hornby</u>
Disposition	<u>Correction / Refund</u>

**Vote: Roll Call – Adopted. Yes – 9275; No – 0; Absent – 0; Abstained – 597
(Legislator Mullen abstained as client was listed on resolution)**

RESOLUTION NO. 080-16

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE MAY 23, 2016 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 15, 2016

NYS Assemblyman, Joseph M. Giglio – Re: Notification of the 2016-2017 State Budget includes \$100 million statewide for the new PAVE-NY program (\$1,011,150.07). This is in addition to the annual CHIPS aid (\$4,429,818.11) and the Aid & Incentive for Municipalities (AIM) funding that was provided at the same level as last year. ***Referred to: Public Works Committee and Vince Spagnoletti, Commissioner of Public Works.***

April 22, 2016

NYS Department of Public Service – Re: Notice of upcoming information sessions and public statement hearings on the Clean Energy Standard (CES) program. ***Referred to: A.I.P. Committee and Amy Dlugos, Planning Director.***

April 25, 2106

NYS Department of Transportation – Re: In pursuant to the hold-harmless provision, the New York State Department of Transportation is deferring any corresponding reductions in Statewide Mass Transportation Operating Assistance (STOA) formula earnings for one additional year due to significant unforeseen circumstances related to the implementation of regionally administered Medicaid Transportation Management services. ***Referred to: A.I.P. Committee and Amy Dlugos, Planning Director.***

April 29, 2016

Tectonic – Re: Notice of intent to request release of funds (NOIRROF) under the New York State Housing Trust Fund Corporation (HTFC) division of Homes and Community Renewal (HCR) 2015 Home LPA Program. ***Referred to: A.I.P. Committee and Amy Dlugos, Planning Director.***

May 2, 2016

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$17,522 which represents the first quarter of 2016 (\$14,864) combined with the March 2016 surcharge revenue (\$2,658) for Steuben County. ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

May 6, 2016

Labella – Re: Notification of the Round (6) funding availability through the Consolidated Funding Application (CFA) is due July 29, 2016. ***Referred to: A.I.P. Committee and Amy Dlugos, Planning Director.***

May 9, 2016

New York State Department of Environmental Conservation – Re: Notification of the acceptance of written comments on the proposed Interim Remedial Measures (IRM) from May 5, 2016 through June 6, 2016 and fact sheet on the NYSDEC Project ID#851046 (Operable Unit 03) located at Corning Boulevard, Corning, NY 14830. *Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.*

Corning Inc. – Re: The fact sheet for the NYSDEC Project ID#851046 located in Corning, New York. *Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.*

May 12, 2016

New York State Association of Counties – Re: Notification of the partnership with the Solar Foundation to launch the SolSmart program. *Referred to: Administration Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.*

Vote: Acclamation – Adopted.

RESOLUTION NO. 081-16

Introduced by D. Farrand.

Seconded by H. Lando.

PRESENTING LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2016, ESTABLISHING RESIDENCY REQUIREMENTS FOR PART-TIME ASSISTANT DISTRICT ATTORNEYS IN STEUBEN COUNTY.

WHEREAS, Public Officers Law §3 establishes residency requirements of public officers including but not limited to, Assistant District Attorneys; and

WHEREAS, Public Officers Law makes exception to the residency requirement of certain Assistant District Attorneys in specified counties, making such law a special law pertaining to the residence of the Assistant District Attorney; and

WHEREAS, the County of Steuben and County of Schuyler are desirous of entering into an inter-municipal agreement for the sharing of competent prosecutorial legal services; and

WHEREAS, absent a local law allowing for broadening the residency provisions, an Assistant District Attorney may only serve in a single county.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Two for the Year 2016, modifying the residency requirement for part-time Assistant District Attorneys in Steuben County.

**COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2016**

A Local Law, Establishing residency requirements for part-time Assistant District Attorneys in Steuben County.

SECTION 1: INTENT

It is the intent of this local law to expand the area of residence for eligibility for the office(s) of part-time Assistant District Attorney in Steuben County, to include Steuben County or an adjoining county within the State of New York.

SECTION 2: RESIDENCY REQUIREMENT

In the County of Steuben, the provisions of Public Officers Law §3 which require a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen, or within which his or her official functions are required to be exercised, shall not prevent a person regularly admitted to practice as an attorney or counselor in the courts of record of this state from holding the office of Assistant District Attorney provided:

- a. The office has been designated as “part-time”, and
- b. The person resides in Steuben County or an adjoining county within the State of New York.

SECTION 3: EFFECTIVE DATE

This local law shall become effective upon 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 June 27, 2016 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 County Manager, District Attorney, Personnel Officer, County Attorney and the Commissioner of Finance.

Vote: Acclamation – Adopted.

RESOLUTION NO. 082-16

Introduced by B. Schu and S. Van Etten.

Seconded by G. Roush.

AUTHORIZING THE COLLECTION OF FINES, CIVIL PENALTIES, RENT, RATES, TAXES, FEES, CHARGES AND OTHER AMOUNTS VIA THE INTERNET.

Pursuant to Section 5 of the General Municipal Law and the Steuben County Charter, Section 2.07.

WHEREAS, it is in the public interest to provide for the acceptance of penalties, rents, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessments or interest via a municipal internet website; and

WHEREAS, the Commissioner of Finance is seeking proposals from vendors to provide the technology and software interface to enable payments to the County via the internet; and

WHEREAS, any such method used to receive internet payments shall comply with Article Three of the State Technology Law and any rules and regulations promulgated and guidelines developed thereunder; and

WHEREAS, any such method used to receive the payment of taxes via the internet shall provide a confirmation page to the taxpayer following the completion of the internet transaction and such confirmation page shall include, at least, the following: (a) the date the internet transaction was completed and sent by the taxpayer; (b) the amount paid; (c) a

unique confirmation number; and (d) a notice to the taxpayer to print out and retain the confirmation page as his or her receipt.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance and any other County Officer as designated by the County Manager is authorized to accept payments via the internet; and be it further

RESOLVED, that payments received via the internet shall be considered received by the Commissioner of Finance and paid by the taxpayer at the time the internet transaction is completed, as evidenced by the unique confirmation number assigned at the time the transaction is completed; and be it further

RESOLVED, that the underlying debt, lien, obligation, bill, account or other amount owed to the County for which payment by internet is accepted by the County shall not be expunged, cancelled, released, discharged or satisfied, and any receipt or other evidence of payment shall be deemed conditional, until the County has received final and unconditional payment of the full amount due; and be it further

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

Mr. Weaver asked is there a fee attached to make payments online? Mr. Wheeler replied yes, the user pays the fee. Mr. Donnelly explained in most cases, the fee is 2 percent. We have issued the RFP and are evaluating the responses.

Vote: Roll Call – Adopted.

RESOLUTION NO. 083-16

Introduced by G. Swackhamer.

Seconded by R. Nichols.

AMENDING THE COUNTY HIGHWAY MAP.

Pursuant to Highway Law Section 115 and the Steuben County Charter, Article II, Section 2.07.

WHEREAS, upon completion of the County Route 73 over Tioga River Bridge (“the bridge”) replacement project in 2009, the County took over the 0.4 mile section of Morgan Creek Road between US 15 and “the bridge” from the Town of Lindley, and renamed the new section of County Route 73 as River Road; and

WHEREAS, the entire length of County Route 73 from its intersection with County Route 115 in Presho to its intersection with County Route 115 (previously US 15) in Lindley is currently officially named and addressed as River Road; and

WHEREAS, County Route 116 from its intersection with County Route 73 in Lindley to the Pennsylvania border is also officially named and addressed as River Road; and

WHEREAS, the Town of Lindley has passed a resolution requesting that the 0.4 mile section of County Route 73 between County Route 115 in Lindley and “the bridge” be renamed Morgan Creek Road; and

WHEREAS, the County desires to change the name of County Route 73, between County Route 115 in Lindley and County Route 116, to Morgan Creek Road to eliminate confusion for emergency services personnel arising from having two separate River Roads diverging from the same intersection (County Route 73/County Route 116 intersection).

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature, duly convened, does hereby approve changing the official name of County Route 73, between County Route 115 in Lindley and County Route 116, to Morgan Creek Road and amending the County Highway Map to reflect this change; and be it further

RESOLVED, that the Commissioner of Public Works is directed to make this name change and amendment to the County Highway Map and this change shall take effect immediately; and be it further

RESOLVED, that a certified copy of this resolution shall be filed with the New York State Department of Transportation, 107 Broadway, Hornell, NY 14843, the New York State Police, the Steuben County Sheriff, the Director of the Steuben County Office of Emergency Services, the Director of the Steuben County 911 Department, and the Commissioner of the Steuben County Department of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 084-16

Introduced by B. Schu and S. Van Etten.

Seconded by R. Weaver.

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS.

Pursuant to Section 261 of the Tax Law of the State of New York and the Steuben County Charter, Article II, Section 2.07.

RESOLVED, that the apportionment of tax on mortgages in the County of Steuben collected by the County Clerk from October 1, 2015 to March 31, 2016, 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 March 31, 2016, 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, 2015, 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 \$576,899.16.

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 2016

	TOWN & CITIES	TOWN/CITY AMT DUE	VILLAGES	VILLAGES AMT DUE	TOTAL AMT DUE
98329	ADDISON	6,211.17	ADDISON	2,464.36	8,675.53
98337	AVOCA	4,023.56	AVOCA	529.78	4,553.34
			BATH (1)	9,262.65	

21601	BATH	33,651.34	SAVONA (2)	887.68	43,801.67
98345	BRADFORD	4,397.03			4,397.03
54771	CAMERON	3,328.35			3,328.35
65153	CAMPBELL	12,104.24			12,104.24
98353	CANISTEO	6,025.93	CANISTEO	1,743.81	7,769.74
98361	CATON	14,450.09			14,450.09
54828	COHOCTON	13,391.42	COHOCTON	1,759.51	15,150.93
64785	CORNING CITY	75,195.08			75,195.08
			RIVERSIDE (1)	1,479.18	
54844	CORNING TOWN	31,250.47	S CORNING (2)	2,276.30	35,005.95
54879	DANSVILLE	5,047.34			5,047.34
36145	ERWIN	123,161.95	PAINTED POST	9,420.06	132,582.01
67458	FREMONT	4,712.24			4,712.24
98388	GREENWOOD	4,544.37			4,544.37
98396	HARTSVILLE	2,027.60			2,027.60
94781	HORNBY	9,566.81			9,566.81
27901	HORNELL CITY	26,306.91			26,306.91
			ALMOND (1)	44.55	
			ARKPORT (2)	1,723.09	
98426	HORNELLSVILLE	19,869.34	V N HORNELL (3)	2,028.84	23,665.82
98418	HOWARD	3,334.96			3,334.96
35548	JASPER	2,705.94			2,705.94
14435	LINDLEY	9,596.88			9,596.88
26360	PRATTSBURGH	10,560.18			10,560.18
18740	PULTENEY	29,811.96			29,811.96
18996	RATHBONE	1,274.58			1,274.58
48984	THURSTON	4,377.60			4,377.60
42951	TROUPSBURG	2,948.67			2,948.67
43745	TUSCARORA	7,142.17			7,142.17
98434	URBANA	26,983.15	HAMMONDSPORT	2,383.12	29,366.27
55026	WAYLAND	12,407.07	WAYLAND	2,345.59	14,752.66
77445	WAYNE	13,803.60			13,803.60
55034	WEST UNION	1,046.96			1,046.96
55050	WHEELER	2,776.78			2,776.78
98442	WOODHULL	10,514.90			10,514.90
	TOTAL	538,550.64		38,348.52	576,899.16

Foregoing shall be your sufficient warrant for the payment of said sums as above directed.

DATED at Bath, New York: May ____, 2016

STEBEN 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: May ____, 2016

Brenda K. Mori, Clerk of the Legislature

Vote: Roll Call – Adopted.

RESOLUTION NO. 085-16

Introduced by R. Lattimer.

Seconded by C. Ferratella.

COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 7

Pursuant to Article 25-AA, Section 303-a, of the Agriculture and Markets Law of the State of New York.

WHEREAS, owners of certain land in the Towns of Canisteo, Dansville, Fremont, Hartsville, Hornellsville and Howard did submit to the Steuben County Board of Supervisors proposals to create agricultural districts within specified areas of said Towns; and

WHEREAS, said proposals were filed with the Steuben County Board of Supervisors and the appropriate procedures were thereafter followed which led to the creation of said districts to be reviewed every eight years; and

WHEREAS, District No. 7 was most recently reviewed and certified in 2009; and

WHEREAS, a Notice of Review from the State of New York Department of Agriculture and Markets has been received pursuant to said Law, and the necessary review of the Steuben County Agricultural District No. 7 is required to commence; and

WHEREAS, said review must be completed by the Review Date of February 6, 2017.

NOW, THEREFORE, BE IT

RESOLVED, that the Review period of Agricultural District No.7 located in the Towns of Canisteo, Dansville, Fremont, Hartsville, Hornellsville and Howard, County of Steuben and State of New York commences effective upon filing of a Notice of Review with the office of the Steuben County Clerk, said Review period to be for a period of thirty (30) days; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to file said Notice of Review in the Office of the Steuben County Clerk and provide notice of such review by publishing the "Notice" in the Corning Leader and Evening Tribune, which are two (2) newspapers having general circulation within the said District, and by posting such "Notice" in five (5) conspicuous places within the said district. Said "Notice" shall contain information as required in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York; and be it further

RESOLVED, that the Clerk of this Legislature shall file the necessary affidavits of publication and posting of such "Notice" with this County Legislature, and this Legislature shall receive any proposals for modification of said district which may be submitted by landowners or municipalities, within thirty (30) days of the filing of the Notice of Review in the Steuben County Clerk's Office; and be it further

RESOLVED, that upon termination of said thirty (30) day period such review and any proposed modifications shall be referred by this Legislature to the Steuben County Agricultural and Farmland Protection Board, which Board shall report to the Steuben County Legislature their recommendations concerning the review and proposed modifications, and thereafter the County Legislature shall hold a Public Hearing as required by Law; and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to the Steuben County Clerk; Chairman, Steuben County Agricultural and Farmland Protection Board; the Director of the Steuben County Planning Department; and Cornell Cooperative Extension-Steuben.

Vote: Acclamation – Adopted.

RESOLUTION NO. 086-16

Introduced by S. Van Etten.

Seconded by R. Lattimer.

RATIFYING AND CONFIRMING THE NOTICE TO BIDDERS AND TERMS OF SALE 2016.

Pursuant to the Steuben County Charter, Article II, Section 2.07.

WHEREAS, on March 28, 2016 the Steuben County Commissioner of Finance was authorized and directed to establish and publish the terms and conditions of the 2016 Delinquent Tax Auction; and

WHEREAS, on May 4, 2016 the Steuben County Commissioner of Finance did present the revised *Notice to Bidders and Terms of Sale 2016* to the Finance Committee of the County Legislature for review and approval; and

WHEREAS, on May 10, 2016 the said Finance Committee did unanimously approve the said revised *Notice to Bidders and Terms of Sale 2016*.

NOW THEREFORE, BE IT

RESOLVED, that the revised *Notice to Bidders and Terms of Sale 2016* be and the same hereby is ratified and confirmed; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 087-16

Introduced by C. Ferratella and B. Schu.

Seconded by H. Lando.

RECLASSIFICATION OF SENIOR ACCOUNT CLERK TYPIST, GRADE X POSITION TO A SUPERVISING CLERK, GRADE XI POSITION WITHIN THE OFFICE OF COMMUNITY SERVICES.

Pursuant to Steuben County Charter Section 2.07.

WHEREAS, this Senior Account Clerk-Typist in the Office of Community Services performs higher level account keeping; and

WHEREAS, this Senior Account Clerk-Typist will have added duties of highly responsible clerical, account-clerical, and office management duties which require an extensive knowledge of specific department functions and applicable laws, rules, policies and procedures. This Senior Account Clerk-Typist will have direct supervision over the work of supporting clerical and account-clerical employees; and

WHEREAS, a Supervising Clerk position more appropriately performs these duties; and

WHEREAS, the Personnel Officer, the Human Services, Health and Education Committee and Administration Committee have reviewed said position within the Office of Community Services that requires a job title change and have approved the recommended change.

NOW THEREFORE, BE IT

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

Senior Account Clerk-Typist, Grade X (\$31,880 to \$45,006) to
Supervising Clerk, Grade XI (\$33,326 to \$47,047)

AND BE IT FURTHER RESOLVED, that the 2016 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 Office of Community Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 088-16

Introduced by D. Farrand and B. Schu.

Seconded by S. Maio.

RECLASSIFICATION OF TYPIST, GRADE IV POSITION TO A SENIOR TYPIST, GRADE VI POSITION WITHIN THE PROBATION DEPARTMENT.

Pursuant to Steuben County Charter Section 2.07.

WHEREAS, this Typist in the Probation Department performs basic clerical work; and

WHEREAS, this Typist will have added duties of collecting and compiling information for reports of a higher clerical level; and

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

WHEREAS, the Personnel Officer, the Public Safety Committee and Administration Committee have reviewed said position within the Probation 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 Probation Department is hereby reclassified as follows:

Typist, Grade IV (\$24,825 to \$35,046) to
Senior Typist, Grade VI (\$26,867 to \$37,928)

AND BE IT FURTHER RESOLVED, that the 2016 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 Director of Probation.

Mr. Swackhamer asked why are we doing so many reclassifications? Mr. Wheeler replied we are reaching a point where we are down staff; about 350 less than six years ago. The remaining staff is assuming more responsibility. The department heads have looked at these positions and asked Personnel to review. Personnel has done a thorough review and recommended the reclassifications. We are still money ahead and the remaining staff is performing higher level job functions.

Vote: Roll Call – Adopted.

RESOLUTION NO. 089-16

Introduced by D. Farrand and B. Schu.

Seconded by G. Roush.

RECLASSIFICATION OF TYPIST, GRADE IV POSITION TO A SENIOR TYPIST, GRADE VI POSITION WITHIN THE PUBLIC DEFENDER’S OFFICE.

Pursuant to Steuben County Charter Section 2.07.

WHEREAS, this Typist in the Public Defender’s Office performs basic clerical work; and

WHEREAS, this Typist will have added duties of collecting and compiling information for reports of a higher clerical level; and

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

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

NOW THEREFORE, BE IT

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

Typist, Grade IV (\$24,825 to \$35,046) to
Senior Typist, Grade VI (\$26,867 to \$37,928)

AND BE IT FURTHER RESOLVED, that the 2016 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 Public Defender.

Vote: Roll Call – Adopted.

RESOLUTION NO. 090-16

Introduced by D. Farrand and B. Schu.

Seconded by G. Roush.

RECLASSIFICATION OF DEPUTY SHERIFF CORPORAL, GRADE XII POSITION TO A DEPUTY SHERIFF SERGEANT, GRADE XIII POSITION WITHIN THE SHERIFF’S OFFICE.

Pursuant to Steuben County Charter Section 2.07.

WHEREAS, this Deputy Sheriff Corporal in the Sheriff's Office performs basic and more complex Law Enforcement work; and

WHEREAS, this Deputy Sheriff Corporal will have added duties of supervising the activities of Deputy Sheriffs on an assigned shift or in a certain geographical area of the county. The work is performed under the general supervision of the Sheriff and/or Undersheriff; and

WHEREAS, a Deputy Sheriff Sergeant position more appropriately performs these duties; and

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

NOW THEREFORE, BE IT

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

Deputy Sheriff Corporal, Grade XII (\$37,638 to \$58,143) to
Deputy Sheriff Sergeant, Grade XIII (\$39,878 to \$60,299)

AND BE IT FURTHER RESOLVED, that the 2016 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.

Mr. Weaver asked for an explanation. Mr. Wheeler replied after discussing with the Sheriff, the Sergeant title allows for more supervision of staff. The ultimate goal is to move away from Corporal positions. Undersheriff Allard commented the Corporal positions are doing the responsibilities of a Sergeant position and to keep those positions listed as Corporals would leave the department at a disadvantage.

Vote: Roll Call – Adopted.

RESOLUTION NO. 091-16

Introduced by D. Farrand and S. Van Etten.

Seconded by K. Fitzpatrick.

AUTHORIZING THE SHERIFF TO ACCEPT A DONATION FROM THE WINEGLASS MARATHON.

Pursuant to the Steuben County Charter, Article II, Section 2.07.

WHEREAS, the Sheriff provides patrols and security for the Wineglass Marathon every year; and

WHEREAS, the Wineglass Marathon has offered to provide bicycles and uniforms for two Road Patrol Deputies.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff hereby is authorized and directed to accept the donation of (2) bicycles and (2) uniforms, including (2) helmets; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 092-16

Introduced by D. Farrand and S. Van Etten.

Seconded by G. Swackhamer.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A DONATION FROM THE FINGER LAKES SPCA, INC.

Pursuant to the Steuben County Charter, Article II, Section 2.07.

WHEREAS, the Finger Lakes SPCA, Inc. has offered to provide all necessary items to outfit a new SPCA Deputy vehicle; and

WHEREAS, the Finger Lakes SPCA, Inc. has offered to donate equipment totaling \$5,000.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff hereby is authorized and directed to accept this donation; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 093-16

Introduced by D. Farrand.

Seconded by H. Lando.

MEMORIALIZING THE GOVERNOR AND STATE LEGISLATURE IN SUPPORT OF BILL NO. S07209, ALLOWING FOR FLEXIBILITY IN OFF-HOUR ARRAIGNMENTS AT LOCAL COURTS.

WHEREAS, the State's settlement of the *Hurrell-Harring* suit identified the presence of counsel at arraignments as a priority for the indigent defense system in New York; and

WHEREAS, with the vast geography and number of local courts in counties such as Steuben, makes achieving this goal, specifically in off-hours, unduly operationally and fiscally burdensome; and

WHEREAS, the New York State Senate has introduced Bill No. S07209, which broadens the jurisdiction of local courts to conduct off-hours arraignments in a few select locations, potentially on a rotating basis; and

WHEREAS, this bill would allow the County to partner with the County Magistrate's Association; County Bar Association and others to develop a plan that would improve the efficiency of arraignments.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature calls upon the Governor and State Legislature to support Bill No. S07209 and enact this legislation prior to the close of the current legislative session; and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-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 Carl Heastie, Speaker, New York State Assembly, 522 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 Patty Ritchie, New York State Senator, Legislative Office Building, Room 412, Albany, NY 12247; Honorable Anthony Brindisi, New York State Assemblyman, 538 Legislative Office Building, Albany, NY 12248; Honorable John Marren, President, InterCounty Association of Western New York, c/o Ontario County Board of Supervisors, Ontario County Office Building, 20 Ontario Street, Canandaigua, NY 14424; and Stephen J. Acquario, Esq., 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 made by Mr. Mullen, seconded by Mr. Farrand and duly carried.

RESOLUTION NO. 094-16

Introduced by G. Swackhamer.

Seconded by B. Schu.

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

Pursuant to Article 5 of the County Law of the State of New York; General Municipal Law 6-n; Steuben County Charter Article II, Section 2.07 (12); and Administrative Code Part IX (C) (2).

WHEREAS, the following civil action has been initiated in the U.S. Equal Employment Opportunity Commission (EEOC):

JENNIFER (CARLSON) REED,

CHARGE NO. 525-2015-00279

Plaintiff,

v.

THE COUNTY OF STEUBEN, NEW YORK,

Defendant.

; and

WHEREAS, the parties are desirous of settling the claim arising from the recited EEOC charge.

NOW THEREFORE, BE IT

RESOLVED, the County does hereby ratify the Settlement Agreement and General Release to be executed by the respective parties to the above-entitled claim requiring the payment of Two Hundred Twenty Five Thousand Dollars (\$225,000.00) on the part of the County, and any necessary documents, the Chairman to execute on behalf of the County; and be it further

RESOLVED, the County Attorney or counsel designated by him shall make application to Supreme Court for approval of the recited settlement terminating the litigation of the above-entitled claim; and be it further

RESOLVED, the County does hereby ratify the settlement of the above-entitled claim in the amount of Two Hundred Twenty Five Thousand Dollars (\$225,000.00); and be it further

RESOLVED, the within resolution shall be reported out promptly following the Supreme Court's approval of the recited settlement; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Phillips Lytle LLP, Attention: James R. Grasso, Esq., One Canalside, 125 Main Street, Buffalo, New York 14203-2887; and Scott Sprague, Steuben County Risk Manager.

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

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

REGULAR MEETING
Morning Session
Monday, June 27, 2016
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 27th day of June, 2016, 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 Booth.

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

The Clerk of the Legislature read the following Memoriam:

ROBERT L. McALLISTER
1919 – 2016

The death of our former colleague, Bob McAllister, who passed away on June 16, 2016, is acknowledged by this Legislature with sadness.

Born in Olean on November 21, 1919, to Linnie and Patrick McAllister, Bob was raised in Hornell and graduated from St. Anne's Parochial School and Hornell High School where he met his wife, Lois Granger. They were married in Hornell on April 21, 1943, and celebrated their 67th anniversary in 2010 before Lois passed away in November of that year.

Following his graduation from Niagara University, Bob served in World War II as Message Center Chief in the Signal Company assigned in support of the Army's 301st heavy bombardment wing in Tunisia and Italy. He was a cryptologist and was awarded the Bronze Star for outstanding service. After the war, Bob and Lois moved to Ithaca where he earned his law degree from Cornell University in 1948. They then settled in Wayland where Bob was a partner of Attorney Edward Gilroy, and later established his own successful law practice.

Bob served his community in many different aspects; as Justice of the Peace, Village Attorney, attorney for Wayland, Naples and Cohocton Central School Districts, trustee for Wayland Free Library and was the Wayland Town Supervisor. He was also a member of the Steuben County Board of Supervisors from 1960 to 1965, where he served as a member of the Grade Crossings Committee, Insurance & Laws Committee, Equalization Committee, Veterans' Service Committee, Appropriations Committee and the Fire Council. He was dedicated and generous to St. Joseph's Church and School, to the Vincent House and to the St. Vincent DePaul Society in Wayland and was a lifelong member of the Wayland Lion's Club.

Public service and community spirit were important to Bob; he will be remembered for his many contributions to Wayland and Steuben County, which were always characterized by faith, good will and loyalty, as well as a high regard for others.

The members of this Steuben County Legislature respectfully move that the above "Memoriam" be spread upon the minutes of this meeting and that the Clerk of the Legislature forward a copy of this Memoriam to his children: Linnie, Mary, Robert, Margaret, Anne, Patrick, Jo Ellen, Elise, Catherine and Therese, as an expression of the sympathy felt by this Legislature on the passing of their loved one.

Adopted by rising silent affirmation.

Chairman Hauryski asked Diane Putnam to come forward. Ms. Putnam 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 Peter Mohr to come forward. Mr. Mohr is an employee in the Department of Social Services. He presented him with a Certificate of Appreciation and a pin in recognition of his 25 years of service to Steuben County.

Chairman Hauryski asked Stephanie Easterbrook to come forward. Ms. Easterbrook 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 asked Susan Neu to come forward. Ms. Neu is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 30 years of service to Steuben County.

Chairman Hauryski asked Patricia Kelly to come forward. Ms. Kelly is an employee in the Buildings & Grounds Department. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 33 years of service to Steuben County.

Chairman Hauryski asked Cynthia Spallone to come forward. Ms. Spallone is an employee in the Probation Department. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 38 years of service to Steuben County.

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

Wayne Wells, Cameron, stated he is disturbed about the efforts of the scientific community not being fully appreciated by politicians. An example of this is the use of fossil fuels driving global warming. Approximately half of tribal politics believe global warming to be a hoax. Science is defined as the knowledge about, or the study of, the natural world. He would appeal to our sense of sanity that no matter how passionate you may be on many issues, we must let scientific data help us make our determinations.

Kristin Klemenz, Owner of B&W Towing, Painted Post, thanked the Legislature for reopening the bid for towing on limited access highways. In addition, she would also ask that this just be a simple rotation for all interested companies. This would allow for a more efficient response and would also be favorable for new companies just getting started. There are several counties, including Allegany and Livingston, that do a rotation. We already do a rotation for non-limited access highways and that process seems to be going well. She asked the Legislature to consider this option.

Roger Miller, Vice President, Bill Carpenter Service, Dansville, stated whoever wrote this 32-page RFP knows nothing about the towing business. There are many contradictions throughout the document. In Livingston County they have a rotating list and the application was three pages. Before you close the submission of RFP's on July 21, 2016, you need to clarify the document and revisit what it is that you are trying to do.

Robert Dickinson, Cajun Towing, Arkport, stated this system is really not working. The rotating list is an effort to try to make it work, but it really is not working. Four years ago when David Cole took over as Sheriff, he asked to meet with the tow companies to set up something that would work. Allegany County has no package and he can tow anywhere in the county. They don't ask me to justify that I have insurance or ask me to resubmit an application package every three years. He stated that he cannot come into Steuben County because of what has been done in this room. We go to the Public Safety &

Corrections Committee meetings and we are not allowed to voice our opinion. Why is it that the County wants to get so far up in my towing business, but yet there is no freedom of speech?

Chairman Hauryski thanked everyone for their comments and 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 relative to hearing public comments on the community development needs of Steuben County and to discuss the possible submission of one or more Community Development Block Grant applications for the 2016 program year. Chairman Hauryski asked if anyone wished to address the Legislature relative to this Public Hearing.

Kathleen Dear, Labella Associates, informed the Legislature that their company was hired by Green Acres Mobile Home Park to prepare an application for Community Development Block Grant funding. Green Acres is in the process of purchasing the mobile home park from the current owner and becoming a cooperative. Once they do that, they will become responsible for the infrastructure, and currently there are some significant issues with the water and sewer system. With the water system, the current 1” lines are inadequate to serve the number of homes and needs to be upgraded. The sewer system is comprised of several septic tanks, a number of which are failing. The best approach to fixing this issue is to construct a public collection system and connect it to the City of Hornell. As a private entity, they are not allowed to apply for these funds and need a municipal sponsor. The Town of Hornellsville declined to sponsor and they have asked the County to sponsor. The Town of Hornellsville held a public hearing and authorized the County to sponsor the submission of the application.

Andrea Miller of the PathStone Corporation in Rochester, stated their organization is helping the residents of Green Acres to become a resident-owned community. They require \$2.8 million in infrastructure needs and we are looking for your support to sponsor their application for funding from the Community Development Block Grant.

Chairman Hauryski thanked everyone for their comments and 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 Local Law Tentatively No. Two for the Year 2016, Establishing Residency Requirements for Part-Time Assistant District Attorneys in Steuben County. Chairman Hauryski asked if anyone wished to address the Legislature relative to this 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. Mullen and duly carried.

Mrs. Ferratella stated that she would like to thank Commissioner Muller and her staff for a successful Foster Parent Recognition Dinner. She also congratulated Legislator Mullen and his wife on the adoption of their son.

RESOLUTION NO. 095-16

Introduced by S. Van Etten.

Seconded by R. Nichols.

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

Pursuant to Section 2.07 of the Steuben County Charter.

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of applications for correction of real property taxes levied on the parcels contained in Schedule "A"; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to make the proper tax adjustment, and/or refund, with respect to the parcels contained in Schedule "A", as set forth in the approved applications, copies of which shall be forwarded to the taxpayer and collecting authority; and 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 execute the necessary documentation to convey the recited parcel(s) to the grantee(s) upon receipt of the consideration indicated, pursuant to Real Property Tax Law §1166 and as approved by the Steuben County Finance Committee on April 12, 2016; 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 as upon the "Notice to Bidders and Terms of Sale 2016" as applicable; 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 of the appropriate municipality; 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, the grantee(s), and Counsel for the Mortgagee.

SCHEDULE "A"

Resolution No.	<u>A-1</u>	Resolution No.	<u>A-2</u>
Name	<u>Fairside Apartment Ltd Partnership</u>	Name	<u>Fairside Apartment Ltd Partnership</u>
Parcel No.	<u>159.10-02-001.200</u>	Parcel No.	<u>159.10-02-001.200</u>
Municipality	<u>Village of Bath</u>	Municipality	<u>Village of Bath</u>
Disposition	<u>Court-ordered Refund 2016</u>	Disposition	<u>Court-ordered Refund 2015</u>

SCHEDULE "B"

Resolution No.	<u>B-1</u>
Former Owner	<u>James F. Vari and Karen L. Vari</u>
In Rem Index No.	<u>2014-1414CV</u>
Parcel No.	<u>077.15-01-008.130</u>
Municipality	<u>Town of Wayne</u>
Grantee(s)	<u>James F. Vari and Karen L. Vari</u>
Grantee(s) Address	<u>104 Nancy Lane, Ewing, NJ 08638</u>
Mortgagee's Counsel	<u>Michael J. McKleroy, Esq., Akerman LLP</u> <u>2001 Ross Ave., Suite 2550, Dallas, TX 75201</u>
Consideration	<u>\$388.96</u>

Vote: Roll Call – Adopted.

RESOLUTION NO. 096-16

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE JUNE 27, 2016 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 16, 2016

New York State Homes and Community Renewal – Re: Single Audit Management Decision letter for the fiscal year period ending December 31, 2014. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

May 19, 2016

Municipal Electric & Gas Alliance (MEGA) – Re: SolarCity is the preferred provider for solar procurement. *Referred to: Administration Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.*

May 31, 2016

New York State Department of Transportation – Re: Notification of approval of the 2015-2016 Consolidated Grant Application through the New York State Department of Transportation (NYSDOT) and the Federal Transit Administration (FTA). *Referred to: Amy Dlugos, Planning Director.*

June 2, 2016

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$2,855, which represents the April 2016 surcharge revenue for Steuben County. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

June 3, 2016

NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the first quarter SFY 2016-2017 Statewide Mass Transportation Operating Assistance (STOA) payments. *Referred to: Amy Dlugos, Planning Director.*

June 6, 2016

Everpower – Re: Announcement of upcoming submittal of the Preliminary Scoping Statement (PSS) to the New York State Board on Electric Generation, Siting and the Environment (Siting Board) for the Baron Winds Project. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

June 7, 2016

NYS Office of Children and Family Services – Re: OCFS Fatality Report#RO-15-035. *Referred to: Joseph Hauryski, Legislature Chairman; and Jack Wheeler, County Manager.*

June 13, 2016

NYS Department of Public Service – Re: Notification of public statement hearings on the proposed increases for the National Fuel Gas Distribution Corporation's (NFG) gas delivery rates. *Referred to: filed with the Clerk of the Legislature, Brenda Mori.*

June 15, 2016

City of Corning – Re: Notification of the Corning City Council unanimously approved the agreement to dispose of solid waste at the Erwin Transfer Station. *Referred to: Public Works Committee; and Vince Spagnoletti, Commissioner of Public Works.*

Nextera Energy – Re: Eight Point Wind, LLC (Eight Point Wind Energy Center Project) has proposed to be located in the southwestern part of Steuben County and intends to comply with the New York State’s General Code of Conduct agreement for the Wind Farm Development. *Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Alan Reed, County Attorney.*

Vote: Acclamation – Adopted.

RESOLUTION NO. 097-16

Introduced by B. Schu.

Seconded by H. Lando.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2016, ESTABLISHING RESIDENCY REQUIREMENTS FOR PART-TIME ASSISTANT DISTRICT ATTORNEYS IN STEUBEN COUNTY.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on May 23, 2016, County of Steuben Local Law Tentatively No. Two for the Year 2016, Establishing residency requirements for part-time Assistant District Attorneys in Steuben County, making the final adoption of said Local Law subject to a Public Hearing to be held on June 27, 2016; 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 June 27, 2016, 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. Two for the Year 2016, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

**COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2016**

A Local Law, Establishing residency requirements for part-time Assistant District Attorneys in Steuben County.

SECTION 1: INTENT

It is the intent of this local law to expand the area of residence for eligibility for the office(s) of part-time Assistant District Attorney in Steuben County, to include Steuben County or an adjoining county within the State of New York.

SECTION 2: RESIDENCY REQUIREMENT

In the County of Steuben, the provisions of Public Officers Law §3 which require a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen, or within which his or her official functions are required to be exercised, shall not prevent a person regularly admitted to practice as an attorney or counselor in the courts of record of this state from holding the office of Assistant District Attorney provided:

- c. The office has been designated as “part-time”, and
- d. The person resides in Steuben County or an adjoining county within the State of New York.

SECTION 3: EFFECTIVE DATE

This local law shall become effective upon 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 June 27, 2016 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. Two for the Year 2016, the Clerk of this 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 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 County Manager, District Attorney, Personnel Officer, County Attorney and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 098-16

Introduced by D. Farrand.

Seconded by J. Malter.

AUTHORIZING THE STEUBEN COUNTY DISTRICT ATTORNEY TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER COUNTY FOR A PART-TIME ASSISTANT DISTRICT ATTORNEY.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the Public Safety and Corrections Committee approved an Inter-Municipal Agreement with Schuyler County for sharing the provision of an Assistant District Attorney; and

WHEREAS, the Assistant District Attorney position is appropriated in the 2016 District Attorney budget; and

WHEREAS, Steuben County has agreed to support 50% of this position not to exceed \$50,000; and

WHEREAS, the term of the agreement shall commence July 1, 2016 through June 30, 2017, with the option to renew and a sixty (60) day opt out provision; and

WHEREAS, it is desirable and in the best interest of the County to enter into the agreement to share the recited services with a neighboring county.

NOW THEREFORE, BE IT

RESOLVED, that this Legislature approves an Agreement with Schuyler County for a shared Assistant District Attorney; and be it further

RESOLVED, that the District Attorney is hereby authorized to sign the Inter-Municipal Agreement with Schuyler County; such agreement being subject to the approval of the County Attorney; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Tim O 'Hearn, Schuyler County Administrator, 105 Ninth Street, Unit 37, Watkins Glen, NY 14891; Dennis A. Fagan, Chair of the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, N.Y. 14891; Joseph G. Fazzary, District Attorney; 105 Ninth Street, Unit 26, Watkins Glen, NY 14891; the Steuben County District Attorney; Personnel Officer; Commissioner of Finance; County Attorney; and County Manager.

Vote: Roll Call – Adopted.

RESOLUTION NO. 099-16

Introduced by R. Lattimer and S. Van Etten.

Seconded by G. Roush.

ACCEPTING FEDERAL 5311 CAPITAL PROJECTS FUNDING, AND ADJUSTING VARIOUS CAPITAL PROJECT ACCOUNTS.

WHEREAS, the Planning Department is responsible for the administration of grants, contracts, and finances related to the countywide bus system; and

WHEREAS, due to the multi-year funding cycles of these state and federal grants, these funds should be placed in capital projects 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, under a Supplemental Agreement to Comptroller's Contract #C003788, Section 5311 Capital; and

WHEREAS, the specific funds awarded are as follows:

PIN	Description	Project Cost	Federal Share	State Share	Local Share
6795.35.304	Support vehicle	\$50,000	\$40,000	\$5,000	\$5,000
6796.34.304	replacement buses	\$450,000	\$360,000	\$45,000	\$45,000
6795.36.304	Mobility Management	\$501,811	\$401,499	\$50,181	\$50,181
6795.80.104	Transp. Research & Planning Project	\$31,843	\$25,474	\$3,185	\$3,185
6795.82.104	Transp. Research & Planning Project	\$31,906	\$25,525	\$3,191	\$3,190

WHEREAS, Steuben County and the State of New York will be entering into an agreement which authorizes the undertaking of the Projects and payment of the federal and state shares.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is directed to modify the Bus Operations Capital Project (5630H1) to reflect additional appropriations and revenues of \$500,000, to establish a capital project entitled 'Mobility Management Services Capital Project' (5630H2) and appropriate \$501,811 of revenues and expenditures and to establish a capital project entitled 'Transportation Research Capital Project' (5630H3) and appropriate \$63,749 of revenues and expenditures; 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 vendors for the purposes of fulfilling the grant requirements; and be it further

RESOLVED, that Steuben County certifies through this Resolution that the local share for the support vehicle and the replacement buses shall be provided by First Transit; and be it further

RESOLVED, that Steuben County certifies through this Resolution that the local share for Mobility Management and the Transportation Research & Planning Project shall be provided by the Institute for Human Services, Bath NY; and be it further

RESOLVED, that four certified copies of this resolution shall be sent to Amy Dlugos, Planning Director.

Mr. Mullen asked for a description of the project. Mr. Wheeler replied this is for the transportation bus program that we sponsor and the funding is run through the County. The local share is picked up from the companies receiving the buses.

Vote: Roll Call – Adopted.

RESOLUTION NO. 100-16

Introduced by R. Lattimer.

Seconded by H. Lando.

APPROVING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION THROUGH THE CONSOLIDATED FUNDING APPLICATION PROCESS.

WHEREAS, it is in the best interests of Steuben County to maintain its housing stock; and

WHEREAS, this Legislature remains committed to furthering fair housing in Steuben County; and

WHEREAS, residents of the former Green Acres Mobile Home Park in the Town of Hornellsville, have obtained funding and made the necessary investments to purchase said mobile home park that is now known as The Woodlands Community, Inc.; and

WHEREAS, The Woodlands Community, Inc. development needs significant infrastructure upgrades, including sewer and water lines, to remain habitable; and

WHEREAS, The Woodlands Community, Inc. has secured some funding for infrastructure improvements but is still in need of further funding; and

WHEREAS, Community Development Block Grant funding for water and sewer infrastructure is available through the Southern Tier Regional Economic Development Council Consolidated Funding Application process; and

WHEREAS, the Town of Hornellsville intends to adopt a resolution authorizing Steuben County to apply on their behalf and enter into a cooperation agreement with Steuben County.

NOW THEREFORE BE IT,

RESOLVED, that the Steuben County Planning Department shall assist with the preparation of a grant application not to exceed \$1 million for the improvement of water and sewer infrastructure at The Woodlands Community, Inc. in the Town of Hornellsville; and be it further

RESOLVED, that the County Manager, Steuben County, New York, is hereby authorized as the official representative of Steuben County to execute and submit a Consolidated Funding Application for Community Development Block Grant and/or other funding to the administrative agency for the Fiscal Year 2016 program, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required; and be it further

RESOLVED, that the County Manager is hereby authorized to execute a cooperation agreement with the Town of Hornellsville.

Mr. Swackhamer stated at one time, Green Acres was one of the most beautiful mobile home parks in the County. The residents of the park want to take the park over, develop it and make it great again. It is to our advantage to sponsor their application.

Mr. Mullen asked what will be the effect of County sponsorship? Mr. Wheeler replied the cost is negligible, and really it is more time on our end. A municipality needs to sponsor the application and the Town of Hornellsville declined and the mobile park has asked the County to sponsor. The Planning Department will need to work on the paperwork and do site visits to make sure everything is going well. We have done this for other grant applications.

Mr. Mullen asked what is the role of Labella? Mr. Wheeler replied they are working for the mobile home park community.

Ms. Fitzpatrick commented it bothers her that we are applying for a grant which equates to \$30,000 per resident to clean up things the previous owner should have done. Mr. Weaver stated the biggest issue was that the park was in foreclosure and nobody was running the park. Mr. Swackhamer stated the bank owned the park for a number of years and the membership decided to purchase and make it a community in order to do the upgrades.

Mr. Van Etten asked we assume no responsibility or liability by doing this? Mr. Wheeler replied in his view, no. We have done this with World Kitchen, Arbor Development and others. He is assuming that the contract, if awarded, will be the same as in the past. Based on prior history with these applications, there has never been a liability concern. Mr. Weaver asked is this application similar to the CDBG Well and Septic System program? Mr. Wheeler replied yes, this will be the same type of project.

Mr. Mullen asked when the residents purchased the park, they were not taking into account the value of the grant? Does the bank benefit from this grant? Mr. Swackhamer stated the purchase contract is all ready to be signed. This is above and beyond their deal with the bank. Mrs. Lando asked what happens if they don't receive the grant? Mr. Swackhamer replied they will function as they are and look for other funding sources.

Mr. Swackhamer stated he will be abstaining as he is a partial owner of one of the homes in the park.

**Vote: Roll Call – Adopted. Yes – 8828; No – 0; Absent – 593; Abstained – 451.
(Absent – Legislator Booth; Abstained – Legislator Swackhamer)**

RESOLUTION NO. 101-16

Introduced by D. Farrand and S. Van Etten.

Seconded by G. Roush.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A DONATION FROM THE SGT. DEVIN SNYDER MEMORIAL FUND FOR INSERTS FOR THE TWO K9 VEHICLES.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the Sgt. Devin Snyder Memorial Fund has offered to provide all necessary equipment (back seat assembly that includes the area for the K9 to ride in the vehicle, caged area for one prisoner to ride with the K9 in use) for the two new K9 vehicles; and

WHEREAS, the value of this equipment will be between \$5,000-\$10,000.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Sheriff is hereby authorized to accept the donation of equipment for the two K9 vehicles from the Sgt. Devin Snyder Memorial Fund; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Sgt. Devin A. Snyder Memorial Fund, c/o Edward & Dineen Snyder, 14 North Dansville Street, Cohocton, NY 14826, the Commissioner of Finance and the Steuben County Sheriff.

Vote: Roll Call – Adopted.

RESOLUTION NO. 102-16

Introduced by D. Farrand and S. Van Etten.

Seconded by G. Swackhamer.

AUTHORIZING THE CREATION OF A CAPITAL PROJECT ACCOUNT FOR LAW ENFORCEMENT PARK DONATIONS.

WHEREAS, the Sheriff would like to accept donations from the public to construct a Law Enforcement Memorial Park at the Public Safety Building; and

WHEREAS, the Sheriff will pay for brick pavers, construction of a statue and construction of a waterfall for the Law Enforcement Memorial Park out of this account; and

WHEREAS, it has been established that these donated funds will only be used for the Law Enforcement Memorial Park.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized and directed to set up account number 3110H3 to appropriate donations; 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. 103-16

Introduced by G. Swackhamer.

Seconded by R. Nichols.

AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A HOUSEHOLD HAZARDOUS WASTE GRANT.

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 the 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 shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 104-16

Introduced by G. Swackhamer and S. Van Etten.

Seconded by J. Malter.

AUTHORIZING THE ACCEPTANCE OF PAVE NY FUNDING.

WHEREAS, the Public Works Department is scheduled to receive \$1,011,150.07 in funding from New York State’s “Pave NY” program; and

WHEREAS, there is a need to repair 8.65 miles of County Route 113, Bath/Urbana; and

WHEREAS, there is a need to repair .77 miles of County Route 93, Wayland.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized and directed to accept \$1,011,150.07 in “Pave NY” funding; and be it further

RESOLVED, to appropriate \$914,000 of said funding to D 511200, Permanent Improvements, 5 251 022, CR 113 – Bath / Urbana; and be it further

RESOLVED, to appropriate \$97,150.07 of said funding to D 511200, Permanent Improvements, 5 251 023, CR 93 – Wayland; 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. 105-16

Introduced by G. Swackhamer.

Seconded by R. Nichols.

AUTHORIZING THE REDUCTION OF THE TIP FEE FOR TRANSFER TRAILERS TO THE BATH LANDFILL.

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

WHEREAS, the County estimates that 30,000 to 40,000 tons of waste is being exported from Steuben County to lower priced, out-of-county, privately-operated landfills; and

WHEREAS, there are solid waste transfer stations operating outside of the County that transfer part of this waste; and

WHEREAS, it is determined to be in the best interest of the County that regional transfer stations utilize the Bath Landfill; and

WHEREAS, the current tip fee at the Bath Landfill for transfer trailer loads of mixed municipal solid waste (MSW) is \$35.00/ton and the County determines it to be prudent and economically responsible to establish a \$33.00/ton tip fee for transfer trailer loads of mixed MSW, retroactive to June 6, 2016; and

WHEREAS, for consideration of the reduced tip fee the customer will be required to sign a three year disposal agreement; and

WHEREAS, for consideration of the reduced tip fee the customer must submit a copy of its facility's operating permit/registration issued by the permitting authority with jurisdiction for the facility.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby authorize the Commissioner of Public Works to establish the tip fee of \$33.00/ton at the Bath Landfill for loads of mixed MSW from permitted/registered transfer stations; and be it further

RESOLVED, the tip fee will be granted upon execution of the disposal agreement and verification of the appropriate transfer station operating permit/registration; and be it further

RESOLVED, the new tip fee for mixed MSW on transfer trailers from transfer stations shall be retroactive to June 6, 2016; and be it further

RESOLVED, these modifications shall apply to private individuals, businesses, industry, commercial haulers and local political subdivisions of the State of New York; 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. 106-16

Introduced by B. Schu and S. Van Etten.

Seconded by R. Lattimer.

APPROVING AN AGREEMENT FOR ACCEPTANCE OF ELECTRONIC PAYMENTS.

Pursuant to the Steuben County Charter, Article II, Section 2.07.

WHEREAS, the Finance Committee, on November 10, 2015, authorized the Commissioner of Finance, in conjunction with the Purchasing Director, to issue a Request for Proposal to provide for the online acceptance of credit card payments and for a swipe-card payments system; and

WHEREAS, the Commissioner of Finance and the Director of Purchasing reviewed the proposals, with participation from various Departments within the County using or interested in using the recited products; and

WHEREAS, it was determined that the products and services offered by Value Payment Systems Inc. in its Response dated February 4, 2016 fit the needs of the various Departments of the County; and

WHEREAS, on June 14, 2016 the Administration and Finance Committees approved the recommendation of the Commissioner of Finance to accept the Response to the RFP from Value Payment Systems, Inc.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is hereby authorized to execute an agreement for services with Value Payment Systems, Inc.; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 107-16

Introduced by S. Van Etten.

Seconded by G. Swackhamer.

AUTHORIZING THE COUNTY TO PARTICIPATE IN TAX CERTIORARI PROCEEDINGS IN THE TOWN OF ERWIN.

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

WHEREAS, it is in the interest of the County to participate in the appraisals for Tax Certiorari Proceedings where the equalized full value is in excess of \$2 million for roll section one and six parcels as previously set forth in Resolution 010-93, as amended in Resolution 132-03, and as amended in Resolution 047-12; and

WHEREAS, a requesting assessing unit should have completed in due course a town/city wide reassessment program and filed a cyclical reassessment plan; and

WHEREAS, the Town of Erwin has recently completed a cyclical reassessment plan and has further requested the County to participate in one (1) Tax Certiorari Proceeding pursuant to the County's participation policy; and

WHEREAS, the recited requests comply with the policy of the County to so participate; and

WHEREAS, the counsel for the Town of Erwin has submitted initial preliminary appraisal estimates of \$3,750 together with a court-ready appraisal estimate of \$4,000 for a total estimate of \$7,750 together with additional costs for expert testimony at a rate of \$150/hr.; and

WHEREAS, the Real Property Tax Service Agency has computed the County's share of participation as set forth under the County's policy to participate at \$1,240, plus charges to provide testimony in Court at \$150/hr.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized and directed to disburse to the properly credentialed and retained appraiser(s) a total sum not to exceed \$2,500 in and for the recited proceeding; 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; Rita McCarthy, Erwin Town Manager, 310 Town Center Road, Painted Post, New York 14870; and David English, Esq., Counsel for the Town of Erwin, 215 Watauga Avenue, Corning, New York 14830.

Mr. Mullen asked what property does this refer to? Mr. Van Etten replied this is the Old Ramada Inn.

Mr. Roush stated that he will be abstaining as he is a member of the Erwin Town Board.

Vote: Roll Call – Adopted. Yes – 8556; No – 0; Absent – 593; Abstain – 723.
(Absent – Legislator Booth; Abstain – Legislator Roush)

RESOLUTION NO. 108-16

Introduced by B. Schu.

Seconded by K. Hanna.

AUTHORIZING AN AMENDMENT TO THE LEASE FOR THE OLD HEALTH CARE FACILITY WITH CENTERS HEALTH CARE.

WHEREAS, an agreement was entered into dated July 1, 2014 between the County of Steuben and Centers Health Care for the premises located at 6979-7007 Rumsey Street Extension, Bath, New York; and

WHEREAS, the parties have mutually agreed that the purpose of this addendum is to include \$8,650.60 for 2016 Taxes and Insurance; and

WHEREAS, the County has agreed to cover these costs in consideration of the county's occupancy of the premises.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is authorized to execute an amended lease agreement with Centers Health Care in the amount of \$8,650.60 for 2016 Taxes and Insurance; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager.

Mr. Mullen asked was this originally planned for? Mr. Wheeler replied we have an agreement with Centers to maintain the Old Health Care Facility and to pay the utilities. They approached us and indicated that there were additional costs to them even though they are not using the facility. There is an additional cost to the County, but only for the short-term as we are in the process of constructing a Records facility. This is significantly less expensive as opposed to having a straight lease. This is a partnership with Centers as we currently do not have a place to store our records.

Mr. Mullen asked how long was the lease? Mr. Wheeler replied he believes it is open-ended. Mr. Swackhamer stated we discussed this in Finance. It was no surprise that this was going to come. We are ahead of the game and should pay until we get our new building up.

**Vote: Roll Call – Adopted. Yes – 7689; No – 1590; Absent – 593.
(No – Legislators Maio, Mullen and Weaver; Absent – Legislator Booth)**

RESOLUTION NO. 109-16

Introduced by B. Schu.

Seconded by R. Lattimer.

AUTHORIZING THE ADDITION OF AN INTERNSHIP POLICY INTO THE ADMINISTRATIVE CODE.

Pursuant to Section 2.07(6) of the Steuben County Charter.

WHEREAS, the Steuben County Administrative Code, adopted in 1985 and amended various times since, details policies and procedures of Steuben County; and

WHEREAS, Internships can benefit both the participant and the County by promoting the exchange of information and education, exposing students to County government and encouraging careers in public service; and

WHEREAS, the County Manager has drafted an Internship Policy after researching, evaluating, and considering examples of effective Internship Policies; and

WHEREAS, the County Manager recommends adding the Internship Policy to the Administrative Code in an effort to facilitate Steuben County's offering of internship opportunities for students enrolled in undergraduate and graduate programs at area colleges and universities; and

WHEREAS, the Internship Policy is further intended to outline various responsibilities and ensure student workers have a productive experience with the County; and

WHEREAS, the draft Internship Policy has been distributed to the Legislature for review; and

WHEREAS, the Administration Committee has reviewed the proposed changes and recommends approval by the Legislature.

NOW THEREFORE, BE IT

RESOLVED, that the Administrative Code is hereby amended to include the Internship policy; and be it further

RESOLVED, the revised Administrative Code will be made available via the Steuben County intranet, and employees and staff will be notified of said revisions; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, Personnel Officer, and County Attorney.

Vote: Roll Call – Adopted.

RESOLUTION NO. 110-16

Introduced by B. Schu.

Seconded by J. Malter.

AMENDING THE MANAGEMENT SALARY PLAN.

WHEREAS, on a regular basis the Management Salary Plan needs to be reviewed and updated to account for the ever-changing nature of county government operations and staffing; and

WHEREAS, as a result of the recent review, the County Manager and Personnel Officer have made recommendations to account for changes that have occurred since the Management Salary Plan was last reviewed, most notably, the adoption of the Steuben County Charter; and

WHEREAS, the recommended changes include updated policies and procedures, roles and responsibilities, title additions and deletions; and

WHEREAS, no salary adjustments are required as a result of these amendments; and

WHEREAS, the Administration Committee has reviewed and approved the recommended changes.

NOW THEREFORE, BE IT

RESOLVED, the Management Salary Plan is hereby amended as presented by the County Manager and Personnel Officer; and be it further

RESOLVED, the changes do not result in a change to the 2016 salaries of the individuals within the positions; and be it further

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

Mr. Mullen asked is it a requirement under the Charter that the legislative committees no longer have input on the plan? Mr. Wheeler replied no, that is referencing the evaluations. The committees do not directly have input, but you would in your discussion with the Chair. The evaluations for the Clerk of the Legislature, County Attorney and County Manager will be conducted by the Chairman of the Legislature.

Mr. Mullen stated he would not think that it was a good idea to tie the salary ranges to the Union contract as he believes there would be a conflict of interest with the primary negotiators being Management. Mr. Wheeler stated that provision was added by resolution adopted in 2006. Ultimately, the Legislature has the ability to not give raises every year. The salary grid changes if the CSEA grid changes. We are frugal and we represent you when we are negotiating.

**Vote: Roll Call – Adopted. Yes – 8683; No – 597; Absent – 593.
(No – Legislator Mullen; Absent – Legislator Booth)**

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 of a Particular Person, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person made by Ms. Lattimer, seconded by Mr. Swackhamer and duly carried.

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

RESOLUTION NO. 111 – 16

Introduced by G. Swackhamer.

Seconded by S. Maio.

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

Pursuant to Article 5 of the County Law of the State of New York; General Municipal Law 6-n; Steuben County Charter Article II, Section 2.07 (12); and Administrative Code Part IX (C) (2).

WHEREAS, the following civil action has been initiated in the U.S. Equal Employment Opportunity Commission (EEOC):

JENNIFER (CARLSON) REED,

CHARGE NO. 525-2015-00279

Plaintiff,

vs.

THE COUNTY OF STEUBEN, NEW YORK,

Defendant.

; and

WHEREAS, the parties are desirous of settling the claim arising from the recited EEOC charge; and

WHEREAS, the Legislature previously approved the settlement of this matter under Perm. No. 094-16 and that the EEOC has required specific policy adjustments in the course of the conciliation process; and

WHEREAS, the Steuben County Personnel Officer has reviewed the adjustments and finds them to be proper for the operations of the County functions. The County finds those adjustments to be in the best interests of the County.

NOW THEREFORE, BE IT

RESOLVED, the County does hereby ratify the Conciliation Agreement as agreed to by the Steuben County Sheriff through the EEOC Conciliation process; and be it further

RESOLVED, the within resolution shall be reported out promptly following the Supreme Court's approval of the recited settlement; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Phillips Lytle LLP, Attention: James R. Grasso, Esq., One Canalside, 125 Main Street, Buffalo, New York 14203-2887; and Scott Sprague, Steuben County Risk Manager.

A M E N D E D

RESOLUTION NO. 112-16

Introduced by S. Van Etten.

Seconded by H. Lando.

AUTHORIZING AND DIRECTING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO A WRITTEN EMPLOYMENT AGREEMENT WITH JACK K. WHEELER, COUNTY MANAGER

Pursuant to the Steuben County Charter §§3.0, 3.1.

WHEREAS, the residents of Steuben County adopted a Charter form of government as established in the certified results for the General Election of the year 2013, and the Steuben County Charter having been filed in the Office of the Secretary of State as set forth under Steuben County Charter §13.00; and

WHEREAS, the adopted Steuben County Charter calls for a County Manager under Article III to be appointed by the Steuben County Legislature; and

WHEREAS, pursuant to Resolution No. 085-15, the Steuben County Legislature appointed Jack K. Wheeler as County Manager effective June 30, 2015; and

WHEREAS, Steuben County Charter §3.1 allows the County Legislature to negotiate and by resolution authorize the Chairman to execute a written employment agreement with the County Manager for a term of up to, but not exceeding five years, and such contract to contain terms and conditions of employment; and

WHEREAS, the County Legislature is desirous of securing an employment agreement with Jack K. Wheeler and to provide a salary plan extending salary increments in order to foster stability for said incumbent.

NOW THEREFORE, BE IT

RESOLVED, the Chairman of the Steuben County Legislature is hereby authorized to enter into a written employment agreement with Jack K. Wheeler, County Manager, effective June 30, 2016, and terminating on December 31, 2020; and be it further

RESOLVED, as set forth in the schedule herein providing for rates of compensation through additional increments of salary effective on the 30th day of June of each year listed as follows:

2016	\$120,000
2017	\$122,400
2018	\$124,848
2019	\$127,345
2020	\$129,892

AND BE IT FURTHER RESOLVED, said individual shall enjoy all of the management fringe benefits to the same extent as provided to the County Management Group; and be it further

RESOLVED, this agreement may be terminated by either party upon written notice; and be it further

RESOLVED, pursuant to §3.1 of the Steuben County Charter, this agreement contains the terms and conditions of employment and should not be misconstrued as to setting a term of office; and be it further

RESOLVED, the Chairman of the Legislature is authorized and directed to reflect an agreement consistent with this resolution; and be it further

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

Motion to amend Resolution No. 112-16 to reflect that termination may be made by either party, and eliminating the resolved clause relative to just cause made by Mr. Swackhamer, seconded by Mr. Maio and duly carried.

Vote: Roll Call – Adopted. Yes – 8619; Absent – 1253.
(Absent – Legislators Booth and Schu)

*Note: Regarding the above resolution designated as 112-16 authorizing the Chairman to negotiate a contract with the County Manager; while the resolution was approved, the contract was **not** negotiated and said resolution will be rescinded at the July 25, 2016, Legislative Meeting. s/Brenda K. Mori, Clerk of the Legislature*

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

REGULAR MEETING
Morning Session
July 25, 2016
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 July, 2016, 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 Weaver.

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

Chairman Hauryski asked Veronica Olin to come forward. Ms. Olin is an employee in the Board of Elections. 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 Wendy Jordan to come forward. Ms. Jordan is an employee in the Real Property Tax Service Agency. 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 Gordon Swift to come forward. Mr. Swift is an employee in Weights & Measures. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement with 30 years of service to Steuben County.

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

Wayne Wells, Cameron, provided his opinion on the upcoming Presidential Election and his concerns about whether government should be run on laws or principles.

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

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

Ms. Mori announced that she recently distributed an email to the Legislature regarding the use of Executive Session and right of abstention. If there are any questions, please contact her.

Mrs. Hurd-Harvey reported that they had a total of 72 properties in the July 15, 2016 property tax sale. They sold 68 parcels and received proceeds of just of \$669,000.

RESOLUTION NO. 113-16

Introduced by S. Van Etten.

Seconded by Mr. Swackhamer.

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

Pursuant Section 2.07 of the Steuben County Charter.

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of applications for correction of real property taxes levied on the parcels contained in Schedule "A"; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to make the proper tax adjustment, and/or refund, with respect to the parcels contained in Schedule "A", as set forth in the approved applications, copies of which shall be forwarded to the taxpayer and collecting authority; and 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 execute the necessary documentation to convey the recited parcel(s) to the grantee(s) upon receipt of the consideration indicated, pursuant to Real Property Tax Law §1166 and as approved by the Steuben County Finance Committee on July 12, 2016; 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 15, 2016, 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 of the date of this Resolution, to convey those parcels to the second highest bidder upon receipt of full payment from the second highest bidder, and said transfers made pursuant hereto be and the same hereby are ratified; and be it further

RESOLVED, the said grantee(s), previously recited in Schedules "B" and "C", 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 as upon the "Notice to Bidders and Terms of Sale 2016" as applicable; 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 of the appropriate municipality; 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, Counsel for the Grantee, and Counsel for the Estate, where indicated; 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 grantee(s).

SCHEDULE "A"

Resolution No.	<u>A-1</u>
Name	<u>Morningstar Trail Holding, LLC</u>
Parcel No.	<u>335.00-03-023.000</u>
Municipality	<u>Town of Erwin</u>
Disposition	<u>Court Ordered Refund - 2015</u>

Resolution No.	<u>A-2</u>
Name	<u>Morningstar Trail Holding, LLC</u>
Parcel No.	<u>335.00-03-023.000</u>
Municipality	<u>Town of Erwin</u>
Disposition	<u>Court Ordered Refund - 2016</u>

Resolution No.	<u>A-3</u>
Name	<u>Irfan & Yasmeen Mehr</u>
Parcel No.	<u>250.00-01-033.310</u>
Municipality	<u>Town of Hartsville</u>
Disposition	<u>Split/Consolidation</u>

Resolution No.	<u>A-4</u>
Name	<u>Skyline Farms / Irfan & Yasmeen Mehr</u>
Parcel No.	<u>250.00-01-033.320</u>
Municipality	<u>Town of Hartsville</u>
Disposition	<u>Split/Consolidation</u>

Resolution No.	<u>A-5</u>
Name	<u>Timothy L. and Melissa D. Ames</u>
Parcel No.	<u>399.00-01-020.210</u>
Municipality	<u>Town of Woodhull</u>
Disposition	<u>Split</u>

SCHEDULE "B"

Resolution No.	<u>B-1</u>
Former Owner	<u>David M. Sisson (Estate of)</u>
In Rem Index No.	<u>2014-1414CV, Judgment filed May 9, 2016</u>
Parcel No.	<u>042.00-01-033.000</u>
Municipality	<u>Town of Cohocton</u>
Grantee(s)	<u>Southern Tier Timber Management, Inc.</u>
Grantee(s) Address	<u>8084 State Route 21, Arkport, NY 14807</u>
Grantee's Counsel	<u>Peter H. Baker, Esq., 51 Main Street, P.O. Box 398, Hammondsport, NY 14840</u>
Counsel for Estate	<u>David B. Pawlak, Esq., 84 Main St., Suite D, Big Flats, NY 14814</u>
Consideration	<u>\$891.34, inclusive of buyer's premium & recording fees</u>

Resolution No.	<u>B-2</u>
Former Owner	<u>Russell D. Fox</u>
In Rem Index No.	<u>2013-1427CV, Judgment filed May 9, 2016</u>
Parcel No.	<u>019.00-02-043.000</u>
Municipality	<u>Town of Prattsburgh</u>
Grantee(s)	<u>Carlos Mendez and Zenaida Mothana</u>
Grantee(s) Address	<u>5867 State Route 415, Prattsburgh, NY 14873</u>
Grantee's Counsel	<u>Mark H. Wattenberg, Esq., LawNY, Inc., 16 W. William St., P.O. Box 272, Bath, NY 14810</u>
Consideration	<u>\$4,129.44, inclusive of buyer's premium & recording fees</u>

Resolution No.	<u>B-3</u>
Former Owner	<u>Vera B. Ceglia</u>
In Rem Index No.	<u>2014-1414CV, Judgment filed May 9, 2016</u>
Parcel No.	<u>151.56-02-003.000</u>
Municipality	<u>City of Hornell</u>
Grantee(s)	<u>City of Hornell</u>
Grantee(s) Address	<u>82 Main St., P.O. Box 627, Hornell, NY 14843</u>
Consideration	<u>\$6,158.24, inclusive of buyer's premium & recording fees</u>

Resolution No.	<u>B-4</u>
Former Owner	<u>Bryan Swift</u>
In Rem Index No.	<u>2014-1414CV, Judgment filed May 9, 2016</u>
Parcel No.	<u>166.06-08-063.000</u>
Municipality	<u>City of Hornell</u>
Grantee(s)	<u>City of Hornell</u>
Grantee(s) Address	<u>82 Main St., P.O. Box 627, Hornell, NY 14843</u>
Consideration	<u>\$7,086.72, inclusive of buyer's premium & recording fees</u>

SCHEDULE "C"

Resolution No.	C-1
Former Owner	Sisson, David M.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 1)
Parcel No.	349.07-01-044.000
Municipality	Addison Village
Highest Bidder	Theresa White and Michael J. White
Highest Bidder's Address	2464 Reservoir Hill, Addison, NY 14801
Consideration	\$965.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Steven Nichols
Second Highest Bidder's Address	5568 Wolf Run Rd, Campbell, NY 14821

Resolution No.	C-2
Former Owner	Timmons, Robert W. / Butler, Bruce W.
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 2)
Parcel No.	349.08-01-029.000
Municipality	Addison Village
Highest Bidder	Robert and Gloria Lymber
Highest Bidder's Address	4540 Pine Hill Rd, Corning, NY 14830
Consideration	\$8,710.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Steven Nichols
Second Highest Bidder's Address	5568 Wolf Run Rd, Campbell, NY 14821

Resolution No.	C-3
Former Owner	Space Charles G III
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 3)
Parcel No.	349.28-01-002.000
Municipality	Addison Village
Highest Bidder	Jeffrey P. & Patricia L. Horton
Highest Bidder's Address	9115 State Rte 415, Campbell, NY 14821
Consideration	\$11,855.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Theresa Ohler White
Second Highest Bidder's Address	2464 Reservoir Hill, Addison, NY 14801

Resolution No.	C-4
Former Owner	Baker, Laura and Baker, Dennis / Noyes, Julia
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 5)
Parcel No.	129.13-01-028.000
Municipality	Bath Town
Highest Bidder	Houle Sales Consulting, Inc.
Highest Bidder's Address	160 Linden Oaks, Rochester, NY 14625
Consideration	\$3,045.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Alan Hasty
Second Highest Bidder's Address	Box 45, Dundee, NY 14837

Resolution No.	C-5
Former Owner	Hoskins, Robert and Hoskins, Belinda
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 6)
Parcel No.	157.00-01-016.000
Municipality	Bath Town
Highest Bidder	Glenn R. Houle
Highest Bidder's Address	166 Park St, Canandaigua, NY 14424
Consideration	\$18,060.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Karen Rodbourn
Second Highest Bidder's Address	4996 Middle Rd, Bath, NY 14810

Resolution No.	C-6
Former Owner	White, Richard C. and White, Mildred V.
In Rem Index No.	Index No. 2010-1966CV, Judgement filed 05/06/2015
Date of Tax Sale:	July 15, 2016 (Sale No. 7)
Parcel No.	191.00-01-023.000
Municipality	Bath Town
Highest Bidder	Steven S. Pilgrim
Highest Bidder's Address	PO Box 393, Savona, NY 14879
Consideration	\$7,180.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Michael Comstock
Second Highest Bidder's Address	5596 Mills Rd, Campbell, NY 14821

Resolution No.	C-7
Former Owner	Lemay, Raymond F. and Lemay, Lillian M.
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 8)
Parcel No.	192.00-02-028.000
Municipality	Bath Town
Highest Bidder	David R. Sabins
Highest Bidder's Address	3046 County Route 6, Cohocton, NY 14826
Consideration	\$7,610.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Debra Ciulla
Second Highest Bidder's Address	224 East Chestnut Street, East Rochester, NY 14445

Resolution No.	C-8
Former Owner	Bath Packing Co., Inc.
In Rem Index No.	Index No. 2012-1440CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 9)
Parcel No.	158.16-01-064.110
Municipality	Bath Village
Highest Bidder	Steve Nichols
Highest Bidder's Address	8142 Tilly Swamp Rd, Conway, SC 29526
Consideration	\$1,955.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Maria DeRendon
Second Highest Bidder's Address	60 Mystic View Ln, Lawrenceville, PA 16929

Resolution No.	C-9
Former Owner	Brouwere, David L. (Estate)
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 11)
Parcel No.	191.14-01-061.000
Municipality	Savona
Highest Bidder	Steven S. Pilgrim
Highest Bidder's Address	PO Box 393, Savona, NY 14879
Consideration	\$7,885.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Gerald Wray
Second Highest Bidder's Address	36 Tuxill Ave, Corning, NY 14830

Resolution No.	C-10
Former Owner	Keegan, Thomas R. Jr
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/06/2015
Date of Tax Sale:	July 15, 2016 (Sale No. 12)
Parcel No.	206.00-03-011.000
Municipality	Campbell
Highest Bidder	Robert Pritting Jr.
Highest Bidder's Address	8761 Clark Rd, Avoca, NY 14809
Consideration	\$8,710.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Amanda Fisher
Second Highest Bidder's Address	301 Sunset Drive, # 201, Corning, NY 14830

Resolution No.	C-11
Former Owner	Hoffman, Walter A. III
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 13)
Parcel No.	206.00-03-038.000
Municipality	Campbell
Highest Bidder	William J. Osburn and Kathie L. Osburn
Highest Bidder's Address	5326 Cty Rte 125, Campbell, NY 14821
Consideration	\$5,960.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Nicole Frawley
Second Highest Bidder's Address	25 Geneva St, Bath, NY 14810

Resolution No.	C-12
Former Owner	Sisson, David M. and Rawleigh, Richard
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 14)
Parcel No.	242.00-01-014.000
Municipality	Campbell
Highest Bidder	Edward T. & Robin S. Tietje III
Highest Bidder's Address	8012 Rte 333, Campbell, NY 14821
Consideration	\$965.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Mark Earley
Second Highest Bidder's Address	5198 County Route 8, Avoca, NY 14809

Resolution No.	C-13
Former Owner	Soich, Frederick and Soich, Karen
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 16)
Parcel No.	242.08-02-031.000
Municipality	Campbell
Highest Bidder	Caleb O. Keane
Highest Bidder's Address	189 Flint Ave, Corning, NY 14830
Consideration	\$5,410.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Robert Berger
Second Highest Bidder's Address	8818 State Highway, Campbell, NY 14821

Resolution No.	C-14
Former Owner	Thompson, Sheila A and Thompson, Pearl
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 18)
Parcel No.	254.00-01-006.000
Municipality	Canisteo Town
Highest Bidder	Aaron H. Martin and Laura H. Martin
Highest Bidder's Address	432 N. Flat St., Penn Yan, NY 14527
Consideration	\$37,155.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Joy Goodsell
Second Highest Bidder's Address	38 Main St., Savona, NY 14879

Resolution No.	C-15
Former Owner	Trevino, Bonnie
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/06/2015
Date of Tax Sale:	July 15, 2016 (Sale No. 19)
Parcel No.	197.07-01-028.000
Municipality	Canisteo Village
Highest Bidder	Wallace R. Johnson III
Highest Bidder's Address	PO Box 7, Cazenovia, NY 13035
Consideration	\$28,785.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Graig M. Boccia
Second Highest Bidder's Address	1577 Hinkley Hill Rd, Hornell, NY 14843

Resolution No.	C-16
Former Owner	Wilcox, David
In Rem Index No.	Index No. 2011-1564CV, Judgement filed 05/06/2015
Date of Tax Sale:	July 15, 2016 (Sale No. 20)
Parcel No.	197.07-01-041.000
Municipality	Canisteo Village
Highest Bidder	Zachary Thompson
Highest Bidder's Address	14 Taylor St, Canisteo, NY 14823
Consideration	\$5,135.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Nathan Clark
Second Highest Bidder's Address	1060 County Route 82, Troupsburg, NY 14885

Resolution No.	C-17
Former Owner	Weyand, Karl Jr
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 21)
Parcel No.	197.11-01-087.000
Municipality	Canisteo Village
Highest Bidder	John Garber
Highest Bidder's Address	11248 McMichael Rd, Prattsburgh, NY 14873
Consideration	\$745.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Levi Kull
Second Highest Bidder's Address	5427 County Route 8, Avoca, NY 14809

Resolution No.	C-18
Former Owner	Waight, Martin D.
In Rem Index No.	Index No. 2012-1440CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 22)
Parcel No.	197.49-01-024.000
Municipality	Canisteo Village
Highest Bidder	Eric M. Thomas
Highest Bidder's Address	2112 County Route 50, Arkport, NY 14807
Consideration	\$9,105.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Corey V. Brewer
Second Highest Bidder's Address	2931 Simpton Rd, Jasper, NY 14855 PO Box 264, Canisteo, NY 14823

Resolution No.	C-19
Former Owner	Travis, James J.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 23)
Parcel No.	371.00-03-017.000
Municipality	Caton
Highest Bidder	Mark Saginario
Highest Bidder's Address	2014 Davis Rd, Corning, NY 14830
Consideration	\$1,845.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Alan Hasty
Second Highest Bidder's Address	Box 45, Dundee, NY 14837

Resolution No.	C-20
Former Owner	Harrison, Randy J.
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/06/2015
Date of Tax Sale:	July 15, 2016 (Sale No. 24)
Parcel No.	371.00-03-044.000
Municipality	Caton
Highest Bidder	Benjamin Haradon-Keane
Highest Bidder's Address	133 Kingsbury Ave, Corning, NY 14830
Consideration	\$21,085.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Robert Lymber
Second Highest Bidder's Address	4540 Pine Hill Rd, Corning, NY 14830

Resolution No.	C-21
Former Owner	Burkett, Amy
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 25)
Parcel No.	408.00-01-023.111
Municipality	Caton
Highest Bidder	Ronda M. Nicholson
Highest Bidder's Address	5598 Michigan Hollow Rd, Avoca, NY 14809
Consideration	\$7,455.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	John Walmsley
Second Highest Bidder's Address	12002 Sticklestown Rd, Corning, NY 14830

Resolution No.	C-22
Former Owner	Damboise, Joel
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/06/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 26)
Parcel No.	017.08-01-050.000
Municipality	Cohocton Town
Highest Bidder	George K. Miller
Highest Bidder's Address	4457 Pine Hill Road, Cohocton, NY 14826
Consideration	\$8,435.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Debra Ciulla
Second Highest Bidder's Address	224 East Chestnut Street, East Rochester, NY 14445

Resolution No.	C-23
Former Owner	Young, Matthew S.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 27)
Parcel No.	017.12-01-026.000
Municipality	Cohocton Town
Highest Bidder	Glenn R. Houle
Highest Bidder's Address	166 Park St, Canandaigua, NY 14424
Consideration	\$9,810.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Robert Pritting
Second Highest Bidder's Address	8761 Clark Rd, Avoca, NY 14809

Resolution No.	C-24
Former Owner	Julien, Karl A
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 33)
Parcel No.	042.20-01-026.000
Municipality	Cohocton Village
Highest Bidder	Edward P. Schumacher and Danielle M. Blair
Highest Bidder's Address	62914 State Route 415, Cohocton, NY 14826
Consideration	\$9,535.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Robert Pritting
Second Highest Bidder's Address	8761 Clark Rd, Avoca, NY 14809

Resolution No.	C-25
Former Owner	Julien Karl A; Julien Sarah M
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 34)
Parcel No.	042.20-01-027.000
Municipality	Cohocton Village
Highest Bidder	Robert Pritting Jr.
Highest Bidder's Address	8761 Clark Rd, Avoca, NY 14809
Consideration	\$8,555.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Edward Schumacher
Second Highest Bidder's Address	62914 State Route 415, Cohocton, NY 14826

Resolution No.	C-26
Former Owner	Morrison, Betty J.
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 36)
Parcel No.	299.15-01-075.000
Municipality	Corning City
Highest Bidder	Laigh A. Ollman
Highest Bidder's Address	147 Wardell St, Corning, NY 14830
Consideration	\$11,735.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Andrea Haradon
Second Highest Bidder's Address	PO Box 97, Corning, NY 14830

Resolution No.	C-27
Former Owner	Jayne, Jean M.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 38)
Parcel No.	299.20-03-008.000
Municipality	Corning City
Highest Bidder	Robert and Gloria Lymber
Highest Bidder's Address	4540 Pine Hill Rd, Corning, NY 14830
Consideration	\$19,985.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	James Creeley
Second Highest Bidder's Address	5491 County Route 21, Addison, NY 14801

Resolution No.	C-28
Former Owner	Wood, Margaret A.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 39)
Parcel No.	300.17-01-040.000
Municipality	Corning City
Highest Bidder	James A. Creeley and Kristina M. Creeley
Highest Bidder's Address	5491 County Route 21, Addison, NY 14801
Consideration	\$41,435.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Wallace Johnson
Second Highest Bidder's Address	4688 South Rd, Cazenovia, NY 13035

Resolution No.	C-29
Former Owner	Gee, Linda A
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 40)
Parcel No.	317.07-01-059.200
Municipality	Corning City
Highest Bidder	Mark Costanza and Graydon Locey
Highest Bidder's Address	PO Box 260, Corning, NY 14830
Consideration	\$48,585.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Raymond Leonard
Second Highest Bidder's Address	305 Beartown Rd, Painted Post, NY 14870

Resolution No.	C-30
Former Owner	Masonic Restoration, LLC
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 41)
Parcel No.	317.12-02-024.000
Municipality	Corning City
Highest Bidder	Edger Development, LLC
Highest Bidder's Address	330 E 14th St, Elmira Heights, NY 14903
Consideration	\$31,655.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Andrea Haradon
Second Highest Bidder's Address	PO Box 97, Corning, NY 14830

Resolution No.	C-31
Former Owner	Wilcox, Belinda J.
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/06/2015
Date of Tax Sale:	July 15, 2016 (Sale No. 42)
Parcel No.	318.10-01-044.000
Municipality	Corning City
Highest Bidder	Caryn L. Grover and Kevin M. Grover
Highest Bidder's Address	3388 Selewach Rd, Bradford, NY 14815
Consideration	\$22,185.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Gregory Galligan
Second Highest Bidder's Address	11818 Lower Drive, Corning, NY 14830

Resolution No.	C-32
Former Owner	Kuczka, Amy W.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 44)
Parcel No.	318.45-02-077.000
Municipality	Corning City
Highest Bidder	Andrea J. Haradon and Elizabeth A. Hull
Highest Bidder's Address	PO Box 97, Corning, NY 14830
Consideration	\$8,435.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	William Horton
Second Highest Bidder's Address	50 Ontario St, Apt # 101, Corning, NY 14830

Resolution No.	C-33
Former Owner	Parrillo, Thomas
In Rem Index No.	Index No. 2012-1440CV, Judgement filed 05/06/2015
Date of Tax Sale:	July 15, 2016 (Sale No. 46)
Parcel No.	282.00-02-040.120
Municipality	Corning Town
Highest Bidder	Matthew S. Owens
Highest Bidder's Address	788 Coon Hollow Rd, Beaver Dams, NY 14812
Consideration	\$23,285.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Sylvia J. Mayer
Second Highest Bidder's Address	11873 Townley Hill, Corning, NY 14830

Resolution No.	C-34
Former Owner	Basabakwinshi, Yannick
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 47)
Parcel No.	299.12-01-052.000
Municipality	Corning Town
Highest Bidder	Nicole M. Frawley
Highest Bidder's Address	25 Geneva St, Bath, NY 14810
Consideration	\$415.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	None
Second Highest Bidder's Address	---

Resolution No.	C-35
Former Owner	Balch, Michael D. and Balch, Sharon
In Rem Index No.	Index No. 2012-1440CV, Judgement filed 05/06/2015
Date of Tax Sale:	July 15, 2016 (Sale No. 48)
Parcel No.	299.14-05-001.000
Municipality	Corning Town
Highest Bidder	Grunt Workers Alliance Development, LLC
Highest Bidder's Address	PO Box 1177, Elmira, NY 14902
Consideration	\$19,985.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Wallace Johnson
Second Highest Bidder's Address	4688 South Road, Cazenovia, NY 13035

Resolution No.	C-36
Former Owner	Hatch, Sandra R.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 49)
Parcel No.	317.00-03-083.000
Municipality	Corning Town
Highest Bidder	John Garber
Highest Bidder's Address	11248 McMichael Rd, Prattsburgh, NY 14873
Consideration	\$415.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	None
Second Highest Bidder's Address	---

Resolution No.	C-37
Former Owner	Beyor, Carl
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 50)
Parcel No.	318.11-01-016.000
Municipality	Corning Town
Highest Bidder	John Garber
Highest Bidder's Address	11248 McMichael Rd, Prattsburgh, NY 14873
Consideration	\$415.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	None
Second Highest Bidder's Address	---

Resolution No.	C-38
Former Owner	Hall, Lorraine
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 51)
Parcel No.	318.18-03-075.000
Municipality	Village of South Corning
Highest Bidder	Nicole M. Frawley
Highest Bidder's Address	25 Geneva St, Bath, NY 14810
Consideration	\$5,685.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Joel Patchett
Second Highest Bidder's Address	132 Olcott Rd North, Big Flats, NY 14814

Resolution No.	C-39
Former Owner	Sexton, Scott A. / Sutton, Sheri
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 53)
Parcel No.	264.00-01-026.000
Municipality	Town of Hornby
Highest Bidder	Ronald C. Bills and Rebecca S. Bills
Highest Bidder's Address	4201 Mormon Hollow Rd; Corning, NY 14830
Consideration	\$1,185.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Laverne, Henry Sr.
Second Highest Bidder's Address	15 E. Academy St., Canisteo, NY 14823

Resolution No.	C-40
Former Owner	Roe, Michele M.
In Rem Index No.	Index No. 2012-1440CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 54)
Parcel No.	151.09-02-023.000
Municipality	Hornell City
Highest Bidder	Nathan A. Clark
Highest Bidder's Address	1060 County Rte 82, Troupsburg, NY 14885
Consideration	\$11,185.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Robert Pritting
Second Highest Bidder's Address	8761 Clark Rd, Avoca, NY 14809

Resolution No.	C-41
Former Owner	Grinols, Daniel
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 55)
Parcel No.	151.13-01-090.000
Municipality	Hornell City
Highest Bidder	South Mountain, LLC
Highest Bidder's Address	1577 Hinkley Hill Rd, Hornell, NY 14843
Consideration	\$525.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	John H. Garber
Second Highest Bidder's Address	11248 McMichael Road, Prattsburgh, NY 14873

Resolution No.	C-42
Former Owner	O'Rourke, Susan M.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 56)
Parcel No.	151.15-01-058.100
Municipality	Hornell City
Highest Bidder	Jerome S. O'Connor
Highest Bidder's Address	121 Upper Bennett, Hornell, NY 14843
Consideration	\$635.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	James Nelson
Second Highest Bidder's Address	228 Grand St, Hornell, NY 14843

Resolution No.	C-43
Former Owner	O'Rourke, Susan M.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 57)
Parcel No.	151.15-01-059.000
Municipality	Hornell City
Highest Bidder	Jerome S. O'Connor
Highest Bidder's Address	121 Upper Bennett, Hornell, NY 14843
Consideration	\$21,085.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Graig M. Boccia
Second Highest Bidder's Address	1577 Hinkley Hill Rd, Hornell, NY 14843

Resolution No.	C-44
Former Owner	Home Opportunity, LLC
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 58)
Parcel No.	151.15-02-066.000
Municipality	Hornell City
Highest Bidder	South Mountain, LLC
Highest Bidder's Address	1577 Hinkley Hill Rd, Hornell, NY 14843
Consideration	\$4,585.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Thomas Marullo
Second Highest Bidder's Address	10172 Lackawanna Rd, Dansville, NY 14437

Resolution No.	C-45
Former Owner	Prasino Meadows, Inc
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 59)
Parcel No.	151.55-02-018.000
Municipality	Hornell City
Highest Bidder	Wallace R. Johnson III
Highest Bidder's Address	PO Box 7, Cazenovia, NY 13035
Consideration	\$6,785.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Austin Gerow
Second Highest Bidder's Address	Box 92, Jasper, NY 14855

Resolution No.	C-46
Former Owner	Donnelly, Patrick
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 61)
Parcel No.	151.71-01-025.000
Municipality	Hornell City
Highest Bidder	Wallace R. Johnson III
Highest Bidder's Address	PO Box 7, Cazenovia, NY 13035
Consideration	\$7,885.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Graig M. Boccia
Second Highest Bidder's Address	1577 Hinkley Hill Rd, Hornell, NY 14843

Resolution No.	C-47
Former Owner	Keplar, Lorne James
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 62)
Parcel No.	151.71-01-032.000
Municipality	Hornell City
Highest Bidder	Brian B. McCarthy and Patricia J. McCarthy
Highest Bidder's Address	9648 County Route 46, Arkport, NY 14807
Consideration	\$635.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Levi Kull
Second Highest Bidder's Address	5427 County Route 8, Avoca, NY 14809

Resolution No.	C-48
Former Owner	O'Brien, Kristen
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 64)
Parcel No.	166.05-01-008.000
Municipality	Hornell City
Highest Bidder	Anthony G. Clark
Highest Bidder's Address	1910 West Shore Rd, Bath, NY 14810
Consideration	\$525.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	John H. Garber
Second Highest Bidder's Address	11248 McMichael Road, Prattsburgh, NY 14873

Resolution No.	C-49
Former Owner	Swift, Bonnie A.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 65)
Parcel No.	166.06-02-033.000
Municipality	Hornell City
Highest Bidder	Donald J. Capluzzi
Highest Bidder's Address	6 Maxwell Ave, Hornell, NY 14843
Consideration	\$855.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Levi Kull
Second Highest Bidder's Address	5427 County Route 8, Avoca, NY 14809

Resolution No.	C-50
Former Owner	Campbell, B. and Campbell, Monaghan B.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 66)
Parcel No.	166.06-06-035.000
Municipality	Hornell City
Highest Bidder	John Garber
Highest Bidder's Address	11248 McMichael Rd, Prattsburgh, NY 14873
Consideration	\$855.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Guy Stellitano
Second Highest Bidder's Address	1856 County Route 117, Troupsburg, NY 14885

Resolution No.	C-51
Former Owner	Brace, David
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/06/2015
Date of Tax Sale:	July 15, 2016 (Sale No. 68)
Parcel No.	166.09-01-029.000
Municipality	Hornell City
Highest Bidder	Robert Pritting Jr.
Highest Bidder's Address	8761 Clark Rd, Avoca, NY 14809
Consideration	\$9,535.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Guy Stellitano
Second Highest Bidder's Address	1856 County Route 117, Troupsburg, NY 14885

Resolution No.	C-52
Former Owner	Holberton, Orrin J. and Holberton, Ruth
In Rem Index No.	Index No. 2012-1440CV, Judgement filed 04/29/2014
Date of Tax Sale:	July 15, 2016 (Sale No. 69)
Parcel No.	166.25-01-035.000
Municipality	Hornell City
Highest Bidder	South Mountain, LLC
Highest Bidder's Address	1577 Hinkley Hill Rd, Hornell, NY 14843
Consideration	\$11,735.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Thomas Francis Matacale
Second Highest Bidder's Address	268 Main St, Hornell, NY 14843

Resolution No.	C-53
Former Owner	Romanos, W. P. III and Romanos, Johnson H.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 70)
Parcel No.	166.26-02-025.000
Municipality	Hornell City
Highest Bidder	Matthew J. Wing
Highest Bidder's Address	127 E. Main St, Hornell, NY 14843
Consideration	\$5,135.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Maria DeRendon
Second Highest Bidder's Address	60 Mystic View Ln, Lawrenceville, PA 16929

Resolution No.	C-54
Former Owner	Amidon, Ward D. and Amidon, Milta
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 71)
Parcel No.	166.34-01-047.000
Municipality	Hornell City
Highest Bidder	Stellar Storage, LLC
Highest Bidder's Address	PO Box 119, Jasper, NY 14855
Consideration	\$7,885.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Wallace Johnson
Second Highest Bidder's Address	4688 South Road, Cazenovia, NY 13035

Resolution No.	C-55
Former Owner	Berry, Patrick K.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 72)
Parcel No.	136.18-03-023.000
Municipality	North Hornell
Highest Bidder	Sandra C. Donlon
Highest Bidder's Address	6288 Gypsy Hill Rd, Hornell, NY 14843
Consideration	\$1,185.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Stacia Schieder
Second Highest Bidder's Address	303 Seneca Rd, Hornell, NY 14843

Resolution No.	C-56
Former Owner	Haus, Steven L. and Payne, Samantha
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 73)
Parcel No.	325.08-01-046.200
Municipality	Jasper
Highest Bidder	James A. Creeley and Kristina M. Creeley
Highest Bidder's Address	5491 County Route 21, Addison, NY 14801
Consideration	\$15,035.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Nathan Clark
Second Highest Bidder's Address	1060 County Route 82, Troupsburg, NY 14885

Resolution No.	C-57
Former Owner	Unknown Owner, Route 15/Bliss Road
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 74)
Parcel No.	405.00-01-062.000
Municipality	Lindley
Highest Bidder	John Garber
Highest Bidder's Address	11248 McMichael Rd, Prattsburgh, NY 14873
Consideration	\$515.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Robert Thompson
Second Highest Bidder's Address	29 Shannon St, Bath, NY 14810

Resolution No.	C-58
Former Owner	Unknown Owner, State Route 15/ Lindley Rd
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 75)
Parcel No.	406.00-01-038.000
Municipality	Lindley
Highest Bidder	Gary Reed
Highest Bidder's Address	7407 S. Addison Rd, Addison, NY 14801
Consideration	\$6,785.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Barbara Towner
Second Highest Bidder's Address	3855 S. Goodhue Lake Rd, Addison, NY 14801

Resolution No.	C-59
Former Owner	Tyler, Virginia
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 76)
Parcel No.	424.00-01-006.210
Municipality	Lindley
Highest Bidder	Peterson Real Properties, LLC
Highest Bidder's Address	10019 Steamtown Rd, Lindley, NY 14858
Consideration	\$12,285.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Kristy Saggiomo
Second Highest Bidder's Address	265 West Hill Rd, Waverly, NY 14892

Resolution No.	C-60
Former Owner	Snyder, Bonnie (Schenk/Schubert) and Adams, Travis W
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 78)
Parcel No.	020.00-01-038.200
Municipality	Prattsburgh
Highest Bidder	Christina Garber
Highest Bidder's Address	8401 Stone Rd, Prattsburgh, NY 14873
Consideration	\$1,075.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Lynn A. King
Second Highest Bidder's Address	5427 Cochran Rd, Bath, NY 14810

Resolution No.	C-61
Former Owner	Fox, Sherry D.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 79)
Parcel No.	034.20-02-016.000
Municipality	Prattsburgh
Highest Bidder	Brian M. Chaffee
Highest Bidder's Address	10790 Fairgrounds Road, Prattsburgh, NY 14873
Consideration	\$9,535.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Debra Ciulla
Second Highest Bidder's Address	224 East Chestnut Street, East Rochester, NY 14445

Resolution No.	C-62
Former Owner	Sinsebox, Scott L.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 80)
Parcel No.	047.08-02-041.000
Municipality	Prattsburgh
Highest Bidder	Sharon M. Fox
Highest Bidder's Address	6 Race Street, Naples, NY 14512
Consideration	\$10,635.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	William Bolckmann
Second Highest Bidder's Address	3374 Davidson Rd, Friendship, NY 14739

Resolution No.	C-63
Former Owner	Goodford, Leon T.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 81)
Parcel No.	059.00-01-007.800
Municipality	Prattsburgh
Highest Bidder	Ronda M. Nicholson
Highest Bidder's Address	5598 Michigan Hollow Rd, Avoca, NY 14809
Consideration	\$9,380.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Robert Pritting
Second Highest Bidder's Address	8761 Clark Rd, Avoca, NY 14809

Resolution No.	C-64
Former Owner	Smith, Wesley J.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 82)
Parcel No.	037.00-02-013.200
Municipality	Pulteney
Highest Bidder	Lawrence A. Fischer and Sandra F. Kennedy
Highest Bidder's Address	15257 W. Lake Rd, Branchport, NY 14418
Consideration	\$48,035.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Ryan Emo
Second Highest Bidder's Address	6340 Fort Hill Rd, Bath, NY 14810

Resolution No.	C-65
Former Owner	Shill, Jeffrey B.
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 83)
Parcel No.	063.07-01-033.000
Municipality	Pulteney
Highest Bidder	Pamela J. Gratzer
Highest Bidder's Address	7 Thornfield Way, Fairport, NY 14450
Consideration	\$66,185.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Daniel Jolley
Second Highest Bidder's Address	11311 Matthews Rd, Corning, NY 14830

Resolution No.	C-66
Former Owner	Preston, Mary
In Rem Index No.	Index No. 2013-1427CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 84)
Parcel No.	312.00-01-044.000
Municipality	Rathbone
Highest Bidder	Mark and Wanda Earley
Highest Bidder's Address	5198 County Route 8, Avoca, NY 14809
Consideration	\$965.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Corey V. Brewer
Second Highest Bidder's Address	2931 Simpton Rd, Jasper, NY 14855 PO Box 264, Canisteo, NY 14823

Resolution No.	C-67
Former Owner	Bellamy, Chris A.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 85)
Parcel No.	040.00-03-030.000
Municipality	Wayland Town
Highest Bidder	Samantha R. Piper
Highest Bidder's Address	2151 Wearkley Rd, Wayland, NY 14572
Consideration	\$2,055.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	Stephen Kress
Second Highest Bidder's Address	2281 Walter Kurtz Rd, Wayland, NY 14572

Resolution No.	C-68
Former Owner	Taft, Christopher A.
In Rem Index No.	Index No. 2014-1414CV, Judgement filed 05/09/2016
Date of Tax Sale:	July 15, 2016 (Sale No. 10)
Parcel No.	190.20-01-037.000
Municipality	Savona
Highest Bidder	Robert Ross
Highest Bidder's Address	706 Baldwin St., Apt. B, Elmira, NY 14901
Consideration	\$635.00, inclusive of buyer's premium & recording fees
Second Highest Bidder	None
Second Highest Bidder's Address	---

Mr. Mullen stated he will be abstaining as a client is listed on this resolution.

**Vote: Roll Call – Adopted. Yes – 8824, Absent – 451, Abstained – 597
(Absent – Legislator Weaver, Abstained – Legislator Mullen)**

RESOLUTION NO. 114-16

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE JULY 25, 2016 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 22, 2016

Town of Wayland – Re: Notification of the request for \$300,000 (Three hundred thousand dollars) in sales tax money beginning in the year of 2017 and continuing each year thereafter. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

June 28, 2016

NYS Board on Electric Generation Siting and the Environment – Re: Case 16-F-0062 Application of Eight Point Wind, LLC for a Certificate of Environmental Compatibility and Public Need pursuant to Article 10 to construct a 103.4 MW Wind Energy Project. *Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.*

New York State Association of Counties (NYSAC) – Re: Resolution recently passed to promote “Think Differently” for review and consideration by Steuben County. *Referred to: Steuben County Legislature.*

NRG Curtailment Solutions, Inc. – Re: Payment for the participation in the PowePay New York program for the Winter of 2015-2016. *Referred to: Jack Wheeler, County Manager.*

NextEra Energy Resources – Re: Update on the Eight Point Wind Energy Center and notification of two upcoming informational open houses on the project. *Referred to: A.I.P. Committee, and Amy Dlugos, Planning Director.*

Finger Lakes Health Systems Agency – Re: Budget request in the amount of \$24,408 for the 2017 budget. *Referred to: Human Services/Health & Education Committee; Finance Committee; and Darlene Smith, Director of Public Health.*

June 29, 2016

NYS Board on Electric Generation Siting and the Environment – Re: Case 16-F-0205 Application of Canisteo Wind Energy, LLC for a Certificate of Environmental Compatibility and Public Need pursuant to Article 10 for construction of a Wind Energy Project in Steuben County. *Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.*

June 30, 2016

Village of Arkport – Re: Notification of the change from Woolever Street to Timmerman Lane in the Village of Arkport, NY effective May 1, 2016. *Referred to: Vince Spagnoletti, Commissioner of Public Works; Dave Hopkins, 911 Director; Sheriff Cole, Wendy Flaitz, Real Property Director; and Amy Dlugos, Planning Director.*

July 1, 2016

NYS Agriculture and Markets – Re: Notification of the eight (8) year review of the Steuben County Agricultural District #2 is due. Forms and review procedures are available on the following links:

<http://www.agmkt.state.ny.us/Programs.html> and <http://www.agmkt.state.ny.us/AP/agsservices/agddistricts.html>. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

July 5, 2016

NYS Office for the Aging – Re: Third Notification of Grant Award (NGA) for the federal fiscal year 2016 (FFY 2016) Nutrition Services Inventive Program (NSIP). *Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.*

NYS Office for the Aging – Re: Notification of Grant Award (NGA) 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, 2015 through September 29, 2016. *Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.*

NYS Office for the Aging – Re: Notification of Grant Award (NGA) and approved application for the BIP Caregiver program for the period of April 1, 2015 through June 30, 2017. *Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.*

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$4,468, which represents the May 2016 surcharge revenue for Steuben County. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

Steuben County Industrial Development Agency — Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Riedman Purcell CH I, LLC. is scheduled for Friday, July 15, 2016 at 9:00am at the Corning City Hall, 500 Civic Center Plaza, Second Floor Council Chambers, Corning, New York. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

July 7, 2016

New York State Association of Counties – Re: Notification of the County’s 2017 share for NYSAC operations will be \$10,870. *Referred to: Jack Wheeler, County Manager and Brenda Mori, Clerk of the Legislature.*

July 8, 2016

Center for Judicial Accountability, Inc. – Re: State imposed district attorney salary increases. *Referred to: Steuben County Legislature.*

July 11, 2016

Corning Community College – Approval of amended START-UP NY Campus Plan. *Referred to: A.I.P. Committee; Jack Wheeler, County Manager and Amy Dlugos, Planning Director.*

Regional Economic Development & Energy Corporation/REDEC Relending Corporation – Re: Request for an allocation of \$15,000 in the 2017 budget, with similar commitments for 2018 and 2019. *Referred to: A.I.P. Committee; Finance Committee; and Amy Dlugos, Planning Director.*

EMSTAR – Re: Notification of a public hearing to be held on July 27, 2016 at 7pm at the Watkins Glen Fire Department, 201 North Perry Street, Watkins Glen, NY for the request for Watkins Glen International to hold their own certificate of need for EMS coverage. *Referred to: Public Safety & Corrections Committee; and Tim Marshall, EMO Director.*

July 12, 2016

Steuben County Soil & Water Conservation District – Re: 2017 Budget request in the amount of \$155,676. *Referred to: A.I.P. Committee; Finance Committee; and Jack Wheeler, County Manager.*

Sheen Housing – Re: Bishop Sheen Ecumenical Housing Foundation’s (Sheen Housing) 2015-2016 Annual Report. *Referred to: Amy Dlugos, Planning Director; and Brenda Mori, Clerk of the Legislature.*

Mr. Mullen asked with regard to the correspondence received July 8, 2016 about the District Attorney's salary, was that received from the State? Mr. Reed replied no, this letter is not from the State. He has reviewed it and it was sent to the Legislature for information. No action needs to be taken at this point.

Vote: Acclamation – Adopted.

RESOLUTION NO. 115-16

Introduced by B. Schu and S. Van Etten.

Seconded by H. Lando.

AUTHORIZATION TO CHARGE TRANSACTION, MERCHANT DISCOUNT OR CONVENIENCE SERVICE FEES TO USERS OF MERCHANT CREDIT OR DEBIT CARDS, ACH PAYMENTS OR ECHECKS IN PAYMENT OF VARIOUS TAXES AND/OR FEES.

WHEREAS, Steuben County issued a Request for Proposals (RFP) for Merchant Card services and has entered into a contract with one or more service provider(s); and

WHEREAS, payments initiated via the Internet either by credit or debit card, ACH, or eCheck processing require a transaction, merchant discount or service fee established by and that may be paid to the service provider; and

WHEREAS, the costs of processing other credit card payments for certain taxes and fees may be assessed to the user of the card or paid by the County dependent on the individual circumstances.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Commissioner of Finance is hereby authorized to establish a schedule of such fees for credit and debit card, ACH or eCheck transactions; and be it further

RESOLVED, the Administration Committee and Finance Committee shall also approve which Departments and types of transactions will assess transaction or service fees to the payor and which transaction costs will be paid by the County; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 116-16

Introduced by S. Van Etten.

Seconded by J. Malter.

AUTHORIZING A TRANSFER FROM THE CONTINGENCY FUND FOR THE PURPOSES OF CONTRACTING WITH LU ENGINEERS.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, it is determined to be in the best interests of Steuben County to contract with Lu Engineers to remediate petroleum solvents at the Nichol Inn Property; and

WHEREAS, it is further in the best interests of Steuben County to utilize the Contingency Fund in the amount of \$13,000 together with existing allocations in the amount of approximately \$2,650 remaining in the Nichol Inn capital project.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature authorizes the Steuben County Commissioner of Finance to enter into a contract with Lu Engineers to remediate petroleum solvents at the Nichol Inn Property for a cost not to exceed \$15,650; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized and directed to transfer the sum of \$13,000 from the Contingency Fund to the Nichol Inn Capital Project and appropriate this amount as follows:

1364H1-45031900	Nichol Inn Interfund Transfers
1364H1-5250000	Nichol Inn Capital Projects

and be it further

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

Vote: Roll Call –Adopted.

RESOLUTION NO. 117-16

Introduced by C. Ferratella.

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, New York, (the Premises) and desires to lease the premises; and

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

NOW THEREFORE, BE IT

RESOLVED, the Director of the Office of Community Services is hereby authorized to enter into a lease 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 two (2) years beginning January 1, 2017 and ending December 31, 2018.
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, New York 14901.

Mr. Mullen asked what is the per square footage cost for the new building? Mr. Wheeler replied that has not been determined at this time. The architects are in the process of completing a detailed analysis. Mr. Mullen asked would it be cheaper to building a building for mental health? Mr. Wheeler replied no, it would cost you another \$10 million.

Mr. Booth asked what is the going per square footage rate? Mr. Wheeler replied the rate we pay to lease the buildings in Bath, Hornell and Corning is lower than the average rate.

Vote: Roll Call – Adopted.

RESOLUTION NO. 118-16

Introduced by C. Ferratella.

Seconded by Mrs. Lando.

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, May 29, 2013, January 29, 2014, and February 13, 2015 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, September 14, 2007, January 29, 2014, and February 13, 2015 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 two (2) year 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 two (2) year period commencing January 1, 2017 and terminating December 31, 2018.
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, New York 14901.

Vote: Roll Call –Adopted.

RESOLUTION NO. 119-16

Introduced by R. Lattimer.

Seconded by D. Farrand.

CONFIRMING THE APPOINTMENT OF THE DIRECTOR OF WEIGHTS & MEASURES.

Pursuant to Section 12.18 of the Steuben County Charter.

WHEREAS, Langdon Holmes of Bradford, New York, has been appointed by the County Manager as the Steuben County Director of Weights & Measures in accordance with the Management Salary Plan in Grade E; and

WHEREAS, the A.I.P. Committee has recommended the Steuben County Legislature confirm said appointment.

NOW THEREFORE, BE IT

RESOLVED, Langdon Holmes of Bradford, New York, appointed as the Steuben County Director of Weights & Measures, 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.

Mr. Booth asked are we paying for an extra half-time person in Weights & Measures? Mr. Wheeler replied we have a contract with Livingston County and they pay for three-quarters of a position. We did hire an additional person and currently have a staff of three. With Mr. Swift retiring, we will be adding a person to the department. The goal is to have a staff of three and there will be a net zero cost to the County.

Vote: Roll Call – Adopted.

RESOLUTION NO. 120-16

Introduced by B. Schu.

Seconded by K. Fitzpatrick.

CONFIRMING THE APPOINTMENT OF THE DIRECTOR OF PURCHASING.

Pursuant to Section 12.13 of the Steuben County Charter.

WHEREAS, Andrew Morse of Hornell, New York, has been appointed by the County Manager as the Steuben County Director of Purchasing in accordance with the Management Salary Plan in Grade E; and

WHEREAS, the Administration Committee has recommended the Steuben County Legislature confirm said appointment.

NOW THEREFORE, BE IT

RESOLVED, Andrew Morse of Hornell, New York, appointed as the Steuben County Director of Purchasing, 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. 121-16

Introduced by B. Schu.

Seconded by S. Van Etten.

APPROVING THE 2017 WORKERS' COMPENSATION BUDGET.

Pursuant to Article 5 of the Workers' Compensation Law of the State of New York.

WHEREAS, an estimate of the cost of the self-insurance plan is to be filed with this County Legislature on or before August 15, 2016, for the Budget Year 2017.

NOW THEREFORE, BE IT

RESOLVED, that the estimated cost (Budget for 2017), 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 2017 Steuben County Budget, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Steuben County Commissioner of Finance and the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan.

STEBEN COUNTY SELF-INSURANCE PLAN
ANNUAL ESTIMATE OF EXPENSES
FISCAL YEAR BEGINNING JANUARY 1, 2017

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, 2017 and ending December 31, 2017, pursuant to Section 67, Paragraph 1 of the Workers' Compensation Law.

APPROPRIATED BUDGET FOR 2017

Account	Account Title	2017 Budget
	<u>Estimated Expenditures</u>	
51100000	SALARIES & WAGES	60,400
5298090	MACH & EQUIP - MISC	
5402990	TELEPHONE-CHARGEBACKS	300
5403800	COPYING	200
5404100	MEMBERSHIPS & DUES	300
5405100	POSTAGE	300
5406000	OFFICE SUPPLIES	700
5407200	TRAINING & CONFERENCES	200
5407310	SAFETY TRAINING	7500
5410100	INSURANCE	100
5410320	EXCESS WC INSURANCE	
	PERMA COSTS	670,000
	WC MEDICAL & INDEMNITY BENEFITS	1,995,000
	WCB TOTAL ASSESSMENTS	325,000
5410400	AWARDS & BENEFITS (IBNR)	
5412970	MAINTENANCE IN LIEU/RENT	2,000
5420000	MEDICAL SERVICES	18,000
5423310	PROFESSIONAL WITNESS	1,000
5423330	COURT APPEARANCES	25,000
5424210	INVESTIGATION EXPENSE	10,000
5430190	REHAB FEES	25,000
5444400	THIRD PARTY ADMINISTRATOR	35,000
5450999	MOTOR POOL CHARGEBACKS	100
5498000	DEPRECIATION EXPENSE	1,000
5499000	OTHER EXPENSES	850
5810000	NYS EMPLOYEES RETIREMENT	11,400
5830000	SOCIAL SECURITY	4,800
5840000	WORKERS' COMPENSATION	4,500
5860000	GROUP MEDICAL INSURANCE	18,300
		3,216,950
	<u>Estimated Revenue</u>	
42222000	Participant Fees	3,150,000
42401000	Interest	0

	Reimbursement of Expenses (from withdrawn munic)	100,000
42701000		
		3,250,000

Mr. Mullen asked in regards to the \$10,000 for Investigator Expenses, do we do the investigations, or does PERMA? Mr. Wheeler replied we contract with PERMA to do investigations on current claims. We do have a number of tail claims and that is the only time we use the funds in the Investigator Expenses line item.

Vote: Roll Call – Adopted.

RESOLUTION NO. 122-16

Introduced by B. Schu.

Seconded by J. Malter.

APPROVING THE 2017 WORKERS' COMPENSATION TABLE OF APPORTIONMENT.

Pursuant to Article 5 of the Workers' Compensation Law of the State of New York.

WHEREAS, on July 12, 2016, the Administration Committee of this Steuben County Legislature had filed and approved the estimated cost for Fiscal Year 2017 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 2017, 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 2017 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 2017; 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, 2017; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Steuben County Commissioner of Finance, Director of the Steuben County 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.

**2017
TABLE OF APPORTIONMENT**

<u>MUNICIPALITY</u>	<u>CLASS</u>	<u>AMOUNT</u>
STEUBEN COUNTY	I	\$ 2,436,431
ADDISON	I	\$ 11,488

AVOCA	I	\$ 31,258
BRADFORD	I	\$ 10,838
CAMERON	I	\$ 28,529
CAMPBELL	I	\$ 47,836
CANISTEO	I	\$ 19,781
DANSVILLE	I	\$ 17,479
FREMONT	I	\$ 13,259
GREENWOOD	I	\$ 17,887
HARTSVILLE	I	\$ 9,670
HORNBY	I	\$ 18,786
HORNELLSVILLE	I	\$ 27,302
HOWARD	I	\$ 27,588
JASPER	I	\$ 20,195
LINDLEY	I	\$ 22,436
PRATTSBURGH	I	\$ 30,189
PULTENEY	I	\$ 40,768
THURSTON	I	\$ 23,207
TROUPSBURG	I	\$ 20,269
TUSCARORA	I	\$ 14,269
WEST UNION	I	\$ 10,707
WHEELER	I	\$ 37,681
WOODHULL	I	\$ 21,889
TOWNS TOTAL		\$ 523,311
ADDISON	I	\$ 37,722
ARKPORT	I	\$ 9,136
AVOCA	I	\$ 9,324
CANISTEO	I	\$ 47,542
COHOCTON	I	\$ 9,881
NORTH HORNELL	I	\$ 9,608
PAINTED POST	I	\$ 44,961
WAYLAND	I	\$ 22,084
VILLAGES TOTAL		\$ 190,258
GRAND TOTAL		\$ 3,150,000

Vote: Roll Call – Adopted.

RESOLUTION NO. 123-16

Introduced by D. Farrand.

Seconded by G. Roush.

AUTHORIZING THE DIRECTOR OF 911 TO ENTER INTO A MOU WITH THE FINGER LAKES INTEROPERABILITY CONSORTIUM.

WHEREAS, representatives from eleven counties in the Finger Lakes Region of New York have come together to form an organization to further cooperation and interoperable communications among public safety agencies; and

WHEREAS, the Finger Lakes Region of New York Interoperable Communications Consortium (FLRNYICC), which Steuben County is a member of, meets on a regular basis and functions to facilitate cooperation among counties in the design, administration, and operation of their various emergency radio communication, 9-1-1, and related systems; and

WHEREAS, the FLRNYICC has been working with the New York State Department of Homeland Security and

Emergency Services (DHSES) and has identified the need to expand digital connectivity between members to further interoperable communications between counties and between emergency service responders in different counties; and

WHEREAS, this capability could be enjoyed if a dedicated public safety high speed digital network were established linking Steuben County with other neighboring counties; and

WHEREAS, a dedicated public safety high speed digital network would provide opportunities for additional secure exchange of data among the various public safety system used by member counties, and for sharing resources while improving emergency response, as described in the draft Memorandum of Understanding (MOU) the FLRNYICC has proposed for member counties, a copy of which is on file with the Clerk of the Legislature; and

WHEREAS, the purpose of the MOU is to establish the intent of member counties to agree to work toward the establishment of dedicated public safety high speed digital network to serve member counties; and

WHEREAS, DHSES has provided counties with grant funding to establish digital connectivity to Steuben County on the condition that Steuben County agree to allow such installation and power equipment that will be provided from said grant funding; and

WHEREAS, the Public Safety and Corrections Committee has reviewed and recommends approval of said contract with the DHSES.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben is willing to cooperate in the planning and development of a dedicated public safety high speed digital network in order to provide for better interoperable communications among the counties participating in the Finger Lakes Region of New York; and be it further

RESOLVED, that the Memorandum of Understanding concerning the need for a dedicated public safety high speed digital network serving the Finger Lakes Region of New York is hereby approved; and be it further

RESOLVED, that the Steuben County Legislature hereby authorizes and empowers the County Manager to execute said Memorandum of Understanding, subject to approval of said Memorandum of Understanding by the County Attorney; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 124-16

Introduced by D. Farrand and S. Van Etten.

Seconded by R. Nichols.

AUTHORIZING THE ACCEPTANCE OF \$130,000 FOR THE FISCAL YEAR 2016 STATE HOMELAND SECURITY PROGRAM.

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 2016 grant funds in the amount of \$130,000 under the State Homeland Security Program (SHSP); and

WHEREAS, seventy-five percent of the funding (\$97,500) will go to emergency management to support response, education, prevention and planning for terrorist incidents and twenty-five percent or (\$32,500) 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 be authorized to enter into agreement with the New York State Office of Homeland Security to accept funding in the amount of \$130,000 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 Steuben County Commissioner of Finance be and the same hereby 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 Steuben County Commissioner of Finance be and the same hereby is authorized to appropriate such revenue to the appropriate accounts within the budget of the Steuben County Office of Emergency Management and Office of the 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, Albany NY 12226; the Steuben County Commissioner of Finance; Steuben County Sheriff and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 125-16

Introduced by D. Farrand and S. Van Etten.

Seconded by H. Lando.

AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ENTER INTO A CONTRACT WITH THE INSTITUTE FOR HUMAN SERVICES FOR EMERGENCY PLANNING.

WHEREAS, the Steuben County Department of Social Services has a mandate to develop a Comprehensive Emergency Plan for the Continuity of Operations during a disaster or emergency; and

WHEREAS, the Department of Social Services, the Emergency Management Office and the Institute for Human Services have been working jointly on a program to support and enhance the local disaster programs; and

WHEREAS, there is a mutual desire between all parties to provide a comprehensive Social Services Plan for the continuity of Social Service programs during a disaster; and

WHEREAS, the Department of Social Services has budgeted for said services to support the mandated development of a plan for disasters and emergencies; and

WHEREAS, the Institute for Human Services has the ability to support the mission of the project, with oversight by the Emergency Management Office and the Department of Social Services; and

WHEREAS, Steuben County will enter into a contract with the Institute for Human Services for an amount not to exceed THIRTY THOUSAND DOLLARS (\$30,000) in funding to support this project; and

WHEREAS, the term of this contract will be from August 1, 2016, through July 31, 2017.

NOW, THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby authorizes the Director of Emergency Management to sign the contract with the Institute for Human Services, thereby binding the respective parties; and be it further

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

**Vote: Roll Call – Adopted. Yes – 8828, No – 593, Absent – 451, Abstained – 0
(No – Legislator Booth, Absent – Legislator Weaver)**

RESOLUTION NO. 126-16

Introduced by S. Van Etten.

Seconded by G. Swackhamer.

ESTABLISHING THE STEUBEN COUNTY LAND BANK CORPORATION, A NEW YORK LAND BANK.

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

WHEREAS, addressing the need to strengthen and revitalize local communities, New York State recently enacted the “Land Bank Act” (Not-For-Profit Corporation Law, Article 16) which authorizes municipalities to establish individual or cooperative land banks; and

WHEREAS, land banks are charitable corporations entitled and authorized to take control and redevelop vacant, abandoned, and/or tax-delinquent properties to rebuild communities and foster local economic development; and

WHEREAS, vacant and abandoned properties present a danger to the health and safety of local residents, result in costs and loss of revenues to local governments, and discourage further investment in the community; and

WHEREAS, the Steuben County Land Bank Corporation will have the authority to acquire, redevelop, and improve tax delinquent, vacant or abandoned property, thereby providing a mechanism for municipalities to manage blighted properties and convert them to productive uses; and

WHEREAS, said land bank would acquire properties through a variety of means including the conveyance of property directly by the foreclosing governmental unit as part of a tax foreclosure, purchase of the property or purchase the tax lien on a property; and

WHEREAS, the land bank shall not have eminent domain powers; and

WHEREAS, said land bank could secure grant funding, issue bonds, enter into contacts, implement programs, projects and activities designed to create or stimulate economic and community development, among other delineated duties and responsibilities, which would allow the foreclosing governmental unit to take a more long-term approach to the disposition of its tax delinquent properties; and

WHEREAS, pursuant to the Land Bank Act, it is necessary to adopt a resolution establishing the Land Bank on behalf of the County; and

WHEREAS, the bylaws shall provide that any amendments to the bylaws regarding the number, term, or qualifications of members of the Board, shall require the approval of the Steuben County Legislature.

NOW THEREFORE, BE IT

RESOLVED:

1. There is hereby created a land bank on behalf of the County of Steuben, to be known as the “Steuben County Land Bank Corporation (SCLBC)” a New York Land Bank.

2. That the Board of Directors shall consist of seven (7) members as follows:

Joseph J. Hauryski, Chairman of the Legislature;
Scott J. Van Etten, Chairman of the Finance Committee;
Jack K. Wheeler, County Manager;
Patrick F. Donnelly, Commissioner of Finance;
Shawn Hogan, City of Hornell Mayor, Municipal Representative
William VonHagn, Village of Bath Mayor, Municipal Representative
Mark Ryckman, City of Corning City Manager, Municipal Representative

3. That the members of the Board of Directors shall serve for an initial term ending December 31, 2017. Each member shall be a public officer of a municipality within Steuben County and their membership shall be conditioned upon holding the public office. A “Municipal Representative” of the Board of Directors shall be appointed by the Chairman and confirmed by a majority vote of the Steuben County Legislature as well as the governing board of the Municipal Representative’s municipality consenting to his/her appointment.

4. That the Certificate of Incorporation for the SCLBC shall include the name and address of the initial Board of Directors as stated above and shall be in substantially the same form as attached to this resolution and hereby approved. The Articles of Incorporation and thereafter the bylaws shall comply with all the legal requirements of the Not-For-Profit Corporation Law relating to land banks.

5. That the bylaws of the SCLBC shall be written by and adopted by the SCLBC Board of Directors following the SCLBC’s organizational meeting.

6. To the extent permitted by law, the Steuben County Legislature retains the authority to approve or deny, on a case by case basis, the turnover or transfer of any real property in the portfolio of Steuben County to the SCLBC.

7. That the terms and conditions of such turnover or transfer shall be attached to the resolution of the Steuben County Legislature authorizing such turnover or transfer.

8. That the County Manager be, and hereby is, authorized to execute any and all documentation necessary for filing and incorporation with the State of New York to establish said corporation.

9. That the Clerk of the Legislature is further directed to conform the applicable documents, including the Certificate of Incorporation, and file this resolution with the Urban Development Corporation pursuant to the provisions of the Land Bank Act, Chapter 257 of the Laws of 2011.

Mr. Roush stated that he is in favor for the demolition component and feels that it is a good idea because you are utilizing private enterprise to do the demolition. However, with regard to the renovation of properties, he is opposed as this is something that government should not do.

Ms. Fitzpatrick stated in the Land Bank Act they reference the ranking of priorities. Why is that not included? Mr. Wheeler replied that is something that the corporation board would do. In terms of

ranking priorities, we looked at what other successful land banks have done. The reason for establishing a land bank is to apply for State funding. Your priorities would be conveyed as the County has majority representation on the board.

Mr. Mullen stated he agrees with Mr. Roush and would like to see more of the by-laws and what the Land Bank would actually be doing. Mr. Wheeler stated creating a Land Bank allows the County to get its foot in the door to apply for State funds. The County will have control of how the by-laws are adopted and will have the authority to determine which properties will go into the bank as the County has majority representation.

Ms. Fitzpatrick asked is there a timeframe to do this? Mr. Wheeler replied yes. The State originally provided funding for ten land banks. They are now indicating that they will provide funding for ten additional land banks, and we know of four counties who are in the process of applying for those funds. This is something that should be done relatively quickly in order for us to apply for the funding.

Ms. Fitzpatrick commented that she thinks we are jumping in without a game plan. Mr. Roush had expressed his concerns about demolishing and renovating properties. She does not want to see the County being in the business of rentals. Mr. Wheeler replied essentially, with regard to demolitions, we are limited in the number we can do. The land bank will be taking houses that the corporation, County and municipalities feel will substantially improve a neighborhood. The goal is to flip houses and make a profit, which will then go back into the land bank.

Mrs. Lando stated she has been in favor of this for quite a while.

Mr. Maio stated it is his expectation that the County would only be involved when the market has not been able to intervene or if there is a foreclosure. He sees this as allowing the County to be able to intervene.

Ms. Fitzpatrick stated she likes the idea, but has concerns about having a game plan. She asked can this be tabled and sent back to committee for more information on how this will be run?

Mr. Booth asked if we adopt, do we turn over control to the board? Mr. Wheeler replied the County represents the majority with the Chairman of the Legislature, Chairman of Finance, County Manager and Commissioner of Finance. We have had discussions with local housing organizations that have the expertise in this area, however, nothing is final. If we do not get the State funding, we will continue to do what we have been doing all along. The housing organization has a model that gives him at least a sense of comfort going forward with this process.

Ms. Fitzpatrick asked how do you know the percentage of demolitions versus renovations that you are allowed? Mr. Wheeler replied the State Attorney General sets that. Ms. Fitzpatrick commented there is nothing in the Land Bank Act about that.

Mr. Reed stated the land bank will operate under the direct authority of the Legislature. The properties transferred to the land bank are subject to the Legislature's approval.

Mr. Van Etten commented he understands that this is the first step to being able to apply for State aid. If we do not get the funding, we will not do anything. There will be an original cost to the County to establish the administration until the land bank generates revenue. This is another area that the Legislature will have a say in.

Mr. Wheeler stated the City of Hornell has verbally indicated they will invest \$25,000 into the start-up of the land bank. Worst case scenario is \$100,000 in start-up costs. We will be able to utilize State funds for administrative costs as well.

Mr. Mullen asked what does it look like if the County is taking over properties or purchasing and flipping? Mr. Wheeler explained we will be trying to find houses in neighborhoods that have been let go for taxes. We will look at demolition or renovation. The local housing agency has the experience to advise what will work best in each situation. Mr. Mullen asked are we pulling properties out of the tax sale and flipping them? Mr. Wheeler replied potentially. We have the ability to not allow cherry-picking all the time. The goal is for the County to stay whole. The County would get the taxes owed and the land bank would get the profits from the sale.

Mrs. Lando commented this is a way of improving our housing stock. As long as we stay whole, this is a win-win for everyone.

Mr. Mullen asked are private contractors going to go in and fix up these properties? Mr. Wheeler replied the contractors will be able to come in and put in a bid.

Mr. Nichols asked will we have to pay prevailing wage? Mr. Wheeler replied his understanding is the land bank does not have to pay prevailing wage.

Mr. Booth commented you are only dealing with houses in certain areas. The rural towns will be skipped. If you are only doing houses in Bath, Corning and Hornell, how do houses in Canisteo or Cameron come to the attention of the corporation? Mr. Wheeler replied you have four representatives from the County who will represent the entire County. The goal is to make the bank fiscally viable. If there were a property where a profit margin can be made and improves the quality of the community, the land bank would look at it.

Mr. Booth stated he does not believe the numbers will work for an area like Canisteo because there will not be the same profit margin. Mr. Wheeler stated it depends on the taxes and how much they get the property for.

Mr. Mullen stated the by-laws are adopted by the board of directors, not the Legislature. His understanding is that it is under the authority of the Legislature to determine if we want to buy or sell a property. Is that something that will be delegated to the Administration and Finance Committees? Mr. Wheeler replied that will fall under the Finance Committee. The properties will be reviewed under a similar process as they are currently.

**Vote: Roll Call – Adopted. (Yes – 6302, No – 3119, Absent – 451)
(No – Legislators Booth, Fitzpatrick, Hanna, Mullen and Roush; Absent – Legislator Weaver)**

RESOLUTION NO. 127-16

Introduced by G. Swackhamer.

Seconded by R. Nichols.

AMENDING RESOLUTION NUMBER 059-16 RELATIVE TO THE PURCHASE OF PROPERTY ADJACENT TO THE COUNTY'S CALL HILL PROPERTY IN THE TOWN OF HARTSVILLE.

WHEREAS, on March 28, 2016, this Legislature adopted Resolution number 059-16, authorizing the purchase of property adjacent to the County's Call Hill property in the Town of Hartsville; and

WHEREAS, Resolution number 059-16 inadvertently misstated the purchase price as ten thousand dollars (\$10,000.00); and

WHEREAS, the correct purchase price is twenty thousand dollars (\$20,000.00).

NOW THEREFORE, BE IT

RESOLVED, that the first resolved clause in Resolution 059-16, is hereby amended by striking the phrase “ten thousand dollars (\$10,000.00)” and replacing it with “twenty thousand dollars (\$20,000.00)”; and be it further

RESOLVED, that all other language in Resolution 059-16 is hereby ratified and confirmed; and be it further

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

Mr. Mullen stated he will be abstaining due to his relationship with one of parties.

**Vote: Roll Call – Adopted. Yes – 8824, Absent – 451, Abstained – 597
(Absent – Legislator Weaver; Abstained – Legislator Mullen)**

RESOLUTION NO. 128-16

Introduced by B. Schu.

Seconded by R. Lattimer.

SETTING THE SALARY FOR THE COUNTY MANAGER AND RESCINDING RESOLUTION NO. 112-16, WHICH AUTHORIZED A WRITTEN EMPLOYMENT AGREEMENT.

WHEREAS, Jack K. Wheeler has successfully completed his first full year in the position of Steuben County Manager; and

WHEREAS, Resolution No. 112-16 of the Steuben County Legislature authorized the Chairman of the Legislature to enter into a written employment agreement with the County Manager; and

WHEREAS, following discussion and negotiation of the terms of the contract, both parties concurred that a written employment agreement was not necessary; and

WHEREAS, in the absence of an employment agreement, the Administration Committee recommends approving a salary increase for the County Manager.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby rescinds Resolution No. 112-16 dated June 27, 2016, establishing a written employment agreement with the Steuben County Manager; and be it further

RESOLVED, the Steuben County Legislature, upon the recommendation of the Chairman and the Administration Committee, does hereby set the 2016 salary of the Steuben County Manager, Jack K. Wheeler, at \$120,000 per annum effective June 30, 2016; and be it further

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

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. Mullen, seconded by Mr. Roush and duly carried.

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

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

REGULAR MEETING
Morning Session
Monday, August 22, 2016
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 22nd day of August, 2016, 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 Swackhamer.

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

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

John Clifford stated he is the representative of the Western Regional Off-Track Betting Corporation. Gambling has been the largest growing industry in the State over the last ten years. Batavia Downs is unique; it is the only one that is owned by the public. Steuben, along with fourteen other counties and the City of Rochester and City of Buffalo are shareholders in the racetrack, Racino and the easy bet locations. An initial investment of \$22,800 in 1974 by Steuben County has seen a return on investment of \$6.3 million. Mr. Clifford invited all of the Legislators to Legislator Night on Wednesday, August 24th with cocktails beginning at 5:30 p.m. with dinner to follow. He presented a dividend check, representing revenue payable for the second quarter of 2016 to Chairman Hauryski in the amount of \$38,376.

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

Mr. Reed stated he is pleased to announce that Jennifer Prossick will be the new Deputy County Attorney for Municipal Affairs. She is very highly qualified and comes highly recommended.

RESOLUTION NO. 129-16

Introduced by S. Van Etten.

Seconded by C. Ferratella.

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

Pursuant to Section 2.07 of the Steuben County Charter.

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of the application for correction of real property taxes levied on the parcel 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 parcel contained in Schedule "A", as set forth in the approved applications, a copy 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 application executed in duplicate by the Chairman of the County Legislature, and the Chairman of the Board of Assessors of the appropriate municipality.

SCHEDULE "A"

Resolution No.	<u>A-1</u>
Name	<u>S. Hornell Fire Protection Co., Inc.</u>
Parcel No.	<u>166.18-01-032.210</u>
Municipality	<u>Town of Hornellsville</u>
Disposition	<u>Refund</u>

Vote: Roll Call – Adopted.

RESOLUTION NO. 130-16

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE AUGUST 22, 2016 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 15, 2016

NYS Office for the Aging – Re: Revised Notifications of Grant Award (NGAs) and Annual Implementations Plan budget pages for the EISEP and CRC programs for the period of April 1, 2015 through March 31, 2016. ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.***

July 18, 2016

New York State Association of Counties – Re: 2016 New York State Legislative session summary report. ***Referred to: Steuben County Legislature.***

July 25, 2016

Southern Tier Central – Re: 2017 request in the amount of \$5,000 for the next two years for the planning of the Water's Way ESD Strategic Planning Proposal. ***Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.***

July 27, 2016

NYS Office for the Aging – Re: Notifications of the 2016-2020 Four Year Plan for Steuben County has been approved. The 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. In addition, 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, 2016 – March 31, 2017 has also been approved. ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody; OFA Director.***

The ARTS Council of the Southern Finger Lakes – Re: 2017 Budget request in the amount of \$36,700. ***Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.***

July 28, 2016

NYS Office for the Aging – Re: Revised Notification of Grant Award (NGA) and Annual Implementation Plan budget pages for the WIN program for the period of April 1, 2015 through March 31, 2016. ***Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.***

NYS Office for the Aging – Re: Notifications of Grant Award (NGAs) for the CSE, EISEP, CSI, WIN, State Transportation, CRC (if applicable), HIICAP and Direct Care Worker programs for the period of April 1, 2016 to March 31, 2017. *Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.*

July 29, 2016

Finger Lakes Association d/b/a Finger Lakes Tourism Alliance (FLTA) – 2017 Budget request in the amount of \$18,500.00. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.*

Fox & Kowalewski, LLP, Attorneys & Counselors at Law – Re: Notice of Lien on Account of Public Improvements, along with affidavit of service. *Referred to: Alan Reed, County Attorney; Patrick Donnelly, Commissioner of Finance; and Vincent Spagnoletti, Commissioner of Public Works.*

August 3, 2016

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$38,376, which represents the net revenue payable for the second quarter of 2016 combined with the surcharge payment for the month of June 2016. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

August 8, 2016

Everpower – Re: Notice of submission of preliminary scoping statement for the Baron Winds Wind Project. *Referred to: A.I.P. Committee, and Amy Dlugos, Planning Director.*

NYSAC – Re: Notice of availability of the Electronic Waste Assistance Grants. Applications will only be accepted between October 3, 2016 through October 31, 2016. *Referred to: Public Works Committee; Vince Spagnoletti, Commissioner of Public Works; and Mitch Alger, Deputy County Manager.*

August 10, 2016

NYS Department of Transportation – Notification of funding for the Accelerated Transit Capital (ATC) Program in the amount of \$20,256 is allocated based on the share of the Statewide Mass Transportation Operating Assistance (STOA) program funding apportioned during the State Fiscal year (SFY) 2015-2016. *Referred to: Amy Dlugos, Planning Director.*

Environmental Design & Research on behalf of Baron Winds LLC – Re: Baron Winds Project (Case No. 15-F-0122) Preliminary Scoping Statement. *Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.*

Mr. Van Etten asked for an explanation of the letter received July 29th from Fox & Kowalewski, LLP, regarding the notice of lien on account of public improvements. Mr. Reed replied that references a legal matter which if we would like to discuss, would be proper for executive session.

Vote: Acclamation – Adopted.

RESOLUTION NO. 131-16

Introduced by R. Lattimer.

Seconded by R. Nichols.

AUTHORIZING A PUBLIC HEARING ON THE EIGHT-YEAR REVIEW OF AGRICULTURAL DISTRICT NO. 7.

Pursuant to Article 25-AA, Section 303-a, of the Agriculture and Markets Law of the State of New York.

WHEREAS, Agricultural District No.7, located in the Towns of Canisteo, Dansville, Fremont, Hartsville, Hornellsville and Howard, Steuben County, is now being reviewed pursuant to said Law; and

WHEREAS, the Clerk of the Legislature did file a copy of the Notice of Review in the Steuben County Clerk's Office and did properly publish and have posted the thirty day (30) Notice as required by Law, and the Affidavits of Publication and Posting of the Notice of Review of the Agricultural District having been received and filed on behalf of this Legislature; and

WHEREAS, upon completion of the thirty day review period, any and all proposals filed were referred to the Steuben County Agricultural and Farmland Protection Board and said Board did file written reports with this County Legislature containing their recommendations and any proposed modifications concerning the same. Said reports being hereby approved, ratified, and confirmed by this County Legislature.

NOW THEREFORE, BE IT

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, a Public Hearing on the review of said Agricultural District together with any modification thereof set forth in the reports of the Agricultural and Farmland Protection Board shall be held by this County Legislature on the 26th day of September, 2016, 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-a of the Agriculture and Markets Law; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 132-16

Introduced by R. Lattimer.

Seconded by J. Malter.

COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 2

Pursuant to Article 25-AA, Section 303-a, of the Agriculture and Markets Law of the State of New York.

WHEREAS, Agricultural District No. 2, located in the Towns of Bath, Bradford, Campbell, Howard, Rathbone, Thurston, Urbana, and Wayne, Steuben County, is now being reviewed pursuant to said Law; and

WHEREAS, the next review date for said district is April 22, 2017 and a Notice of Review from the State of New York, Department of Agriculture and Markets has been received and pursuant to said Law, the procedure for the necessary review of the Steuben County Agricultural District No. 2 is required to commence.

NOW, THEREFORE, BE IT

RESOLVED, that the Review period of the said Agricultural District located in the Towns of Bath, Bradford, Campbell, Howard, Rathbone, Thurston, Urbana, and Wayne, County of Steuben and State of New York commences effective upon filing of a Notice of Review with the office of the Steuben County Clerk, said Review period to be for a period of thirty (30) days; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to file said Notice of Review in the Office of the Steuben County Clerk and provide notice of such review by publishing the "Notice" in the Corning Leader and Evening Tribune, which are two (2) newspapers having general circulation within the said District, and by posting such "Notice" in five (5) conspicuous places within the said district. Said "Notice" shall contain information as required in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York; and be it further

RESOLVED, that the Clerk of this Legislature shall file the necessary Affidavits of Publication and posting of such "Notice" with this County Legislature, and this Legislature shall receive any proposals for modification of said district which may be submitted by landowners or municipalities, within thirty (30) days of the filing of the Notice of Review in the Steuben County Clerk's Office; and be it further

RESOLVED, that upon termination of said thirty (30) day period such review and any proposed modifications shall be referred by this Legislature to the Steuben County Agricultural and Farmland Protection Board, which Board shall report to the Steuben County Legislature their recommendations concerning the review and proposed modifications, and thereafter the County Legislature shall hold a Public Hearing as required by Law; and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to the Steuben County Clerk; and the Director of the Steuben County Planning Department.

Vote: Acclamation – Adopted.

RESOLUTION NO. 133-16

Introduced by R. Lattimer.

Seconded by H. Lando.

AUTHORIZING THE STEUBEN COUNTY PLANNING DEPARTMENT TO SUBMIT AN APPLICATION TO THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL FOR A COMMUNITY DEVELOPMENT BLOCK GRANT.

WHEREAS, Steuben County is an eligible applicant for New York State Community Development Block Grant (CDBG) funding for Housing Activities; and

WHEREAS, Steuben County and Arbor Development, Inc. want to continue their program of housing rehabilitation for low and moderate income persons; and

WHEREAS, said housing activities, including rehabilitation, well and septic replacement, and lateral connection assistance, are eligible expenditures of CDBG funds; and

WHEREAS, under the CDBG Program, Steuben County is permitted to contract with Arbor Development, Inc. to provide said assistance.

NOW THEREFORE BE IT

RESOLVED, that the Steuben County Planning Department is hereby authorized to submit an application to the NYS Homes and Community Renewal for a Community Development Block Grant to provide funding for housing rehabilitation; and be it further

RESOLVED, the Planning Director is hereby authorized to sign the application on behalf of Steuben County; and be it further

RESOLVED, that should said grant be awarded to Steuben County, the Steuben County Commissioner of Finance is hereby authorized to deposit said grant in the appropriate line item in the Steuben County Budget; and be it further

RESOLVED, that the Steuben County Planning Director is hereby authorized to sign all appropriate and necessary documents to implement said grant; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Steuben County Planning Director, and to the Executive Director, Arbor Development, Inc., 26 Bridge St., Corning NY 14830.

Vote: Roll Call – Adopted.

RESOLUTION NO. 134-16

Introduced by D. Farrand.

Seconded by G. Roush.

AUTHORIZING THE STEUBEN COUNTY SHERIFF’S OFFICE TO ENTER INTO AN AGREEMENT TO PROCURE FOOD PRODUCTS FROM THE NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES’ OFFICE OF NUTRITIONAL SERVICES (NYS DOCS-NS).

WHEREAS, Food products produced by the DOCS-NS will be delivered to the Steuben County Jail for the purpose of feeding the inmate population; and

WHEREAS, Steuben County considers food products prepared by DOCS-NS to be a preferred means of supplying wholesome food to its inmate population; and

WHEREAS, the production of food products by DOCS-NS for use by the Steuben County Jail is consistent with Correction Law Sections 170 and 184; and

WHEREAS, the term of this agreement shall be for the anticipated period of August 1, 2016 through July 31, 2021.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby authorizes the Steuben County Sheriff to execute the agreement as set forth above; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Steuben County Sheriff.

Vote: Roll Call – Adopted.

RESOLUTION NO. 135-16

Introduced by C. Ferratella and S. Van Etten.

Seconded by H. Lando.

AUTHORIZING THE ACCEPTANCE OF AN ALZHEIMER’S CAREGIVER GRANT FROM LIFESPAN OF GREATER ROCHESTER.

WHEREAS, Steuben County Office for the Aging recently received notification of the availability of up to \$6,000 from Lifespan of Greater Rochester through December 31, 2016 with option to renew for a total of five years, contingent on funding; and

WHEREAS, this funding will be used to expand the existing dementia support services, which promotes quality of life for the caregiver and the care-receiver and decreases premature institutionalization, it is in the best interest of the County of Steuben to receive these funds.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized and directed to accept up to \$6,000 as revenue in account #677300 and appropriate the same to expenditure lines:

\$175- rent	Expense line: 5412970
\$500 Training	Expense line: 5479300

\$400 Books and materials Expense line: 5407100
\$2356 salary Expense line: 51100 000
\$1494 Fringe Expense line: 5810 000
\$4925 Total for remainder of 2016

Gifts and Donations Revenue Line 4 2705 000

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 136-16

Introduced by S. Van Etten.

Seconded by R. Nichols.

AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ACCEPT SUICIDE PREVENTION FUNDING FROM ARDENT SOLUTIONS, INC.

Pursuant to Section 2.07(12) and Section 9.02(i) of the Steuben County Charter.

WHEREAS, Ardent Solutions, Inc. located at 85 N. Main Street, Wellsville NY 14895 has made \$8,202.50 of funding available for suicide prevention efforts; and

WHEREAS, Steuben County Community Services will utilize this funding to support its Suicide Prevention Coalition; and

WHEREAS, the Human Services, Health and Education and Finance Committees have approved acceptance of said funds.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby approves the acceptance of \$8,202.50 from Ardent Solutions, Inc.; and be it further

RESOLVED, that certified copies of the resolution shall be forwarded to the Commissioner of Finance, Carrie Whitwood, Executive Director, Ardent Solutions, Inc., 85 North Main Street, Wellsville, NY 14895 and the Director of Community Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 137-16

Introduced by B. Schu.

Seconded by J. Malter.

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 1/1/17 LEVY						07/14/2016	
.rpsv4chargeback/resolutions							
Swis	Municipality	Parcel Count	ORPS License Fee	County Support Fee	Total Chargeback	ORPS License Fee Schedule	
4603	Corning City	4,249	\$1,500	\$200	\$1,700		
4606	Hornell City	3,744	\$1,300	\$200	\$1,500		
4620	Addison	1,298	\$1,000	\$200	\$1,200		
4622	Avoca	1,331	\$1,000	\$200	\$1,200		
4624	Bath	5,175	\$1,500	\$200	\$1,700		
4626	Bradford	575	\$850	\$200	\$1,050		
4628	Cameron	751	\$850	\$200	\$1,050		
4630	Campbell	1,621	\$1,000	\$200	\$1,200		
4632	Canisteo	2,041	\$1,200	\$200	\$1,400		
4634	Caton	1,298	\$1,000	\$200	\$1,200		
4636	Cohocton	1,841	\$1,000	\$200	\$1,200		
4638	Corning Town	3,245	\$1,300	\$200	\$1,500		
4640	Dansville	1,277	\$1,000	\$200	\$1,200		
4642	Erwin	3,218	\$1,300	\$200	\$1,500		
4644	Fremont	787	\$850	\$200	\$1,050		
4646	Greenwood	729	\$850	\$200	\$1,050		
4648	Hartsville	567	\$850	\$200	\$1,050		
4650	Hornby	996	\$850	\$200	\$1,050		
4652	Hornellsville	2,401	\$1,200	\$200	\$1,400		
4654	Howard	1,233	\$1,000	\$200	\$1,200		
4656	Jasper	890	\$850	\$200	\$1,050		
4658	Lindley	1,030	\$1,000	\$200	\$1,200		
4660	Prattsburgh	1,873	\$1,000	\$200	\$1,200		
4662	Pulteney	1,721	\$1,000	\$200	\$1,200		
4664	Rathbone	762	\$850	\$200	\$1,050		
4666	Thurston	983	\$850	\$200	\$1,050		
4668	Troupsburg	948	\$850	\$200	\$1,050		
4670	Tuscarora	893	\$850	\$200	\$1,050		
4672	Urbana	1,999	\$1,000	\$200	\$1,200		
4674	Wayland	2,310	\$1,200	\$200	\$1,400		
4676	Wayne	1,605	\$1,000	\$200	\$1,200		
4678	West Union	536	\$850	\$200	\$1,050		
4680	Wheeler	999	\$850	\$200	\$1,050		
4682	Woodhull	1,160	\$1,000	\$200	\$1,200		
		56,076	\$34,550	\$6,800	\$41,350		

Number of Parcels		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

Vote: Roll Call – Adopted.

RESOLUTION NO. 138-16

Introduced by B. Schu.

Seconded by R. Lattimer.

DESIGNATING THE MEDICAL DIRECTOR OF PUBLIC HEALTH (PT) AS NON-COMPETITIVE FOR CIVIL SERVICE PURPOSES.

Pursuant to Civil Service Law Section 20, the Personnel Officer may amend the local civil service rules.

WHEREAS, the Medical Director of Department of Special Children’s Services (PT) has been classified as non-competitive and policy influencing; and

WHEREAS, the Medical Director of Public Health (PT) is a more comprehensive title and is replacing the title of Medical Director of Department of Special Children’s Services (PT); and

WHEREAS, the Medical Director of Public Health (PT) provides leadership and confidential clinical oversight for the medical services provided by the Steuben County Public Health Department.

NOW THEREFORE, BE IT

RESOLVED, that Civil Service be, and the same is hereby requested to allocate the Medical Director of Public Health (PT) as Non-Competitive and Policy influencing in the Classified Civil Service; and be it further

RESOLVED, that the within Resolution shall be effective when and upon ratification; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Personnel Officer and the Public Health Director.

Vote: Roll Call – Adopted.

RESOLUTION NO. 139-16

Introduced by B. Schu.

Seconded by R. Weaver.

AUTHORIZING THE ADDITION OF AN AMERICANS WITH DISABILITIES ACT AND REASONABLE ACCOMMODATION POLICY INTO THE ADMINISTRATIVE CODE.

Pursuant to Section 2.07(6) of the Steuben County Charter.

WHEREAS, the Steuben County *Administrative Code*, adopted in 1985 and amended various times since, details policies and procedures of Steuben County; and

WHEREAS, the County regularly works with employees when reasonable accommodations are requested on a permanent or temporary basis; and

WHEREAS, the Personnel Officer has drafted an Americans with Disabilities Act [hereinafter ADA] and Reasonable Accommodation Policy after researching, evaluating, and considering examples of effective Accommodation Policies; and

WHEREAS, the Personnel Officer recommends adding the Reasonable Accommodation Policy to the Administrative Code in an effort to facilitate Steuben County’s offering of reasonable accommodations for employees working in any County department; and

WHEREAS, the ADA and Reasonable Accommodation Policy is further intended to outline various responsibilities for County employees, Departments and the Personnel Department; and

WHEREAS, the draft ADA and Reasonable Accommodation Policy has been distributed to the Legislature for review; and

WHEREAS, the Administration Committee has reviewed the proposed changes and recommends approval by the Legislature.

NOW THEREFORE, BE IT

RESOLVED, that the *Administrative Code* is hereby amended to include the ADA and Reasonable Accommodation Policy; and be it further

RESOLVED, the revised *Administrative Code* will be made available via the Steuben County intranet, and employees and staff will be notified of said revisions; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, Personnel Officer, and County Attorney.

Mr. Mullen asked what were the changes that were made? Mr. Wheeler replied there were no changes. This policy was not formally adopted into the *Administrative Code* and this reflects the State and Federal statutes.

Vote: Roll Call – Adopted.

RESOLUTION NO. 140-16

Introduced by D. Farrand.

Seconded by G. Roush.

URGING GOVERNOR CUOMO TO SIGN INTO LAW THE PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/ A.10706).

WHEREAS, it is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of *Gideon vs. Wainwright*, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State; and

WHEREAS, the New York State Senate and Assembly have passed historic legislation entitled Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the State's obligation to provide representation for those financially unable to afford counsel commencing in 2017 and incrementally reaching 100% in 2023 and thereafter; and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority "to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of [Executive Law 832]; and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) also requires that the various counties and New York City receive an amount equal to the amount paid from the Indigent Legal Services Fund to the counties and NYC in March 2010; and

WHEREAS, New York State has previously entered into an agreement to settle the *Hurrell-Harring vs. State of New York* class action lawsuit and has begun to expend substantial amounts of State funds to create a more equitable and

Constitutional system of representation. Currently, the improved system is found in only the five settlement counties, creating an unequal system of justice in the remaining counties of the State; and

WHEREAS, by entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is constitutionally required to fund public defense services for mandated representation; and

WHEREAS, requiring counties subject to a State-imposed tax cap to finance the State's obligation to provide public defense services imposes a significant, uncontrollable financial burden on counties dependent on real property taxes to fund needed services; both problems would be remedied under the Public Defense Mandate Relief Act (S.8114/A.10706) as passed by the New York State Senate and Assembly.

NOW, THEREFORE, BE IT

RESOLVED that the Steuben County Legislature hereby strongly urges Governor Cuomo to request the immediate delivery of the Public Defense Mandate Relief Act (S.8114/A.10706) from the New York State Senate and commit to sign the bill as soon as possible, fulfilling the State's obligation under *Gideon vs. Wainwright*, 372 U.S. 335, relieving the taxpayers of Steuben County and the other counties of the State and New York City to fund this State mandate; and

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward certified copies of this resolution to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-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 Carl Heastie, Speaker, New York State Assembly, 522 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, the New York State Office of Indigent Legal Services, and the New York State Association of Counties (NYSAC).

Vote: Roll Call – 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 an 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. Mullen, seconded by Mr. Malter and duly carried.

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

Motion to Adjourn made by Mr. Farrand, seconded by Mrs. Ferratella and duly carried.

REGULAR MEETING
Morning Session
Monday, September 26, 2016
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 26th day of September, 2016, 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 Swackhamer.

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

Chairman Hauryski asked Angie Cornish to come forward. Ms. Cornish is an employee in the Board of Elections. 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 Bonnie Lowery to come forward. Ms. Lowery is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a watch in recognition of her retirement with 21 years of service to Steuben County.

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

Wayne Wells, Cameron stated he is here today to continue the conversation of torture as policy and its importance to him as Presidential candidate Donald Trump wants to reinstate it. He distributed a sheet with links to videos regarding this topic.

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 the Agricultural District within the Towns of Canisteo, Dansville, Fremont, Hartsville, Hornellsville and Howard, New York, known as Agricultural District No. 7, to Consider the Recommendations of the County Planning Board and the Agricultural and Farmland Protection Board, and any Proposed Modifications of the District. 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 Authorizing and Directing the Commissioner of Finance to Transfer \$83,000 from the Repairs & Renovations Reserve to the Capital Project Entitled "Courthouse Steel Roof". 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 Mr. Maio, seconded by Mr. Mullen and duly carried.

Mr. Farrand stated that he thinks the Legislature should recognize the Public Works Department for the great job on our bridges. Steuben County is ranked number one in the State for bridge quality rankings. This shows the dedication and hard work of the department and he thinks they should be recognized.

Ms. Mori announced that next month, the Youth In Government Interns will be attending the October 11th Administration Committee meeting which will be held in the Chambers. They will also be attending the October 24th Legislative meeting and immediately following will be lunch at the Presbyterian Church.

RESOLUTION NO. 141-16

Introduced by S. Van Etten.

Seconded by A. Mullen.

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

Pursuant to Section 2.07 of the Steuben County Charter.

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of the application for correction of real property taxes levied on the parcel 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 parcel contained in Schedule "A", as set forth in the approved applications, a copy 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 application executed in duplicate by the Chairman of the County Legislature, and the Chairman of the Board of Assessors of the appropriate municipality.

SCHEDULE "A"

Resolution No.	A-1
Name	S. Hornell Fire Protection Co., Inc.
Parcel No.	166.18-01-032.210
Municipality	Town of Hornellsville
Disposition	2016 Refund

Vote: Roll Call – Adopted.

RESOLUTION NO. 142-16

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE SEPTEMBER 26, 2016 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 12, 2016

Emergency Medical Services Training, Administration & Resources – Re: Second Quarter Report for April-June 2016. *Referred to: Human Services/Health & Education Committee; Public Safety & Corrections Committee; Darlene Smith, PHN Director; and Tim Marshall, EMO Director.*

August 15, 2016

Department of the Army – Re: Right-of-entry for the Military Munitions Response Program site inspection, Site-AEDB-R#NYHQ-013-R-01, Hornell Rifle Range Area. *Referred to: Alan Reed, County Attorney.*

NYS Board of Electric Generation Siting and the Environment – Re: Case 15-F-0122- Application of Baron Winds, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 300 MW Wind Energy Project. Notice to nominate four potential candidates to serve as ad hoc public members on the siting board. **Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.**

NYS Department of Environmental Conservation – Re: Public Notice of the Brownfield Cleanup Program (BCP) Amendment application from Yort, Inc. and Philips Electronics North America Corporation to transfer ownership, add an applicant and expand the boundaries of the Philip Lighting Company Site, ID#C851044, located at 7265 State Route 54 in Bath, NY. Comments regarding this application must be submitted no later than September 16, 2016. **Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Steuben County Environmental Management Council.**

August 17, 2016

Town of Corning – Re: Passed resolution from the Town of Corning increasing the apportionment of sales tax from \$175,000 to \$350,000 effective January 1, 2017. **Referred to: Finance Committee; Patrick Donnelly, Commissioner of Finance; and Jack Wheeler, County Manager.**

New York State Association of Counties – Re: 2016 County Salary Survey and Employment Benefits Report. **Referred to: Jack Wheeler, County Manager.**

August 25, 2016

NYS Department of Transportation – Re: Notice of availability of \$98.7 million in funding to support transportation-related projects and programs that help meet the requirements of the Clean Air Act by reducing congestion and vehicle emissions. Completed applications will be accepted electronically through October 21, 2016. **Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; Vince Spagnoletti, Commissioner of Public Works; and Mitchell Alger, Deputy County Manager.**

August 26, 2016

NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the second quarter SFY 2016-2017 Statewide Mass Transportation Operating Assistance (STOA) payments. **Referred to: Amy Dlugos, Planning Director.**

Everpower – Re: Notification of a public open house on September 8, 2016 from 5:30pm to 7:00pm at the Fremont Volunteer Fire Department located at Route 21 and Cream Hill Road (Fremont), Arkport, NY 14807. **Referred to: A.I.P. Committee, and Amy Dlugos, Planning Director.**

September 6, 2016

Western Regional Off-Track Betting – Re: Check in the amount of \$2,919, which represents the July 2016 surcharge revenues for Steuben County. **Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.**

NYS Department of Public Service – Re: Public hearing notice on the proposed rate increases for Corning Natural Gas Corporation is scheduled for Wednesday, September 14, 2016 (3pm & 6pm information sessions and 4pm & 7pm public statement hearings) at the Southeast Steuben County Library located at 300 Nasser Civic Center Plaza, Corning, NY 14830. **Referred to: filed with the Clerk of the Legislature, Brenda Mori.**

NYS Board on Electric Generation Siting and the Environment – Re: Case 15-F-0122- Application of Baron Winds, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 300 MW Wind Energy Project. The notice of pre-application procedural conference is to consider pre-application intervenor funding requests and to initiate the stipulations process. **Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.**

Federal Aviation Administration – Re: Notification of an aeronautical study (ASN# 2015-WTE-2709-OE) on the Wind Turbine T20 located in Cohocton, NY. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

September 9, 2016

NYS Homeland Security and Emergency Services – Re: Notification of being awarded \$190,105 under the New York State 2016-2017 Public Safety Answering Points Operations Grants Program (2016-17 PSAP Grant). *Referred to: Public Safety & Corrections Committee; David Hopkins, 911 Director; and Mitchell Alger, Deputy County Manager.*

September 12, 2016

Southern Tier Library System – Re: 2017 Budget request in the amount of \$123,829. *Referred to: A.I.P. Committee; Finance Committee; and Jack Wheeler, County Manager.*

September 13, 2016

CSEA Employee Benefit Fund – Re: Memorandum of Agreements for the CSEA Employee Benefit Fund for Retiree Vision & Dental Plans (#197 Steuben County Employees and #465 Steuben County Corrections Officers) *Referred to: Nancy Smith, Personnel Officer; and Patrick Donnelly, Commissioner of Finance.*

Mr. Mullen asked for an explanation on the August 15th correspondence from the Department of Army regarding the right-of-entry for the Military Munitions Response Program. Mr. Reed explained this was property that was previously used by the Army as a rifle range. They are now going back and checking to see if there are any munitions left in the area.

Mr. Mullen asked for an explanation on the August 17th correspondence from the Town of Corning indicating they are increasing the allocation of sales tax in cash form from \$175,000 to \$350,000 effective January 1, 2017. Mr. Wheeler explained the towns have the ability to take the sales tax as either a credit against the county taxes for their town, or as cash. We have about half of the towns who elect to take it as a credit. The Town of Corning is electing to take more cash. This cash infusion to the Town of Corning may help Town operations, but the county tax in the Town of Corning for 2017 will be increase disproportionately, as they are decreasing funding for the credit against county taxes. Mr. Mullen asked didn't we pass something that was supposed to make that uniform? Mr. Wheeler replied we have tried to encourage the towns to stabilize their elections of cash or credit. With the sales tax agreement, the towns have the option of forcing that, we but have not formally done that. It does not impact us negatively when they make a change.

Vote: Acclamation – Adopted.

RESOLUTION NO. 143-16

Introduced by R. Lattimer.

Seconded by R. Weaver.

MODIFYING AND ADOPTING AGRICULTURAL DISTRICT NO. 7 AS A RESULT OF THE EIGHT YEAR REVIEW.

Pursuant to Article 25-AA of the Agriculture and Markets Law of the State of New York.

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

WHEREAS, this Legislature did hold a Public Hearing on the proposed modifications to said district recommended by the Agricultural and Farmland Protection Board on September 26, 2016; and

WHEREAS, modifying an Agricultural District is an Unlisted Action and a Short Environmental Assessment Form was prepared.

NOW THEREFORE, BE IT

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature does find as follows:

- (1) Within the district as recommended to be modified, the number of participating farms and farm acreage thereof is consistent with and substantially furthers the objective of encouraging and protecting viable farming in the area, for which the district was originally created; and
- (2) The district has since its creation been of substantial assistance to a majority of participating farmers in maintaining an active farm economy in the area; and
- (3) Continuation of this district is consistent with the County's important agricultural economy and predominantly rural pattern of development; and
- (4) The district deters local government adoption of land use regulations unduly restrictive of normal farm activities, supports orderly patterns of community development, and helps to sustain active farming for its important economic and environmental values; and be it further

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature has deliberated on said District and modifications, and does hereby adopt the proposed modifications of Agricultural District No. 7 in the County of Steuben for a period of eight years; and be it further

RESOLVED, that modifying the District will not have a significant adverse environmental impact; and be it further

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

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to the Commissioner of the Department of Agriculture and Markets at Albany; to the Director of the Steuben County Planning Department; to the Director of the Steuben County Real Property Tax Service Agency; and to Cornell Cooperative Extension – Steuben County.

Vote: Roll Call – Adopted.

RESOLUTION NO. 144-16

Introduced by R. Lattimer and S. Van Etten.

Seconded by G. Roush.

AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO APPROPRIATE \$83,000.00 FROM THE "REPAIR AND RENOVATIONS RESERVE" TO INCREASE THE BUDGET FOR THE COURTHOUSE STEEL ROOFS CAPITAL PROJECT.

WHEREAS, it is necessary to appropriate funds to increase the budget amount of \$350,000.00 adopted on November 23, 2015 to \$433,000.00 for the Courthouse Steel Roofs Capital Project; and

WHEREAS, funds are available within the Buildings and Grounds Department "Repair and Renovations Reserve".

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be, and the same hereby is, authorized and directed to appropriate the sum of \$83,000.00 from the "Repair and Renovations Reserve" to the Courthouse Steel Roofs Capital Project; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 145-16

Introduced by D. Farrand and S. Van Etten.

Seconded by J. Malter.

ACCEPTING AND APPROPRIATING \$50,000 IN GRANT FUNDS FROM NEW YORK STATE LEGISLATIVE GRANT TO BE USED FOR TRAINING AND INVESTIGATIVE PURPOSES.

WHEREAS, New York State is awarding Steuben County \$40,000 and \$10,000 [total of \$50,000] under the New York State Legislative Grant Program; and

WHEREAS, the total \$50,000 grant(s) are totally funded with no County cost; and

WHEREAS, it has been established that \$40,000 of these funds would be used for ALERT Training Kits – Active Shooter Training and \$10,000 would be used towards the Cellibrite Phone System – CIU Investigating Tool.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to accept the grants totaling \$50,000 as revenue; and be it further

RESOLVED, appropriate the funds in the revenue account 43089300, State Aid Legislative Grants accordingly; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 146-16

Introduced by D. Farrand and S. Van Etten.

Seconded by C. Ferratella.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A DONATION FROM LEGAL ASSISTANCE OF WESTERN NY.

WHEREAS, the Legal Assistance of Western NY (DART) has offered to donate \$4,353.24 towards the purchase of the Cellibrite Phone System; and

WHEREAS, the Legal Assistance of Western NY (DART) will send in the donation of \$4,353.24 for the purchase of the Cellibrite Phone System.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to accept the donation of \$4,353.24 as revenue and appropriate the amount of \$4,353.24 to 311000-43089300; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 147-16

Introduced by D. Farrand and S. Van Etten.

Seconded by H. Lando.

AUTHORIZING AND DIRECTING THE SHERIFF TO DESIGNATE CERTAIN TEMPORARY PART-TIME POSITIONS AS PERMANENT PART-TIME POSITIONS.

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

WHEREAS, several temporary part-time positions currently exist in the Sheriff's Office. These positions exist to maintain minimum staffing in the Jail and proper security in the courts; and

WHEREAS, Civil Service limits temporary appointments to specific time periods; and

WHEREAS, a number of the temporary positions may be designated as permanent and may be supported by civil service appointing procedures.

NOW THEREFORE, BE IT

RESOLVED, the time frame of Rule 16B of the Rules of Procedure of the Steuben County Legislature, Titled: Request for New Positions, hereby waived by means of the provisions as set forth in Rule 16B (7) with the minimum consents therein; and it is further

RESOLVED, the number of permanent positions will be designated on the following schedule:

September 26, 2016	Designate three part-time Correction Officer positions as permanent.
January 1, 2017	Designate three part-time Correction Officer positions as permanent.
January 1, 2017	Designate one part-time Court Security Officer position as permanent.
July 1, 2017	Designate four part-time Correction Officer positions as permanent.

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

Mr. Weaver asked is there a timeframe for doing this? Mr. Wheeler replied there is to a certain extent. This allows us to gradually phase these positions in. This is a civil service requirement. We do have some individuals classified as temporary part-time employees that will be coming up against this time frame.

Vote: Roll Call – Adopted.

RESOLUTION NO. 148-16

Introduced by G. Roush.

Seconded by R. Nichols.

AUTHORIZING AN EXTENSION OF THE PRATTSBURGH-COHOCTON LANDFILL LEASE.

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

WHEREAS, by resolution duly adopted April 19, 1976, the Chairman of the Steuben County Board of Supervisors was authorized to execute a lease for land in the Town of Prattsburgh as a landfill site for such property then known as the Prattsburgh-Cohocton Landfill; and

WHEREAS, said lease was for a term of 5 years, subject to renewals through September 30, 2016; and

WHEREAS, the parties are desirous of extending the lease for an additional 5 year-period, with the County’s option to renew up to a period of 5 years.

NOW THEREFORE, BE IT

RESOLVED, that the aforesaid lease is renewed and extended for an additional term of 5 years, until September 30, 2021 with an option to renew up to a period of 5 years; and be it further

RESOLVED, that the Steuben County Manager be, and the same hereby is, authorized and directed to execute an agreement for an extension of renewal of the aforesaid lease; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Public Works; Tom Johnson, Cohocton Town Supervisor, 17 South Main Street, Cohocton, NY 14826 and Leonard L. McConnell, Prattsburgh Town Supervisor, 19 North Main Street, Prattsburgh, NY 14873.

Vote: Roll Call – Adopted.

RESOLUTION NO. 149-16

Introduced by G. Roush and S. Van Etten.

Seconded by H. Lando.

AUTHORIZING THE COMMISSIONER OF FINANCE TO ADD 3 PROJECTS TO THE PUBLIC WORKS DEPARTMENT’S CAPITAL CONTRUCTION ACCOUNT.

WHEREAS, lower prices for liquid asphalt and blacktop have decreased the costs of the 2016 road projects; and

WHEREAS, there will be a surplus in the Permanent Improvements Capital Projects account;
and

WHEREAS, CR 41, Hornby, 1.7 miles is on the 2017 schedule and is in need of paving now; and

WHEREAS, CR 83, Troupsburg, 1.2 miles is in poor condition and can be remedied by a blacktop overlay; and

WHEREAS, CR 89, Urbana, 2.2 miles is in poor condition and can be remedied by a blacktop overlay.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to add 3 new projects to the Permanent Improvements, Capital Projects as follows:

Project R041-03; 511200 5251024	CR 41 Hornby 1.7 miles	\$153,000
Project R083-00; 511200 5251025	CR 83 Troupsburg 1.2 miles	\$111,000
Project R089-00; 511200 5251026	CR 89 Urbana 2.2 miles	\$202,000

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. Mullen asked why is the Prattsburgh project not included on this list? Mr. Wheeler replied that project falls under the \$250,000 threshold that only requires Standing Committee and Finance Committee approval. It does not need the approval of the Legislature.

Vote: Roll Call – Adopted.

RESOLUTION NO. 150-16

Introduced by G. Roush and S. Van Etten.

Seconded by R. Nichols.

ACCEPTING AND APPROPRIATING NEW YORK STATE FLOOD FUNDING AND AUTHORIZING THE COMMISSIONER OF FINANCE TO ADD A PROJECT TO THE PUBLIC WORKS DEPARTMENT'S CAPITAL CONSTRUCTION ACCOUNT.

WHEREAS, Steuben County has received funding from the State of N.Y. for \$93,193 for flood damage in 2004; and

WHEREAS, CR 10, Bath-Cameron, 1 mile has rutting and can be upgraded for the long term with a blacktop overlay.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to add a new project and to appropriate the N. Y. State flood funding to the Permanent Improvements, Capital Projects as follows:

Project R010-03; 511200 5251028 CR 10 Bath-Cameron 1 mile \$93,193

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. 151-16

Introduced by B. Schu.

Seconded by R. Lattimer.

AMENDING THE STEUBEN COUNTY ADMINISTRATIVE CODE.

WHEREAS, the *Steuben County Administrative Code*, adopted in 1985 and amended various times since, details policies and procedures of Steuben County; and

WHEREAS, as a recipient of federal and state funds, Steuben County is subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964, as amended; and

WHEREAS, Steuben County is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, or national origin, as protected by Title VI; and

WHEREAS, the County Manager’s Office recommends amending the *Administrative Code* to include a Title VI Policy; and

WHEREAS, said revisions have been distributed to the Legislature for review; and

WHEREAS, the Administration Committee has reviewed the proposed additions and recommends approval by the Legislature.

NOW THEREFORE, BE IT

RESOLVED, that the revised *Administrative Code*, and policies and forms contained within, is hereby adopted; and be it further

RESOLVED, the revised *Administrative Code* will be made available via the Steuben County intranet, and employees and staff will be notified of said revisions; and be it further

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

Mr. Mullen asked what is the purpose of this? Mr. Wheeler explained because we are the recipient of Federal and State funds, we are subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964. This is something that we have already been doing, but it was not codified in our *Administrative Code*.

Vote: Roll Call – Adopted.

RESOLUTION NO. 152-16

Introduced by R. Lattimer.

Seconded by H. Lando.

AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF \$5,000,000 TO PAY FOR THE NEW OFFICE BUILDING AND RECORDS STORAGE FACILITY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act (“SEQRA”), have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project.

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. The construction of a new office building in and for the County of Steuben, New York, adjacent to the County Office Building Complex and a records storage facility in and for the County of Steuben, New York, at the County Farm property, including grading and improvement of the site, equipment, machinery, apparatus and appurtenances, as well as incidental costs and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$8,979,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$5,000,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law. The remainder of the cost of the building project will be taken from unrestricted fund balance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Steuben, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such 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 annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially 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 consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes 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 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in full in *The Leader* and *The Evening Tribune*, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.; and it is further

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

Mr. Van Etten stated I think for my own purposes, this project has grown substantially from what we initially identified as an immediate need, which was records storage. I understand the need for additional space, but we are looking at a very expensive space at \$395 per square foot. Because of the timing of the bond issuance motion, if we approve it, we are moving forward, unless the bids that come in are so outlandish.

Mr. Mullen stated he shares the same concerns as Mr. Van Etten.

Mr. Weaver stated he voted no on the initial project, and now the cost is even higher. I believe there is a cheaper alternative out there.

Ms. Lattimer stated that she does not disagree with Mr. Van Etten; it is not a cheap building, but we are up against more than just records storage. Because of State requirements, we have to make accommodations for space and this is the best way we can do it.

Mr. Weaver stated we are expanding government and our population is shrinking.

Mr. Wheeler explained this project came about due to State requirements. We have decreased our staffing, however, we have not gained space. We are adding staff with attorneys, and very soon with the implementation of caseload standards, we will be hiring additional attorneys.

Mrs. Ferratella stated if we procrastinate, our bond rating will be more expensive in the future.

Mr. Mullen commented if it is simply a space issue for finding offices for attorneys, there is a lot of space available in Bath to accommodate that and it does not cost a lot of money.

Ms. Lattimer stated if we do that, then we return to the days where the departments were scattered around the village and that is not an efficient way to run government.

Mr. Mullen commented the issue we are discussing is not so much about the administration of government as it is about offices. The attorneys operate independently and he does not feel they necessarily need to be in a central location.

Ms. Lattimer stated she respectfully disagrees.

**Vote: Roll Call – Fails. Yes – 6061, No – 3360, Absent – 451
(No: Legislators Booth, Fitzpatrick, Hanna, Mullen, Van Etten and Weaver; Absent – Legislator Swackhamer)**

RESOLUTION NO. 153-16

Introduced by J. Hauryski.

Seconded by R. Weaver.

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

Pursuant to Section 12.20 of the Steuben County Charter and 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 appointment:

HEALTH SERVICES ADVISORY BOARD

Steuben County Provider

Laura Rossman, Executive Director
ProAction of Steuben & Yates, Inc.

01/01/14 – 12/31/17
(Four year term)

117 East Steuben Street
Bath, NY 14810
(filling unexpired term of Dawn Brucie)

NOW THEREFORE, BE IT

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

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee; Regional Health Direction of the New York State Department of Health, Buffalo Region, 584 Delaware Avenue, Buffalo, NY 14202; the S2AY Rural Health Network, PO Box 97, Corning NY 14830; the County Auditor and the Director of Public Health.

Vote: Acclamation – Adopted.

Chairman Hauryski asked Larry McCaffrey to come forward. Mr. McCaffrey is an employee in the Department of Public Works. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement with 28 years of service to Steuben County.

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, 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. Roush, seconded by Mrs. Ferratella and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Malter, seconded by Mrs. Lando and duly carried.

*Motion Securing Settlement of the Closure of the Hold Over Term of the Civil Service Officer by Providing the Civil Service Officer with Payment of 50 Percent of the Health Care Premium in Exchange for a Release of any Potential Claim Against the County and/or its Officers and Employees made by Mrs. Lando and seconded by Mrs. Ferratella. Motion carries with the exception of **Legislators Booth and Mullen who were opposed**, Legislator Van Etten who abstained due to a personal conflict and Legislator Swackhamer who was absent.*

Chairman Hauryski announced that the AdHoc Office Space Committee will be meeting on Thursday, September 29, 2016, at 9:00 a.m. All legislators are strongly encouraged to attend.

Motion to Adjourn made by Mr. Maio, seconded by Mr. Van Etten and duly carried.

REGULAR MEETING
Morning Session
Monday, October 24, 2016
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 October, 2016, 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 Van Etten.

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

Chairman Hauryski asked Wendy Flaitz to come forward. Mrs. Flaitz is the Director of the Real Property Tax Service Agency. He presented her with a Certificate of Appreciation and a Plaque in recognition of her retirement with 41 years of service. *Congratulations!* Mrs. Flaitz stated that she would like to thank everyone. She has had a great career with the County and has loved it.

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

Harry Pierce, Lindley, stated he is here regarding his taxes. He has had his property in the forestry program for 34 years and over that period saved \$64,000. The Legislature passed legislation and now I owe \$147,000 in taxes. I have paid all but \$20,000. This year when I received my tax bill, it shows that I am paying a library tax on 400 acres of woodland property. Why should agricultural land be paying a library tax?

Kristin Klemenz, B & W Towing, Painted Post, stated that she has attempted to set up a meeting with Mr. Wheeler to discuss the towing RFP, however, he did not see that a meeting was necessary. I am very disappointed because the County has made one company the primary. For the last four or five years, no other companies have been called, except for the primary. This is the reason we asked for another RFP, because we thought the County wanted the smaller companies to thrive and be successful, but apparently not. You have eliminated the number one company for lightweight towing.

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

Mr. Gallagher introduced the Youth-In-Government Interns for the Fall 2016 semester.

Mr. Mullen commented that the September 26, 2016, minutes did not accurately reflect the vote on a motion regarding the settlement for the Personnel Officer. There were two opposed, himself and Legislator Booth.

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

Mr. Swackhamer stated that he thinks we need to review the way we run the Legislative meetings. He believes we have violated our Rules of Procedure. He requested that the Rules of Procedure be read so that we know what we can and cannot do during a meeting.

Chairman Hauryski stated the Clerk of the Legislature at different times over the year has had to correct me and I do need to do a better job with regard to what Mr. Swackhamer is referring to. He asked Ms. Mori to provide a review of the Rules of Procedure.

Ms. Mori stated that Rule 10 refers to the 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 the 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.

RESOLUTION NO. 154-16

Introduced by G. Swackhamer.

Seconded by R. Lattimer.

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

Pursuant to Section 2.07 of the Steuben County Charter.

RESOLVED, the Chairman of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of applications for correction of real property taxes levied on the parcels contained in Schedule "A"; and be it further

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to make the proper tax adjustment, and/or refund, with respect to the parcels contained in Schedule "A", as set forth in the approved applications, copies of which shall be forwarded to the taxpayer and collecting authority; and be it further

RESOLVED, as it appears to be in the best interest of the County to sell a portion of the property listed on Schedule "B" for the consideration offered, with the recited portion being an unopened alleyway approximately 20 feet in depth and 180 feet in length and situate between two parcels each bearing Tax Map No. 299.14-05-028.000, the Steuben County Commissioner of Finance is hereby authorized and directed to execute the necessary documentation to convey the recited parcel(s) to the grantee(s) upon receipt of the consideration indicated, pursuant to Real Property Tax Law §1166 and as approved by the Steuben County Finance Committee on August 9, 2016; 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 15, 2016, 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 of the date of this Resolution, to convey those parcels to the second highest bidder upon receipt of full payment from the second highest bidder, and said transfers made pursuant hereto be and the same hereby are ratified; and be it further

RESOLVED, the said grantee(s), previously recited in Schedules "B" and "C", 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 as upon the "Notice to Bidders and Terms of Sale 2016" as applicable; 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 of the appropriate municipality; 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; 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 grantee.

SCHEDULE "A"

Resolution No. A-1
 Name Village of Cohocton
 Parcel No. 043.17-01-066.000
 Municipality Cohocton Village
 Disposition Refund

Resolution No. A-2
 Name Wegmans Enterprises Inc.
 Parcel No. 317.08-01-066.000
 Municipality Corning City
 Disposition Court Ordered Refund - 2015

Resolution No. A-3
 Name Wegmans Enterprises Inc.
 Parcel No. 317.08-01-066.000
 Municipality Corning City
 Disposition Court Ordered Refund - 2016

Resolution No. A-4
 Name Terry and Patricia Cordes
 Parcel No. 225.00-01-072.000
 Municipality Town of Campbell
 Disposition Refund - 2015

Resolution No. A-5
 Name Terry and Patricia Cordes
 Parcel No. 225.00-01-072.000
 Municipality Town of Campbell
 Disposition Refund - 2016

SCHEDULE "B"

Resolution No. B-1
 Former Owner Unknown Owner
 In Rem Index No. 76932, Corrected Judgment filed November 1, 2012
 Parcel No. Portion of Parcel No. 299.14-05-034.000, approximately 20 feet in depth and 180 feet in length, situate between two parcels each bearing Parcel No. 299.14-05-028.000
 Municipality Town of Corning
 Grantee(s) Robert A. Morse
 Grantee(s) Address 3324 Charles Street, Corning, NY 14830
 Consideration \$405.00, inclusive of recording fees

SCHEDULE "C"

Resolution No. C-1
 Former Owner Terry, William E.
 In Rem Index No. Index No. 2014-1414CV, Judgement filed 05/09/2016
 Date of Tax Sale: July 15, 2016 (Sale No. 37)
 Parcel No. 299.16-01-046.000
 Municipality Corning City
 Highest Bidder Gerald Wray
 Highest Bidder's Address 36 Tuxill Avenue, Corning, NY 14830
 Consideration \$6,785.00, inclusive of buyer's premium & recording fees
 Second Highest Bidder Robert Lymber
 Second Highest Bidder's Address 4540 Pine Hill Road, Corning, NY 14830

Vote: Roll Call – Adopted.

RESOLUTION NO. 155-16

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE OCTOBER 24, 2016 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 19, 2016

Corning Community College – Re: Notification of the change in the county chargeback rate (\$2,912 per FTE) and an estimate of the total chargeback’s (Jan-Dec 2017: Operating \$2,625,979/Capital \$284,400). *Referred to: Human Services/Health & Education Committee; Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

September 22, 2016

Corning Community College – Re: **Revised** notification of the change in the county chargeback rate (\$2,910 per FTE) and an estimate of the total chargeback’s (Jan-Dec 2017: Operating \$2,616,090/Capital \$284,400). *Referred to: Human Services/Health & Education Committee; Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

NYS Homes and Community Renewal – Re: Monitoring visit for the New York State Community Development Block Grant (CDBG), Project #1115ED785-13 is scheduled for September 30, 2016 @ 8:30am. *Referred to: Amy Dlugos, Planning Director.*

Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and Gray Manufacturing Industries, LLC distribution of form RP-412-a and payment in lieu of tax agreement (PILOT Agreement). *Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.*

September 26, 2016

NYS Office for the Aging – Re: Fourth and Final Notification of Grant Award (NGA) for the federal fiscal year 2016 (FFY 2016) Nutrition Services Incentive Program (NSIP). *Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.*

NYS Board on Electric Generation Siting and the Environment – Re: Notice of extending deadline to September 30, 2016 to respond to comments on the preliminary scoping statement for the application of Baron Winds, LLC Wind Energy Project. *Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.*

September 29, 2016

NYS Homes and Community Renewal – Re: Notification of the Single Audit Fiscal Year period ending December 31, 2015 (Community Development Block Grant, Contract #1115HR65-11) is incomplete and follow up is needed within 30 days. *Referred to: Amy Dlugos, Planning Director; and Patrick Donnelly, Commissioner of Finance.*

NYS Empire State Development – Re: Copy of board resolution and approval from the New York State Department of Financial Services on the Steuben County Land Bank Corporation. *Referred to: Finance Committee; Patrick Donnelly, Commissioner of Finance; Alan Reed, County Attorney; and Mitchell Alger, Deputy County Manager.*

October 3, 2016

EverPower Wind Holdings, Inc. – Re: Responses on the comments from the preliminary scoping application for Baron Winds, LLC Wind Energy Project. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and Uncle Jacks Market & Deli, LLC distribution of form RP-412-a and payment in lieu of tax agreement (PILOT Agreement). ***Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.***

Harris Beach PLLC, Attorneys at Law – Re: First amendment tax agreement for Corning Properties, Inc. releasing three parcels of land (318.09-01-055.000/132 East Denison Parkway, 318.09-01-056.000/129 Chemung Street, and 318.09-01-058.000/137 Chemung Street) and the tax agreement for Riedman Purcell CH I LLC encumbering the three parcels of land previously listed. ***Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Flaitz, RPTSA Director; and Alan Reed, County Attorney.***

New York State Association of Counties – Re: Advisory notice published by the NYS Department of Labor concerning Solar Power Purchase Agreements which requires the payment of prevailing wages. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

October 4, 2016

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$2,985, which represents the August 2016 surcharge revenue for Steuben County. ***Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.***

October 5, 2016

NYS Department of Transportation – Re: Approval of the Supplemental Agreement #3 to Section 5311 Capital Master Grant Agreement (C003788 SA#3) in the amount of \$959,005. ***Referred to: Amy Dlugos, Planning Director; and Patrick Donnelly, Commissioner of Finance.***

Young/Sommer LLC, Counselors at Law – Re: Letter of correction to Section 2.31 of the Preliminary Scoping Statement (PSS) for Baron Winds LLC should indicate in the local laws the Town of Fremont, Steuben County. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

October 11, 2016

NYS Department of Public Service – Re: National Fuel Gas Distribution Corporation Proposed Rate Increase. ***Referred to: Filed with the Clerk of the Legislature, Brenda Mori.***

NextEra Energy – Re: Eight Point Wind Notice of Submission of Preliminary Scoping Statement. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

NYS Office of Children and Family Services – Re: Notification of approval for the Steuben County's Resource Allocation Plan (RAP) and Youth Bureau Narrative(s) for 2016. ***Referred to: Human Services/Health & Education Committee; Kathryn Muller, Commissioner of Social Services; and Bill Caudill, Youth Program Coordinator.***

October 12, 2016

NextEra Energy – Re: Notification of the Eight Point Wind LLC (Case No. 16-F-0062) preliminary scoping statement being filed with the Secretary of the Public Service Commission. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

October 13, 2016

Fox & Kowalewski, LLP, Attorneys & Counselors at Law – Re: Release of Public Improvement Lien on the Steuben County Landfill Cell No. #3 Expansion (Contract No. #1A, NY PW-13-070-B). ***Referred to: Alan Reed, County Attorney; Patrick Donnelly, Commissioner of Finance; and Vincent Spagnoletti, Commissioner of Public Works.***

Mr. Mullen asked for explanations for the September 22nd communication from Harris Beach specific to the Industrial Development Agency, and the October 13th communication from Fox & Kowalewski. Mr. Reed stated that correspondence from Fox & Kowalewski referenced the release of a lien on the Landfill Cell No. 3 Expansion. The correspondence from Harris Beach was in reference to a PILOT agreement with Gray Manufacturing Industries, LLC. Mr. Donnelly stated the PILOT is a standard agreement.

Vote: Acclamation – Adopted.

RESOLUTION NO. 156-16

Introduced by A. Mullen and G. Swackhamer.

Seconded by C. Ferratella.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT TWO DONATIONS FOR THE K9 PROGRAM.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the Steuben County Sheriff's Office has been offered a \$500 donation from Mrs. Mary Lou Butler in the memory of her late husband, Paul for the K9 Program; and

WHEREAS, the Steuben County Sheriff's Office has also been offered a \$300 donation from the NARFE Chapter 1294 for the K9 Program; and

WHEREAS, the donations totaling \$800 will be used for various purposes for the K9 Program.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Sheriff is hereby authorized to accept the donations totaling \$800 for the K9 Program; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 157-16

Introduced by A. Mullen and G. Swackhamer.

Seconded by G. Roush.

AUTHORIZING THE STEUBEN COUNTY EMERGENCY MANAGEMENT OFFICE TO ACCEPT A DONATION FROM GOODRICH AUTO WORKS FOR AUTO BODY REPAIRS TO THE FIRE INVESTIGATION BUS.

WHEREAS, the Steuben County Emergency Management Office was in need to replace an aging 1987 International Bus that was being used for the operations of the Fire Investigation Team; and

WHEREAS, the Steuben County Emergency Management Office recently acquired a used bus to replace the current 1987 fire investigation bus; and

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

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

NOW THEREFORE, BE IT

RESOLVED, that the Director of the Emergency Management Office be allowed to accept the donation of time and materials for the refurbishing of the Emergency Management Fire Investigation Bus by Goodrich Auto Works, in the amount of \$9,900; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Emergency Management Office and to Mr. Chris Goodrich at Goodrich Auto Works, 7225 Worth Rd. Bath, NY 14810.

Vote: Roll Call – Adopted.

RESOLUTION NO. 158-16

Introduced by C. Ferratella and G. Swackhamer.

Seconded by H. Lando.

AUTHORIZING THE ACCEPTANCE OF A DONATION FROM THE CANISTEO AMERICAN LEGION.

WHEREAS, the Steuben County Office for the Aging was recently presented with a restricted donation of \$2,100 from the Canisteo American Legion; and

WHEREAS, the conditions are designated for the construction of ramps with priority given to those residing in the Canisteo-Greenwood communities, and 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 \$2,100 into account number 677800 as revenue from account 43772850 and appropriate the same to expenditure line 5440526; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 159-16

Introduced by G. Swackhamer.

Seconded by R. Nichols.

CONFIRMING THE APPOINTMENT OF THE COMMISSIONER OF PUBLIC WORKS.

Pursuant to Section 10.00 of the Steuben County Charter.

WHEREAS, Vincent Spagnoletti of Hammondsport, New York, has been appointed by the County Manager as the Steuben County Commissioner of Public Works; and

WHEREAS, the Public Works Committee has recommended the Steuben County Legislature confirm said appointment.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature confirms the appointment of Vincent Spagnoletti of Hammondsport, New York as the Steuben County Commissioner of Public Works for a term of five (5) years; 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. 160-16

Introduced by B. Schu.

Seconded by G. Swackhamer.

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

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

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

NOW THEREFORE, BE IT

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

TITLE	STANDARD WORKDAY (HRS/DAY)	NAME	TIER 1 MEMBER	CURRENT TERM BEGINS/ENDS	ROA Result	ROA Not Submitted
Elected Officials						
District Attorney	7.5	Brooks T. Baker		01/01/16-12/31/19	13.38	
County Clerk	7.5	Judith M. Hunter		01/01/16-12/31/19	10.74	
Legislator, District 1	6.0	Randolph J. Weaver		01/01/16-12/31/19	4.5	
Legislator, District 6	6.0	Brian C. Schu		01/01/16-12/31/19	1.78	
Legislator, District 7	6.0	Aaron I. Mullen		01/01/16-12/31/19	0.74	
Legislator, District 8; Chairman	6.0	Joseph J. Hauryski		01/01/16-12/31/19	7.47	
Legislator, District 13; Vice Chair	6.0	Scott J. Van Etten		01/01/16-12/31/19	3.44	
Appointed Officials						
Assistant District Attorney, PT	6.0	Joan Merry		01/01/16-12/31/19	5.89	
Assistant District Attorney, PT	6.0	Michelle Cooke		01/01/16-12/31/19	8.3	
Assistant District Attorney, PT	6.0	Patrick F. McAllister		01/01/16-12/31/19	0	X
Medical Director, Public Health	6.0	Dennis O’Connor		01/01/16-12/31/19	1.33	
Assistant Public Defender, PT	6.0	Travis Barry		01/01/16-12/31/19	1.62	
Assistant Public Defender, PT	6.0	Terrance Baxter		01/01/16-12/31/19	2.31	
Assistant Public Defender, PT	6.0	Thomas Bowes		01/01/16-12/31/19	3.41	
Assistant Public Defender, PT	6.0	Peter Degnan		01/01/16-12/31/19	4.08	
Assistant Public Defender, PT	6.0	William Kelley		01/01/16-12/31/19	9.21	
Assistant Public Defender, PT	6.0	Thomas Stahr		01/01/16-12/31/19	7.24	
Conflict Defender	6.0	Brenda Aston		02/01/16-12/31/19	1.44	

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

Mr. Mullen commented that he believes we should set the standard workday at either 7.5 or 8 hours for everyone.

Vote: Roll Call – Adopted. Yes – 8137, No – 597, Absent – 1138.
(No – Legislator Mullen; Absent – Legislators Farrand and Van Etten)

RESOLUTION NO. 161-16

Introduced by B. Schu.

Seconded by G. Roush.

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 2017 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, 2016.

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 2017, shall be filed with the Clerk of this County Legislature on or before November 15, 2016, 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 2017, as herein filed, shall be held on November 28, 2016, 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.

RESOLUTION NO. 162-16

Introduced by B. Schu.

Seconded by H. Lando.

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 2016, for the Budget Year of 2017, for the Marsh Ditch Watershed Protection District shall be held on November 28, 2016 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. 163-16

Introduced by B. Schu.

Seconded by R. Nichols.

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 2016, for the Budget Year of 2017 for the Upper Five Mile Creek Watershed Protection District shall be held on November 28, 2016 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. 164-16

Introduced by B. Schu.

Seconded by H. Lando.

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 2016, for the Budget Year of 2017, for the Lamoka/Waneta Lakes' Protection and Rehabilitation District shall be held on November 28, 2016 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: Roll Call – Adopted.

RESOLUTION NO. 165-16

Introduced by G. Swackhamer.

Seconded by B. Schu.

ESTABLISHING THE 2017 ANNUAL SALARY FOR COUNTY LEGISLATORS AND THE CHAIRMAN OF THE COUNTY LEGISLATURE.

WHEREAS, the salaries proposed to be fixed and paid for the Year 2017 must be included in the Notice of Public Hearing on the Tentative Budget for the Year 2017; and

WHEREAS, the Finance Committee on October 11, 2016 reviewed and recommended that each Legislator's salary for the Year 2017 be set at \$12,500.00 per annum and \$20,000 per annum for the Chairman of the County Legislature.

NOW THEREFORE, BE IT

RESOLVED, that the annual compensation for the County Legislators shall be \$12,500.00 per annum and \$20,000.00 per annum for the Chairman of the County Legislature; and be it further

RESOLVED, that said annual rates of compensation shall be effective commencing January 1, 2017; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Clerk of the Legislature, Commissioner of Finance, Personnel Officer, and the members of the Steuben County Legislature.

Mr. Mullen stated he believes the salaries should be higher to attract more people to run. He especially thinks the Chairman's salary should be higher. How many hours does the Chair put in? Ms. Mori replied in a ten-day pay period, he puts in 7.5 days. Mr. Mullen commented that he thinks the Chairman is underpaid. The future Legislature should consider increasing the Chairman's salary.

Mr. Wheeler stated this was a proposal that he brought to the Administration Committee. The last raise the Legislature received was in 2007. Prior to that, raises were given every three to four years, and were in a much smaller amount. We did a study of comparable counties that had a population of 100,000 and a similar budget. The average salary is about \$12,500. He stated with all the work that you do, that is a lot of effort for that small salary. This increase is included in the proposed 2017 budget.

Mr. Maio stated that he echoes Mr. Mullen's comment, especially with regard to the Chairman's salary. This is always controversial. We may want to look at an auto mechanism. If we can agree, we could review the salary automatically every five years or so and have it indexed for the cost of living. That would take away the controversy.

Ms. Mori stated ten years ago we had looked at doing that, and there is no mechanism to do so. The salary has to be published in a public hearing notice. The only way to change is to take action in a Legislative meeting.

Mr. Wheeler stated we are limited in making it automatic, but this gives us a prompt to look at more often. You also increased your health insurance premiums. Right now your salaries are substantially lower than comparable counties. This change would be put you at the average.

Mrs. Ferratella stated she also echoes the others. Her comment about the Chairman's salary is that it is well deserved in light of everything that he has accomplished in the past four years. She appreciates that and would vote to increase the salary.

Vote: Roll Call – Adopted.

RESOLUTION NO. 166-16

Introduced by J. Hauryski.

Seconded by G. Roush.

DIRECTING THE CLOSING OF ALL STEUBEN COUNTY OFFICES ON FRIDAY, NOVEMBER 25, 2016.

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 Office, 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 25, 2016.

NOW THEREFORE, BE IT

RESOLVED, that this County Legislature declares November 25, 2016, 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 County 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: Acclamation – Adopted.

RESOLUTION NO. 167-16

Introduced by J. Hauryski.

Seconded by R. Lattimer.

SETTING THE DATE FOR THE DECEMBER 2016 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 2016, on Monday, December 19, 2016, 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.

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

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Roush, seconded by Mrs. Lando and duly carried.

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