

REGULAR MEETING
Morning Session
Monday, January 23, 2017
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 January, 2017, 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 Swackhamer.

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

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

Mr. Wayne Wells, Cameron, provided the Legislature with his opinions regarding the election of President Trump and his views on patriotism.

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

Dr. Katherine Douglas provided the Legislature with her 2017 State of College Address. She stated 2016 has been a great year. They received the largest gift from an individual; \$1 million from the estate of Professor Emeritus Walter R. Smith to endow the Visiting Scholar Series. Two new academic programs were introduced; Cybersecurity in August 2016 and Community & Public Health which was approved by SUNY in December 2016. Dr. Douglas stated that in January 2016, the Governor required all SUNY community colleges to form a regional council. We are part of the Southern Tier Regional Council which encompasses Broome, Corning, and Tompkins-Cortland. The council convened in May 2016 and our plan was approved in December 2016. As part of our plan, we are aligning ourselves with the Southern Tier Regional Economic Council.

Dr. Douglas announced the Governor has proposed the Excelsior Scholarship. This will provide free tuition at SUNY and CUNY two and four year institutions. In order to qualify, the family income must \$125,000 or lower. Additionally, the student must be full-time and carry 15 credits per semester. This proposal has yet to go through the Legislature.

Dr. Douglas stated they closed the Goff Road facility and brought all of those programs to Spencer Hill. Construction has started on the Health Education Center. The college will be celebrating its 60th anniversary in 2017. She would like to propose as part of the celebration, renaming the three primary classrooms buildings, Steuben, Chemung and Schuyler Halls. It makes sense to rename these buildings after the support the counties have given. You have contributed to the college for the past 60 years and we hope you will let us honor you in this way.

Secretary's Note: A copy of Corning Community College's 2016 Annual Report is on file in the Clerk of the Legislature's Office.

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

Mr. Nichols announced the birth of his 17th grandchild, Clark.

RESOLUTION NO. 001-17

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 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 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 to the grantees upon receipt of the consideration indicated, pursuant to Real Property Tax Law §1166 and as approved by the Steuben County Finance Committee on January 10, 2017; and be it further

RESOLVED, the said grantees, previously recited in Schedule "B", must accept the parcel "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 grantees.

SCHEDULE "A"

Resolution No.	<u>A-1</u>
Name	<u>Gerald E. Simmons, Sr. and Jr.</u>
Parcel No.	<u>369.00-02-037.000</u>
Municipality	<u>Town of Lindley</u>
Disposition	<u>Correction of Re-levy Error</u>

Resolution No.	<u>A-2</u>
Name	<u>Irving L. & Neva Jacobus</u>
Parcel No.	<u>078.20-01-040.200</u>
Municipality	<u>Town of Wayne</u>
Disposition	<u>Parcel Split</u>

Resolution No.	<u>A-3</u>
Name	<u>Terry & Patricia Cordes</u>
Parcel No.	<u>225.00-01-072.000</u>
Municipality	<u>Town of Campbell</u>
Disposition	<u>Correction of Acreage</u>

Resolution No.	<u>A-4</u>
Name	<u>John & Kathy Haight</u>
Parcel No.	<u>208.00-03-016.200</u>
Municipality	<u>Town of Campbell</u>
Disposition	<u>Parcel Split</u>

Resolution No.	<u>A-5</u>
Name	<u>Martin Ottenschot</u>
Parcel No.	<u>373.00-01-012.300</u>
Municipality	<u>Town of Caton</u>
Disposition	<u>Ordered adjustment - 2017 Tax Bill</u>

Resolution No.	<u>A-6</u>
Name	<u>Jonathan Webber</u>
Parcel No.	<u>082.00-03-034.000</u>
Municipality	<u>Town of Fremont</u>
Disposition	<u>Ordered adjustment - 2017 Tax Bill</u>

Resolution No. A-7
Name Steven Knowles
Parcel No. 259.00-01-022.100
Municipality Town of Thurston
Disposition Correction

Resolution No. A-8
Name Daniel & Deborah J. Stewart
Parcel No. 405.00-01-042.000
Municipality Town of Lindley
Disposition Correction

Resolution No. A-9
Name Sandra Jimerson
Parcel No. 166.00-01-017.120
Municipality Town of Hornellsville
Disposition Parcel Split

Resolution No. A-10
Name Bruce & Kathleen Taylor
Parcel No. 033.00-01-067.000
Municipality Town of Prattsburgh
Disposition Parcel Split

Resolution No. A-11
Name David R. Murray III & Leah Murray
Parcel No. 299.09-03-055.000
Municipality Town of Erwin
Disposition Correction

Resolution No. A-12
Name Loren & Maureen Smith
Parcel No. 066.00-01-028.100
Municipality Town of Dansville
Disposition Parcel Split

Resolution No. A-13
Name Robert L. & Maureen Fuller
Parcel No. 067.00-01-038.000 [sic 038.100]
Municipality Town of Dansville
Disposition Correction of Parcel ID Number

Resolution No. A-14
Name Robert L. & Maureen Fuller
Parcel No. 067.00-01-038.100
Municipality Town of Dansville
Disposition Parcel Split

Resolution No. A-15
Name Kimberly J. Kephart
Parcel No. 328.00-01-010.100
Municipality Town of Woodhull
Disposition Correction (Ag Land Exemption)

Resolution No. A-16
Name Shawn & Rebecca Guinnip
Parcel No. 310.00-01-001.200
Municipality Town of Woodhull
Disposition Parcel Split

Resolution No. A-17
Name William P. Brennan
Parcel No. 101.00-01-048.000
Municipality Town of Wheeler
Disposition Parcel Split

Resolution No. A-18
Name John & Gail Bryson III
Parcel No. 116.00-01-022.000
Municipality Town of Wheeler
Disposition Ordered adjustment - 2017 Tax Bill

Resolution No. A-19
Name Walter S. Smith & Stacey M. Plantz
Parcel No. 161.00-01-020.121
Municipality Town of Bath
Disposition Correction of Re-levy Error

Resolution No. A-20
Name Helen Chace
Parcel No. 306.00-01-027.110
Municipality Town of Jasper
Disposition Parcel Split

Resolution No. A-21
Name Daniel & Vanessa Spitulnik
Revocable Trust
Parcel No. 054.10-01-028.100
Municipality Town of Wayland
Disposition Ordered adjustment - 2017 Tax Bill

Resolution No. A-22
Name Frederick McAllister II & Diane
McAllister
Parcel No. 034.00-01-039.100
Municipality Town of Prattsburgh
Disposition Parcel Split

Resolution No.	<u>A-23</u>
Name	<u>Steven L. Jones</u>
Parcel No.	<u>144.00-02-028.200/2</u>
Municipality	<u>Town of Bath</u>
Disposition	<u>Correction after Consolidation</u>

SCHEDULE "B"

Resolution No.	<u>B-1</u>
Former Owner	<u>Laverne C. Henry</u>
In Rem Index No.	<u>2012-1440CV, Judgment granted April 29, 2014</u>
Parcel No.	<u>151.79-02-016.000</u>
Municipality	<u>City of Hornell</u>
Grantee(s)	<u>David Robert Smith & Patricia Anne Smith, as joint tenants with right of survivorship</u>
Grantee(s) Address	<u>84 Hill Street, Hornell, NY 14843</u>
Consideration	<u>\$2,825.00, plus recording fees of \$180.00</u>

Mr. Mullen abstained due to a client relationship.

Vote: Roll Call – Adopted. Yes – 8219; No – 0; Absent - \$1056; Abstained – 597
(Absent – Legislators Lattimer and Swackhamer; Abstained – Legislator Mullen)

RESOLUTION 002-17

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE JANUARY 23, 2017 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 9, 2016

Fluoride Tablet Settlement c/o A.B. Data, LTD. – Re: Notification of a settlement has been reached in a class action lawsuit involving the Multi-Vitamin with Fluoride Chewable Tablets made by Endo Pharmaceuticals Inc. and its subsidiaries. *Referred to: Alan Reed, County Attorney.*

December 12, 2016

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Fitzpatrick Holdings, Inc. PILOT (payment in lieu of tax) agreement and RP-412-a form for property located at 23-25 Riverside Drive, in the City of Corning. *Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Acting Director; and Alan Reed, County Attorney.*

NYS Office of the Attorney General – Re: Land Bank Community Revitalization Initiative Report. *Referred to: A.I.P. Committee; Patrick Donnelly, Commissioner of Finance; and Mitch Alger, Deputy County Manager.*

NYS Homes and Community Renewal – Re: Correspondence letter on the monitoring visit for the NYS CDBG Project # 1115ED785-13. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Homes and Community Renewal – Re: Notification of Steuben County being awarded \$750,000 as part of the 2016 Regional Economic Development Council (REDC) Consolidated Funding Application (CFA) round. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

December 14, 2016

NYS Homes and Community Renewal – Re: Notification of being awarded the New York State Community Development Block Grant (NYS CDBG Project #1115PR170-16) Economic Development/Small Business Program Award. *Referred to: A.I.P. Committee; Patrick Donnelly, Commissioner of Finance; and Amy Dlugos, Planning Director.*

December 16, 2016

New York State Board on Electric Generation Siting and the Environment – Re: Ruling on the Intervenor funding request for the Eight Point Wind, LLC wind energy facility. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

December 19, 2016

NYS Homes and Community Renewal – Re: Notification of being awarded the New York State Community Development Block Grant (Project #1115WS339-16) in the amount of \$85,000. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

Pro Act, Inc. – Re: Discount Utilization Report. *Referred to: Jack Wheeler, County Manager.*

December 27, 2016

NYS Department of Transportation – Re: Statewide Mass Transportation Operating Assistance (STOA) 4th quarter SFY 2016-2017 payment. *Referred to: Amy Dlugos, Planning Director.*

New York State Board on Electric Generation Siting and the Environment – Re: Fourth notice of availability of the pre-application intervenor funds and deadline for submitting funding requests for the Baron Winds, LLC wind energy facility. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

December 30, 2016

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 Steuben County Sheriff.*

January 3, 2017

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$2,560, which represents the November 2016 surcharge revenues for Steuben County. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

NYS Office for the Aging – Re: Notification of Grant Award (NGA) and approved application for the New York Connects Program for the period of October 1, 2016 through September 30, 2017. *Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.*

January 5, 2017

New York State Board on Electric Generation Siting and the Environment – Re: Ruling on the intervenor funding request for the Baron Winds, LLC wind energy facility. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

January 6, 2017

NYS Homes and Community Renewal – Re: Notification of the Federal Assistance Expenditure Form for the NYS Community Development Block Grant (NYS CDBG) needs to be submitted no later than February 28, 2017. *Referred to: Amy Dlugos, Planning Director and Patrick Donnelly, Commissioner of Finance.*

January 9, 2017

NYS Homes and Community Renewal – Re: Comprehensive Monitoring Report and a written response is needed on all findings within (30) days for the NYS Community Development Block Grant (NYS CDBG) project #1115HR65-11.
Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

NYS Homes and Community Renewal – Re: Comprehensive Monitoring Report and a written response is needed on all findings within (30) days for the NYS Community Development Block Grant (NYS CDBG) project #1115HR3-13.
Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 003-17

Introduced by K. Hanna.

Seconded by S. Maio.

APPOINTING A SECTION 3 COORDINATOR.

WHEREAS, certain projects undertaken with Federal funds are subject to Section 3 of the Housing and Urban Development Act of 1968 (12 USC 1701U); and

WHEREAS, Steuben County was recently awarded Community Development Block Grants (CDBG) which are subject to Section 3; and

WHEREAS, Section 3 requires that the County ensures that employment and other economic opportunities generated with CDBG funds, shall, to the greatest extent feasible be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns that provide economic opportunities to low- and very low-income persons; and

WHEREAS, the award of CDBG funds requires Steuben County to appoint a Section 3 Coordinator.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Deputy County Manager is hereby appointed the Section 3 Coordinator for Steuben County; and be it further

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

Mr. Mullen asked what is this for? Mr. Wheeler replied this is a requirement based on the Community Development Block Grant we received. We need to appoint someone to be the Compliance Officer and reporting entity for Section 3. This is required for the funding stream. There is no cost to do this. The next resolution, adopting a Labor Standards Compliance Officer, is again a requirement for funding.

Vote: Acclamation – Adopted.

RESOLUTION NO. 004-17

Introduced by K. Hanna.

Seconded by H. Lando.

APPOINTING A LABOR STANDARDS COMPLIANCE OFFICER.

WHEREAS, certain activities undertaken with New York State Community Development Block Grant (NYS CDBG) funding may require that the County comply with New York State Labor Law and/or Federal Labor Standards as required by the Davis-Bacon Act; and

WHEREAS, Steuben County was recently awarded NYS CDBG funding; and

WHEREAS, the award of such funds requires Steuben County to appoint a Labor Standards Compliance Officer.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Deputy County Manager is hereby appointed the Labor Standards Compliance Officer for Steuben County; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 005-17

Introduced by C. Ferratella.

Seconded by G. Roush.

AUTHORIZING A CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES.

WHEREAS, the County of Steuben is desirous to secure construction management services for the New Office Building/Records Storage project; and

WHEREAS, Steuben County has issued requests for proposals to obtain said services; and

WHEREAS, the Ad-Hoc Office Space Committee has recommended award to **WERTH CONSTRUCTION SERVICES, LLC** of **BINGHAMTON, NY** in the amount of **\$248,800.00**

NOW, THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby authorizes the County Manager to execute a contract with **WERTH CONSTRUCTION SERVICES, LLC** for construction management services in the amount of **\$248,800.00**; and be it further

RESOLVED, that these services will be paid for from the Office Space Utilization capital project; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 006-17

Introduced by G. Roush and S. Van Etten.

Seconded by H. Lando.

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a project for the Bridge Replacement (BIN 3333840) CR 66 over the Canisteo River in the Town of Hornellsville, County of Steuben, P.I.N. 6754.97("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, the County of Steuben desires to advance the Project by making an initial commitment of 100% of the federal and non-federal share of the costs of the Project.

NOW, THEREFORE, the Steuben County Legislature, duly convened does hereby

RESOLVE, that the Steuben County Legislature hereby approves the above-subject project; and it is further

RESOLVED, that the Steuben County Legislature hereby authorizes the County of Steuben to pay in the first instance 100% of the federal and non-federal share of the cost of Design and Right of Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$350,000 is hereby appropriated and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the County of Steuben shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation (NYSDOT) thereof; and it is further

RESOLVED, that the County Manager is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for federal-aid and/or non-federal aid on behalf of the County of Steuben with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs; and it is further

RESOLVED, that a certified copy of this resolution be filed with the NYSDOT Region 6 Planning Office, 107 Broadway, Hornell, NY 14843 by attaching it to any necessary agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

Mr. Weaver asked what bridge is this? Mr. Spagnoletti replied this is the bridge next to Simmons Rockwell in Hornell.

Vote: Roll Call – Adopted.

RESOLUTION NO. 007-17

Introduced by G. Roush and S. Van Etten.

Seconded by B. Schu.

AUTHORIZING THE TRANSFER OF FUNDS FROM THE FUTURE BRIDGE PROJECTS ACCOUNT TO THE COUNTY ROUTE 66 OVER CANISTEO RIVER BRIDGE PROJECT ACCOUNT.

WHEREAS, a project for the Bridge Replacement (BIN 3333840) CR 66 over the Canisteo River in the Town of Hornellsville, County of Steuben, P.I.N. 6754.97("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, the County of Steuben desires to advance the Project by making an initial commitment of 100% of the federal and non-federal share of the costs of the Project.

NOW, THEREFORE, the Steuben County Legislature, duly convened does hereby

RESOLVE, that the Steuben County Legislature authorizes the transfer of \$50,000.00 from the Future Bridge

Projects account (5120H0) to the County Route 66 over Canisteo River bridge project account (5120HF) in order to appropriate 100% of the federal and non-federal share of the total cost (equal to \$350,000.00) of Design and Right of Way Incidentals work for the Project, or portions thereof, and be it further

RESOLVED, that a certified copy of this resolution be filed with the Steuben County Department of Public Works and Finance Office.

Vote: Roll Call – Adopted.

RESOLUTION NO. 008-17

Introduced by G. Roush and S. Van Etten.

Seconded by K. Fitzpatrick.

AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO TRANSFER \$95,463.00 FROM VARIOUS CAPITAL PROJECT TO THE SCADA SYSTEM CAPITAL PROJECT.

WHEREAS, the Solid Waste Division is desirous of upgrading the SCADA System at the Leachate Pre-Treatment Facility on Turnpike Road; and

WHEREAS, the existing system was installed in 1996 and is no longer supported; and

WHEREAS, no additional funding is required for this project; and

WHEREAS, the Solid Waste Division needs to transfer \$64,804.92 from the Upgrade/Replace Scales Capital Project and \$30,658.08 from Pave/Fence Wayland Transfer Station to the SCADA System Capital Project; and

WHEREAS, the Public Works Committee and the Finance Committee of the Steuben County Legislature have authorized the transfer of funds from Upgrade/Replace Scales Capital Project and Pave/Fence Wayland Transfer Station Capital Project to the SCADA System Capital Project.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to make the following transfer:

- Decrease HL/EL7102.5250000 Upgrade/Replace Scales by \$64,804.92
- Decrease HL/EL7102.5250000 Pave/Fence Wayland Transfer Station by \$30,658.08
- Increase HL/EL6213.5250000 SCADA System by \$95,463.00

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 009-17

Introduced by Mr. Roush and S. Van Etten.

Seconded by R. Nichols.

AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO APPROPRIATE THE PAVEMENT GRINDER RENTAL REVENUE INTO THE PAVEMENT GRINDER REPAIR/REPLACEMENT CAPITAL PROJECT ACCOUNT.

WHEREAS, the County purchased a road grinder in 2012; and

WHEREAS, the County expects to continue renting the grinder to other municipalities; and

WHEREAS, the County is desirous of tracking in one account the road grinder's rental revenue from other municipalities; and

WHEREAS, the County is desirous of accounting for and paying for repairs from this same account; and

WHEREAS, the Public Works and Finance Committees of the Steuben County Legislature have approved the transfer of \$148,000 from the Pavement Grinder Rental Revenue account 5130 H2 4 2412000 and \$2,709.85 from the Minor Sales – Other account 5130 H2 42650000 to the Pavement Grinder Repair/Replacement Capital Project account 5130 H2 5 451912.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to appropriate \$148,000 from the Pavement Grinder Rental Revenue account 5130 H2 4 2412000 and \$2,709.85 from the Minor Sales – Other account 5130 H2 42650000 to the Pavement Grinder Repair/Replacement Capital Project account 5130 H2 5 451912; and be it further

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

Vote: Roll Call – Adopted. Yes – 7768; No – 1048; Absent – 1056
(No – Legislators Mullen and Weaver; Absent – Legislators Lattimer and Swackhamer)

RESOLUTION NO. 010-17

Introduced by B. Schu.

Seconded by H. Lando.

RECLASSIFYING A COMPUTER PROGRAMMER, GRADE XIV TO A COMPUTER SYSTEMS ANALYST, GRADE XV POSITION WITHIN THE STEUBEN COUNTY INFORMATION TECHNOLOGY DEPARTMENT.

Pursuant to Steuben County Charter Section 2.07.

WHEREAS, the position duties of the Computer Programmer align with the position title of Computer Systems Analyst as the work involves responsibility for reviewing, analyzing, troubleshooting, programming and developing specifications and documentation of changes to existing and new computer systems; and

WHEREAS, this position must assist with the operations in accordance with State and Federal guidelines and provide guidance on operational needs and deficiencies as the systems relate to State processes, promote efficiencies, maintain compliance and keep pace with advances in technology and systems; and

WHEREAS, a Computer Systems Analyst position more appropriately performs these duties; and

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

NOW THEREFORE, BE IT

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

Computer Programmer, Grade XIV (\$37,654-\$53,159) to
Computer Systems Analyst, Grade XV (\$39,510-\$55,777)

AND BE IT FURTHER RESOLVED, that the 2017 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 Director of Information Technology.

Vote: Roll Call – Adopted.

RESOLUTION NO. 011-17

Introduced by D. Farrand and B. Schu.

Seconded by G. Roush.

RECLASSIFYING A PART-TIME CONFLICT DEFENDER POSITION TO A FULL-TIME CONFLICT DEFENDER POSITION.

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

WHEREAS, there is a need to reclassify one Conflict Defender (PT) position within the County Manager's Office to a Conflict Defender (FT) Position; and

WHEREAS, the Administration Committee has approved reclassification of the position listed below.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following positions in Steuben County are reclassified as follows:

FROM: One (1) Conflict Defender (PT), Mgmt Grade E (\$37,500)

TO: One (1) Conflict Defender (FT), Mgmt Grade E (\$75,000)

AND BE IT FURTHER RESOLVED, the 2017 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 and the County Manager.

Vote: Roll Call – Adopted.

Motion Combining Resolutions 12 – 27 as one, and Waiving the Reading made by Mr. Mullen, seconded by Mrs. Lando and duly carried.

RESOLUTION NO. 012-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

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 Southern Tier Extension Railroad Authority Act to continue and strengthen the system of railroads serving Allegany, Cattaraugus, Chautauqua and Steuben Counties through the creation of a regional, public benefit corporation; and

WHEREAS, Section 2642-C of the Act requires the establishment of the Southern Tier Extension Railroad Authority; and

WHEREAS, the County Legislature is authorized to appoint three voting members to the Authority upon the recommendation of the Legislative Chair; and

WHEREAS, one members' term has expired.

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:

John V. Malter
Steuben County Legislator
P.O. Box 129
Perkinsville, NY 14529

Term: September 1, 2016 through August 31, 2019

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.

Vote: Acclamation – Adopted.

RESOLUTION NO. 013-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

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, 2017 – December 31, 2018

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. 014-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

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, 2017 through December 31, 2017

Joseph J. Hauryski, Chairman, Steuben County Legislature, 6301 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 Douglas, President, Corning Community College, 1 Academic Drive, Corning, NY 14830

January 1, 2017 through December 31, 2019

Michael L. Nisbet, 20 Bennett Street, Canisteo, NY 14823
Anthony Russo, Southern Tier Provisions, 6683 Route 54 S, 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 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 County Planning Director, James C. Johnson, Executive Director, Steuben County Industrial Development Agency, 7234 Route 54 N, PO 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. 015-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

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

James L. Allard, Steuben County Sheriff or Designee (*filling unexpired term of David V. Cole*)
Amy R. Dlugos, Steuben County Planning Director or Designee
Vincent Spagnoletti, Commissioner of Public Works or Designee
Jeffrey R. Spaulding, Corning City Police Chief or Designee (*filling unexpired term of Salvatore Trentanelli*)
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. 016-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

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, 2016.

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

James Webster, Chief, Bath VA

01/01/17 – 12/31/19

Joseph J. Dick, North Hornell

01/01/15 – 12/31/17

Brian J. McCarthy, Painted Post

01/01/15 – 12/31/17

Dan Smith, Hornell City Fire Chief

01/01/16 – 12/31/18

Volunteer Ambulance Representatives

Rick Andrews, Woodhull

01/01/16 – 12/31/18

Gregg Learned, Hammondsport

01/01/17 – 12/31/19

Paid Ambulance Representative

James Neary, AMR Ambulance (*formerly known as Rural Metro*)

01/01/17 – 12/31/19

Local Police Representative

Chad Mullen, Bath Village Police Chief

01/01/17 – 12/31/19

State Police Representative

Captain Eric Dauber, Bath Zone Commander

01/01/17 – 12/31/19

Sheriff Representative

James L. Allard, Sheriff

01/01/17 – 12/31/19

City Police Representative

Jeffrey Spaulding, Corning City Police Chief

(*filling unexpired term of Salvatore Trentanelli*)

01/01/16 – 12/31/18

City At-Large Representative

Shawn D. 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

Alternate: 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

01/01/17 – 12/31/19

Aaron I. Mullen, District 7

01/01/15 – 12/31/17

(filling unexpired term of Brian C. Schu)

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 Chad Mullen 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. 017-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

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, 2017 through December 31, 2019

1. Shawn Gardiner, President, Steuben County Corrections Officers, Dispatchers and Court Security Officers Unit
2. Carol A. Ferratella, Legislator
3. Hilda T. Lando, 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. Nathan Alderman, Personnel Officer (*filling the unexpired term of Nancy B. Smith*)

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. 018-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

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

Pursuant to Section 12.20 of the Steuben County Charter, and Chapters 907 and 908, Laws of 1984.

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

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

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature appoints the following persons as members of the Steuben County Alternatives to Incarceration Advisory Board for a three-year term commencing January 1, 2017 through December 31, 2019:

Honorable Joseph Latham
Steuben County Court Judge

Honorable Peter C. Bradstreet
Steuben County Court Judge

Honorable Marianne Furfure
Steuben County Surrogate Court Judge

Honorable Cathy P. Rouse-Nicholson
Local Court Judge

Brooks T. Baker, Esq.
Steuben County District Attorney

Philip J. Roche, Esq.
Steuben County Public Defender

Chairman or Designee
Public Safety & Corrections Committee

Alan P. Reed, Esq.
Steuben County Attorney

Jack K. Wheeler
Steuben County Manager

James L. Allard
Steuben County Sheriff

Cheryl Crocker, Director
Steuben County Probation

James Stewart
ATI Representative

Joseph Barody
ATI Representative

Craig Pomplas
ATI Representative

Sienna Evingham
Crime Victim

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

To be appointed by Chairman of
The Steuben County Legislature
Ex-Offender

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

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 019-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

APPOINTING MEMBERS TO THE COMMUNITY SERVICES BOARD AND SUBCOMMITTEES.

WHEREAS, vacancies exist on the Steuben County Community Services Board and Subcommittees; and

WHEREAS, Article 41.11 of the Mental Hygiene Law requires that said appointments be made by local government; and

WHEREAS, the County Manager has recommended the following appointments, subject to confirmation by the Steuben County Legislature:

Community Services Board

TERM

- | | | |
|----|--|---------------------|
| 1. | Cora Saxton
310 East Naples Street
Wayland, NY 14572 | 01/01/17 – 12/31/20 |
| 2. | Victoria Fuerst
7863 Miller Road
Avoca, NY 14809 | 01/01/17 – 12/31/20 |
| 3. | Mark R. Alger
109 Rumsey Street
Bath, NY 14810 | 01/01/14 – 12/31/17 |
| 4. | The Honorable Gary D. Swackhamer
Steuben County Legislator
67 N. Main Street
Hornell, NY 14843 | 01/01/14 – 12/31/17 |
| 5. | Gina Reagan
St. James Mercy Hospital
411 Canisteo Street
Hornell, NY 14843 | 01/01/14 – 12/31/17 |
| 6. | Doreen Patterson (<i>filling unexpired term of Mark Rectenwald</i>)
Arbor Development
26 Bridge Street
Corning, NY 14830 | 01/01/15 – 12/31/18 |
| 7. | George Basher (<i>filling unexpired term of Michael Morrongiello</i>)
Loyoloa Recovery Foundation
76 Veterans Avenue
Bath, NY 14810 | 01/01/16 – 12/31/19 |

8. Nancy Bartell
7 Pearl Street
Hornell, NY 14843 01/01/16 – 12/31/19
9. Robert Cole, M.D.
10101 Grandview Lane
Hammondsport NY 14840 01/01/16 – 12/31/19

Mental Health Subcommittee

1. Cora Saxton
310 East Naples Street
Wayland, NY 14572 01/01/17 – 12/31/20
2. Craig Pomplas
Steuben County Probation
3 East Pulteney Square
Bath, NY 14810 01/01/17 – 12/31/20
3. Kathryn Muller, Commissioner
Steuben County Department of Social Services
3 East Pulteney Square
Bath, NY 14810 01/01/14 – 12/31/17
4. Harmony Aries-Friedlander (*filling unexpired term of Barbara Eskridge*)
Family Service Society, Inc.
280 Princeton Avenue Ext.
Corning, NY 14830 01/01/14 – 12/31/17
5. Doreen Patterson
Arbor Development
26 Bridge Street
Corning, NY 14830 01/01/15 – 12/31/18
6. VACANT 01/01/15 – 12/31/18
7. Gina Reagan
St. James Mercy Hospital
411 Canisteo Street
Hornell, NY 14843 01/01/16 – 12/31/19
8. Lynn M. Goodwin
Pathways, Inc.
33 Denison Parkway East
Corning, NY 14830 01/01/16 – 12/31/19
9. Nancy Bartell
7 Pearl Street
Hornell, NY 14843 01/01/16 – 12/31/19

Chemical Dependency Subcommittee

1. Norman McCumiskey
Steuben Prevention Coalition
8 East Morris Street
Bath, NY 14810 01/01/17 – 12/31/20
2. George Basher
Loyola Recovery
76 Veterans Avenue
Bath, NY 14810 01/01/17 – 12/31/20
3. Ruth Goodwin (*filling unexpired term of Carly Cushing*)
Family Service Society, Inc.
280 Princeton Avenue Ext.
Corning, NY 14830 01/01/14 – 12/31/17
4. VACANT 01/01/14 – 12/31/17
5. Susan Hooker
Hornell Area Concern for Youth
76 East Main Street
Hornell, NY 14843 01/01/15 – 12/31/18
6. VACANT 01/01/15 – 12/31/18
7. James Bassage
Bath Area Hope for Youth
8 Pulteney Square
Bath, NY 14810 01/01/16 – 12/31/19
8. Gina Reagan
St. James Mercy Hospital
411 Canisteo Street
Hornell, NY 14843 01/01/16 – 12/31/19
9. Robert Cole, M.D.
10101 Grandview Lane
Hammondsport, NY 14840 01/01/16 – 12/31/19

Developmental Disabilities Committee

1. Matt Mehlenbacher
Steuben ARC
One Arc Way
Bath, NY 14810 01/01/17 – 12/31/20
2. Victoria Fuerst
7863 Miller Road
Avoca, NY 14809 01/01/17 – 12/31/20
3. Bernard Burns
Steuben ARC
One Arc Way
Bath, NY 14810 01/01/14 – 12/31/17

- | | | |
|----|--|---------------------|
| 4. | The Honorable Gary D. Swackhamer
Steuben County Legislator
67 N. Main Street
Bath, NY 14810 | 01/01/14 – 12/31/17 |
| 5. | Lynn M. Goodwin
Pathways, Inc.
33 Denison Parkway West
Corning, NY 14830 | 01/01/15 – 12/31/18 |
| 6. | Mark R. Alger
109 Rumsey Street
Bath, NY 14810 | 01/01/15 – 12/31/18 |
| 7. | VACANT (<i>unexpired term of Michael Okoniewski</i>) | 01/01/15 – 12/31/18 |
| 8. | Mary Perham
1976 West Shore Road
Bath, NY 14810 | 01/01/16 – 12/31/19 |
| 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. 020-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

APPOINTING MEMBERS TO THE EMPLOYEE ASSISTANCE PROGRAM ADVISORY COMMITTEE.

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 Member

Robin K. Lattimer

Management Members

Nathan Alderman

Amy R. Dlugos

Kimberly Jessup

Darlene 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. 021-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

APPOINTING THE STEUBEN COUNTY REPRESENTATIVE TO THE BOARD OF DIRECTORS OF THE FINGER LAKES TOURISM ALLIANCE, INC.

Pursuant to Section 12.20 of the Steuben County Charter, and Section 224 of the County Law of the State of New York.

BE IT RESOLVED, upon the recommendation of the Chairman of the Steuben County Legislature, **Coleen Fabrizi**, Executive Director of Corning's Gaffer District, be and the same hereby is appointed as the Legislature's representative to serve on the Board of Directors of the Finger Lakes Tourism Alliance, Inc., for a term of three (3) years commencing January 1, 2017 through December 31, 2019; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee at 114 Pine Street, Suite 202, Corning, NY 14830; the Steuben County Conference & Visitors' Bureau, Inc., 1 West Market Street, Baron Steuben Building, Suite 301, Corning, NY 14830; and Cynthia Kimble, Executive Director, Finger Lakes Tourism Alliance, Inc., 309 Lake Street, Penn Yan, NY 14527-1831.

Vote: Acclamation – Adopted.

RESOLUTION NO. 022-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

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, 2017 and ending December 31, 2018:

LEGISLATIVE MEMBER

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

NON-LEGISLATIVE MEMBERS

2. John Ford, 58 Maple Street, Addison, NY 14801
3. Dan Smith, 108 Broadway, Hornell, NY 14843
4. William Todd Hall, 226 Main Street, Painted Post, NY 14870
5. Joseph Dick, 306 First Street, Hornell, NY 14843
6. David M. Sereno, 4691 Colvin Hill Road, Woodhull, NY 14898
7. Brad Davies, 1 Civic Center Plaza, Corning, NY 14830
8. Douglas Heinemann, 8425 Jacobs Ladder Road, Avoca, NY 14809
9. Brian McCarthy, 3824 West Hill Road, Painted Post, NY 14870
10. William Waggoner, PO box 243, Cohocton, NY 14826
11. Evan Brown, 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. 023-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

APPOINTING STEUBEN COUNTY REPRESENTATIVES TO THE LAMOKA/WANETA LAKES COMMISSION.

WHEREAS, the counties of Steuben and Schuyler, and their respected affected townships, adopted resolutions creating the Lamoka/Waneta Lakes Protection and Rehabilitation District; and

WHEREAS, the management of said district is administered by the Lamoka/Waneta Lakes Commissioner comprised of seven (7) voting members and two (2) ex-officio non-voting members; and

WHEREAS, it is stipulated by Intergovernmental Agreement between Steuben and Schuyler County that five (5) voting members shall be from Schuyler County and two (2) voting members shall be from Steuben County, with each County being represented with an ex-officio non-voting member from their respective Soil and Water Conservation Districts; and

WHEREAS, all Commission members shall serve four-year staggered terms; and

WHEREAS, the term of a Steuben County appointee has expired and a vacancy has occurred.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Chairman of the Legislature, recommends the appointments of the following individuals to the Lamoka/Waneta Lakes Commission for the term specified:

Town of Wayne Elected Official

Dennis Carlson, Wayne Town Councilman
12182 East Lake Road
Hammondsport, NY 14840
Term: 01/01/17 – 12/31/20

Steuben County Property Owner in District

Nancy Gabel
9150 Carpenter Road
Wayne, NY 14893
Term: 01/01/15 – 12/31/18

Ex-Officio Member

Jeffrey Parker, District Manager
Steuben County Soil and Water Conservation District
415 West Morris Street
Bath, NY 14810

AND BE IT FURTHER RESOLVED, said members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Lamoka/Waneta Lakes Commission; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and the Schuyler County Legislature.

Vote: Acclamation – Adopted.

RESOLUTION NO. 024-17

Introduced by K. Hanna.

Seconded by S. Van Etten.

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 term indicated:

Steve Hoeffner 01/01/17 – 12/31/20
14 Florence Street, Hornell, NY 14843

William J. Phelps 01/01/17 – 12/31/20
9827 Canaseraga Road, Arkport, NY 14807

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 025-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

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 Director as staggered three (3) year terms; and

WHEREAS, the term for some Board members expired December 31, 2016.

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>
Michele Donegan, General Manager, Radisson Hotel, Corning	01/01/17 – 12/31/19
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
Ryan Doolittle, Tourism Sales Specialist, Corning Museum of Glass	01/01/17 – 12/31/19
Erin Rafalowski, Marketing Manager, Heron Hill Winery	01/01/15 – 12/31/17

Community-at-Large

Ronald F. Leonard, President, Keuka Lakeside Inn	01/01/17 – 12/31/19
Cameron Dunlap, Co-Owner, Best Western PLUS The Hammondsport Hotel <i>(filling unexpired term of Ken Mortensen)</i>	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 – 12/31/18
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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 the Executive Director of the Steuben County Conference and Visitors’ Bureau, Inc., 1 West Market Street, Baron Steuben Building, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 026-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

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

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

WHEREAS, vacancies have occurred on the committee.

NOW THEREFORE, BE IT

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

SOCIAL SERVICES

Teresa Stever, Deputy Commissioner
Department of Social Services

MENTAL HEALTH

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

HOUSING PROGRAM

Jennifer Wascher
Arbor Development

HEALTH

Lorelei Wagner, Public Health Educator
Steuben County Public Health

AGING PROGRAM

Patty Baroodly, Director
Office for the Aging

Christine Towner, RSVP Coordinator

EDUCATION

Dan Porter, Executive Director
CSS Workforce NY

COUNTY PLANNING

Amy R. Dlugos
Director of Planning

POVERTY PROGRAM

Laura Rossman, Executive Director
ProAction of Steuben and Yates

Amy Rusak, Deputy Director
ProAction of Steuben and Yates

YOUTH

Bill Caudill
Youth Bureau Coordinator

STEUBEN COUNTY LEGISLATOR

Hilda T. Lando, District #2

COOPERATIVE EXTENSION

Larkin Podsiedlik, Executive Director

BE IT FURTHER RESOLVED, that said appointees shall serve at the pleasure of the Legislature, for a two-year term commencing January 1, 2017 and not beyond December 31, 2018, and be it further

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

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 027-17

Introduced by J. Hauryski.

Seconded by S. Van Etten.

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, 2017 through December 31, 2017.

1. Mark R. Alger, 109 East Rumsey Street, Bath, NY 14810
2. Peter Bradstreet, Family Court Judge, 3 E. Pulteney Square, Bath, NY 14810
3. Amy L. Christensen, Legal Assistance of Western New York, 104 E. Steuben Street, Bath, NY 14810
4. Cheryl Crocker, Steuben County Probation, 3 E. Pulteney Square, Bath, NY 14810
5. Michael Eklar, Youth Member, Avoca, NY 14809
6. Lynn Lewis, Steuben County Community Services, 115 Liberty Street, Bath, NY 14810
7. Kathryn A. Muller, Steuben County Department of Social Services, 3 E. Pulteney Sq., Bath NY 14810
8. Kris Pashley, 27 Fero Avenue, Corning, NY 14830
9. Dustin Sable, Youth Member, Canisteo NY 14823
10. Cora Saxton, Wayland-Cohocton Central School District, 310 E. Naples Street, Wayland, NY 14572
11. Darlene Smith, Steuben County Public Health, 3 E. 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; Crystal Jones, NYS Office of Children and Family Services, Office of Youth Development, 52 Washington Street, Room 338 North, Rensselaer, NY 12144; the County Auditor and the County Youth Programs Coordinator.

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

REGULAR MEETING
Morning Session
Monday, February 27, 2017
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, in Bath, NY on Monday, the 27th day of February, 2017, 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, Hanna and Nichols.

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

Chairman Hauryski asked Joan Sutfin to come forward. Ms. Sutfin 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 Lori Longwell to come forward. Ms. Longwell is an employee in the Department of Social Services. He presented with her a Certificate of Appreciation and a clock in recognition of her retirement following 36 years of service to Steuben County.

Chairman Hauryski opened the floor for comments by the public.

Wayne Wells, Cameron spoke about his views on religion in government.

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

Mr. Swackhamer stated that he would like to thank everyone for their concern about his wife, Phyllis and they appreciate all the prayers and cards.

RESOLUTION NO. 028-17

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. A-1
 Name Joanne M. Tahirak
 Parcel No. 426.00-01-019.100
 Municipality Town of Caton
 Disposition Parcel Split

Resolution No. A-2
 Name Glenda S. Hoffman, Frances I. Hoffman
 Parcel No. 153.00-01-033.120
 Municipality Town of Howard
 Disposition Parcel Split

Resolution No. A-3
 Name Raymond H. Learn
 Parcel No. 311.00-01-044.200
 Municipality Town of Rathbone
 Disposition 2017 Correction of Error

Resolution No. A-4
 Name Alan and Margaret Skillman
 Parcel No. 047.00-01-023.000
 Municipality Town of Prattsburgh
 Disposition Parcel Split

Resolution No. A-5
 Name Christine L. Cole
 Parcel No. 311.00-01-044.100
 Municipality Town of Rathbone
 Disposition 2016 Refund / Error

Resolution No. A-6
 Name Christine L. Cole
 Parcel No. 311.00-01-044.100
 Municipality Town of Rathbone
 Disposition 2017 Correction of Error

Resolution No. A-7
 Name Timothy Scott
 Parcel No. 427.00-01-011.100
 Municipality Town of Caton
 Disposition 2017 Correction of Error

Resolution No. A-8
 Name Learn Family Trust
 Parcel No. 311.00-01-044.300
 Municipality Town of Rathbone
 Disposition 2015 Refund / Error

Resolution No. A-9
 Name Learn Family Trust
 Parcel No. 311.00-01-044.300
 Municipality Town of Rathbone
 Disposition 2016 Refund / Error

Resolution No. A-10
 Name Learn Family Trust
 Parcel No. 311.00-01-044.300
 Municipality Town of Rathbone
 Disposition 2017 Correction of Error

Resolution No. A-11
 Name Raymond H. Learn
 Parcel No. 311.00-01-044.200
 Municipality Town of Rathbone
 Disposition 2015 Refund / Error

Resolution No. A-12
 Name Raymond H. Learn
 Parcel No. 311.00-01-044.200
 Municipality Town of Rathbone
 Disposition 2016 Refund / Error

Resolution No. A-13
 Name Mary Ellen Ellis
 Parcel No. 092.00-01-025.120
 Municipality Town of Wayne
 Disposition 2017 Court Ordered Correction

Resolution No. A-14
 Name Gregory Bovee and Donna Stage
 Parcel No. 332.17-02-034.000
 Municipality Village of Addison
 Disposition 2017 Correction of Error

Resolution No. A-15
 Name David and Kenneth Young
 Parcel No. 024.00-01-038.110
 Municipality Town of Pulteney
 Disposition Parcel Split

Resolution No. A-16
 Name Wayne O. Hoffman, et.al.
 Parcel No. 153.00-01-038.000
 Municipality Town of Howard
 Disposition Parcel Split

Resolution No. A-17
Name Keith Hoffman
Parcel No. 153.00-01-033.110
Municipality Town of Howard
Disposition Parcel Split

Resolution No. A-18
Name William H. Ellsworth
Parcel No. 263.00-01-016.000
Municipality Town of Hornby
Disposition 2016 Correction of Error

Resolution No. A-19
Name William H. Ellsworth
Parcel No. 263.00-01-016.000
Municipality Town of Hornby
Disposition 2017 Correction of Error

Vote: Roll Call – Adopted.

RESOLUTION NO. 029-17

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE FEBRUARY 27, 2017 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 12, 2017

Cohocton Public Library – Re: Thank you letter for the County's continued support for public libraries. *Referred to: A.I.P. Committee; Finance Committee; and Jack Wheeler, County Manager.*

January 13, 2017

Joseph Pelych – Re: Request for assistance with the Assigned Counsel Program office expenses. *Referred to: Jack Wheeler, County Manager.*

January 17, 2017

NYS Governor's Traffic Safety Committee – Re: Approval of the 2017 DWI Plan. *Referred to: Public Safety & Corrections Committee; and Sheriff Allard.*

January 25, 2017

New York Site Board on Electric Generation Siting and the Environment – Re: Eight Point Wind, LLC ruling on intervenor funding request. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning*

January 26, 2017

NYS Office for the Aging – Re: Notification of Grant Award (NGA) for the 2017 federal fiscal year (FFY 2017) Nutrition Services Incentive Program (NSIP). *Referred to: Human Services/Health & Education Committee; and Patricia Baroody, OFA Director.*

Harris Beach, PLLC, 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 30, 2017

NYS Department of Taxation & Finance, Office of Real Property Tax Services – Re: Notice of 2017 Oil and Gas unit of Production Values. *Referred to: Wendy Jordan, Acting Real Property Director; and Patrick Donnelly, Commissioner of Finance.*

CSEA Employee Benefit Fund – Re: 2016 CSEA Employee Benefit Fund Annual Report. *Referred to: Filed with Clerk of the Legislature, Brenda Mori.*

February 1, 2017

NYS Office of the State Comptroller – Re: Notification of Steuben County being selected for an audit on the County Landfill. *Referred to: Public Works Committee; Vincent Spagnoletti, Commissioner of Public Works; Patrick Donnelly, Commissioner of Finance; Jack Wheeler, County Manager; and Brenda Mori, Clerk of the Legislature.*

February 3, 2017

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$2377, which represents the December 2016 retained surcharge revenues for Steuben County. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

February 6, 2017

NYS Homes and Community Renewal – Re: Fully executed agreement of the New York State Community Development Block Grant Project #1115PR170-16. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

February 8, 2017

Southern Tier Central Regional Planning & Development Board – Re: Request for Steuben County to help sponsor the Regional Leadership Conference scheduled on April 6, 2017 at Corning Community College in the amount of \$1,000. *Referred to: Joseph Hauryski, Steuben County Legislature Chairman.*

New York Site Board on Electric Generation Siting and the Environment – Re: Eight Point Wind, LLC ruling on intervenor funding request issued February 3, 2017. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

February 9, 2017

Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and the Gunlocke Company for Wednesday, February 22, 2017 at 10:00am at the Town of Wayland Courthouse, 17 North Main Street, Wayland, New York. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

February 10, 2017

New York State Office of the State Comptroller – Re: Notification of terminating the Steuben County Landfill audit covering the period beginning January 1, 2016. *Referred to: Steuben County Legislature; Public Works Committee; Vincent Spagnoletti, Commissioner of Public Works; Jack Wheeler, County Manager; and Brenda Mori, Clerk of the Legislature.*

February 13, 2017

NYS Homes and Community Renewal – Re: Correspondence letter on the response to the monitoring of the New York State Community Development Block Grant Project #1115HR65-11. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Homes and Community Renewal – Re: Correspondence letter on the response to the monitoring of the New York State Community Development Block Grant Project #1115HR3-13. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

Vote: Acclamation – Adopted.

RESOLUTION NO. 030-17

Introduced by S. Van Etten.

Seconded by H. Lando.

PRESENTING LOCAL LAW TENTATIVELY NO. ONE (1) FOR THE YEAR 2017, AUTHORIZING A PARTIAL EXEMPTION FROM TAXATION BY THE COUNTY OF STEUBEN FOR CERTAIN QUALIFYING MIXED USE REAL PROPERTY IN THE CITY OF CORNING PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW SECTION 485-N.

WHEREAS, the State of New York has adopted Section 485-N of the Real Property Tax Law; and

WHEREAS, Section 485-N of the Real Property Tax Law authorizes Counties to provide tax abatements for development and redevelopment of mixed use properties that are converted, created, modernized and rehabilitated and which are contained within a designated area; and

WHEREAS, Section 485-N of the Real Property Tax Law allows for abatements from taxes of the new improvements for a period of time; and

WHEREAS, the City of Corning has provided such targeted tax abatements to assist in revitalizing the City of Corning and spur economic activity to properties in the designated area and identified in Appendix “A” annexed hereto; and

WHEREAS, the County of Steuben believes it to be for the best interest of the City of Corning and its’ residents to provide such exemption to the properties identified in Appendix “A” annexed hereto.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. One (1) for the Year 2017, authorizing a partial exemption from taxation by the County of Steuben for certain qualifying mixed-use real property in the City of Corning pursuant to New York State Real Property Tax Law Section 485-N.

**COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2017**

A Local Law, Authorizing an exemption from taxation by the County of Steuben for certain qualifying mixed use property in the City of Corning pursuant to New York State Real Property Tax Law Section 485-N.

SECTION 1: LEGISLATIVE AUTHORITY

This Local Law is enacted pursuant to the authority conferred by New York State Real Property Tax Law Section 485-N.

SECTION 2: DEFINITIONS

As used in this Local Law, the following terms shall have the following meanings:

- (a) "Applicant" means any person obligated to pay real property taxes on real property for which an exemption from taxes under this section is sought.
- (b) "Benefit area" means the areas within the municipality to which an exemption applies pursuant to Local Laws previously adopted by such municipality specifically identified in Appendix “A”.

- (c) "Mixed-use property" means real property on which will exist, after completion of residential construction work or a combination of residential construction work and commercial construction work, a building or structure used for both residential and commercial purposes.
- (d) "Municipality" means the City of Corning located within Steuben County.
- (e) "Construction" work means the modernization, rehabilitation, expansion or other improvement of the portion of Mixed-use property.

SECTION 3: REAL PROPERTY TAX EXEMPTIONS

- (a) Mixed-use property that was converted, created, modernized, rehabilitated, expanded or otherwise improved, and which is located within the benefit areas designated by the municipality, shall be exempt from taxation and special ad valorem levies as provided hereinafter.
- (b) (i) For a period of twelve years following the approval of an application as hereinafter provided, the increase in assessed value of such property attributable to a conversion, creation, modernization, rehabilitation, expansion or other improvement shall be exempt as provided in subparagraph (b)(ii) of this section. Such exemption shall be computed with respect to the "exemption base." The exemption base shall be determined for each year in which there is an increase in assessed value so attributable from that of the previous year's assessed value.
- (ii) The tax exemption shall be computed as follows:

Year of exemption	Percentage of exemption
1 through 8	100% of exemption base
9	80% of exemption base
10	60% of exemption base
11	40% of exemption base
12	20% of exemption base

- (c) No such exemption shall be granted unless:
 - (i) Such conversion, creation, modernization, rehabilitation, expansion or other improvement was commenced subsequent to the date of the effective date of this local law; and
 - (ii) The cost of such conversion, creation, modernization, rehabilitation, expansion or other improvement exceeds the sum of ten thousand dollars (\$10,000.00) or such greater amount as may be specified by local law.
- (d) For the purposes of this section the term "conversion, creation, modernization, rehabilitation, expansion or other improvement" shall not include ordinary maintenance and repairs.
- (e) No such exemption shall be granted concurrent with or subsequent to any other real property tax exemption granted to the same improvements to the real property, except, where during the period of a previous exemption, payments in lieu of taxes or other payments were made to the municipalities in an amount that would have been equal to or greater than the amount of real property taxes that would have been paid on such improvements had such property been granted an exemption pursuant to this section. In such case, an exemption shall be granted for a number of years equal to the twelve year exemption granted pursuant to this section less the number of years the property would have been previously exempt from real property taxes.

SECTION 4: APPLICATION FOR EXEMPTION

- (a) The exemption provided for herein shall be granted only upon application by the owner of real property on a form prescribed by the Commissioner of the New York State Department of Taxation and Finance. Such application shall be filed with the Municipality's assessor on or before the appropriate taxable status dates of the municipality
- (b) If the assessor is satisfied that the applicant is entitled to an exemption pursuant to this local law, he or she shall approve the application and such real property shall thereafter be exempt from taxation and special ad valorem levies as provided herein commencing with the assessment roll prepared after the taxable status date occurring after the granting of the application.

(c) The assessed value of any exemption granted hereunder shall be entered by the assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.

SECTION 5: EFFECTIVE DATE

This local law shall be effective immediately upon filing thereof with the Secretary of State.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on March 27, 2017 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.

APPENDIX A

<u>Street Address</u>	<u>Tax Map Number</u>
343 W. Pulteney St.	299.19-03-011.000
207 West Pulteney St.	299.19-04-032.000
47 W. Pulteney St.	299.20-02-021.000
123 Baker St.	299.20-05-015.100
154 Wardell St.	299.15-01-072.000
375 Woodview Ave.	318.10-01-030.000
78 W. Second St.	317.52-01-055.000
138 Pine St.	318.09-02-033.000
143 Pine St.	317.12-02-018.000

Vote: Acclamation – Adopted.

RESOLUTION NO. 031-17

Introduced by R. Lattimer.

Seconded by C. Ferratella.

ADOPTING THE STEUBEN COUNTY COORDINATED PUBLIC TRANSIT – HUMAN SERVICES TRANSPORTATION PLAN 2017 UPDATE.

WHEREAS, the Steuben County Coordinated Public Transit – Human Services Transportation Plan has been prepared to comply with the regulations of the Federal Transportation Administration (FTA); and

WHEREAS, FTA programs require projects to be derived from such a locally developed and coordinated plan; and

WHEREAS, the Plan guides the funding of specific projects funded by the FTA under said programs; and

WHEREAS, the goal of the Plan is to improve transportation services for persons with disabilities, elderly people, those with low incomes, youth, and all citizens of Steuben County; and

WHEREAS, it is in the County’s interests to serve our citizens efficiently, cost effectively, and with minimal duplication of services.

NOW, THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby approves the Steuben County Coordinated Public Transit – Human Services Transportation Plan 2017 Update; and be it further

RESOLVED, transportation agencies operating in Steuben County may seek funding from FTA programs for local coordinated transit projects that carry out the intent of the Plan; and be it further

RESOLVED, as stated policy in the Steuben County Administrative Code, Steuben County operates its programs and services in accordance with Title VI of the Civil Rights Act of 1964, as amended, and 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 in Federal Transit Administration (FTA) Circular 4702.1.B.; and be it further

RESOLVED, a certified copy of this resolution shall be sent to the County Planning Director and Belinda Hoad, Steuben County Mobility Manager, at the Institute for Human Services, Inc., 50 Liberty Street, Bath NY 14810-1523.

Vote: Roll Call – Adopted.

RESOLUTION NO. 032-17

Introduced by S. Van Etten.

Seconded by B. Schu.

APPROPRIATING LOCAL REVENUE TO THE CAPITAL PROJECT FOR THE SENECA STREET BRIDGE.

WHEREAS, Steuben County Department of Public Works has established a capital project called “Seneca Street Bridge” account 5120HD; and

WHEREAS, the use of this capital project is to be used in the replacement of the Seneca Street Bridge; and

WHEREAS, the City of Hornell, Village of North Hornell and Town of Hornellsville contributed towards the local share to the capital project in the amount of \$48,016.00; and

WHEREAS, the Capital Project funds generated interest for the capital project in the amount of \$162.86; and

WHEREAS, the Finance Committee has approved the use of said funds for inclusion with the Seneca Street Bridge Capital Project.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance appropriate \$48,178.86 of Local Revenue funds within the Seneca Street Bridge Capital Project account 5120HD and appropriate the same to the project expenditure account; and be it further

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

Mr. Weaver asked is this a bridge that we already did? Mr. Spagnoletti replied yes, this bridge was done last year. This resolution and the next are for the bookkeeping.

Vote: Roll Call – Adopted.

RESOLUTION NO. 033-17

Introduced by S. Van Etten.

Seconded by Ms. Fitzpatrick.

AUTHORIZING THE CLOSING OF ONE (1) COMPLETED CAPITAL PROJECT ACCOUNT AND TRANSFERRING THE REMAINING FUNDS TO FUTURE BRIDGE PROJECTS.

WHEREAS, the Seneca Street Bridge Project has been completed and has a remaining balance; and

WHEREAS, it would be desirable to transfer the net balance from this project to the "Future Bridge Capital Projects" account 5120H0 45031900.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature, duly convened does hereby close the Seneca Street Bridge Capital Project account (5120HD);

AND BE IT FURTHER RESOLVED, that the remaining balance of \$60,598.97 from the Seneca Street Bridge Project, is hereby transferred to the "Future Bridge Capital Projects":

From: 5120HD 45031900	\$60,598.97
To: 5120H0 45031900	\$60,598.97

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 034-17

Introduced by S. Van Etten.

Seconded by H. Lando.

REQUESTING LEGISLATION FOR AN EXTENSION AUTHORIZING AN ADDITIONAL ONE PERCENT SALES TAX FOR STEUBEN COUNTY.

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, an increase in the rate of the Steuben County Sales and Use Tax from 3 percent to 4 percent for the period beginning December 1, 1992 through November 30, 2017 has heretofore been adopted; and

WHEREAS, it is necessary and desirable to avoid a disproportionate increase of the tax burden on real property owners; and

WHEREAS, the New York State Legislature could authorize the Steuben County Legislature to impose an additional one percent sales tax in order to equitably spread the need for additional revenues; and

WHEREAS, a necessity exists for the passage of such Legislation by the New York State Legislature.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby requests the New York State Legislature to adopt special legislation authorizing the Steuben County Legislature to establish an additional one percent sales tax for the period commencing December 1, 2017 through November 30, 2019; and be it further

RESOLVED, from said additional revenues for the period December 1, 2017 through November 30, 2019 the County of Steuben shall pay or cause to be paid to the City of Hornell the sum of \$780,000.00 to the City of Corning the sum of \$780,000.00, and in addition the sum of \$750,000.00 to the towns and villages of the County of Steuben, based on their respective equalized full value; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable John J. Flanagan, NYS Senate Republican Conference Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Independent Conference 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 E. Heastie, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 848 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 320 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Joseph A. Errigo, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; and Bruce Kastor, Esq., New York State Department of Taxation and Finance, W.A. Harriman Campus, Bldg. 9, Room 100, Albany, NY 12227-0125.

Mr. Mullen asked why is the information for the cities included? Mr. Wheeler replied that information needs to be included on the State bill and we need the cities agreement.

Mr. Mullen asked what is the purpose of the sales tax agreement? Mr. Wheeler replied that is for the 3 percent. The additional 1 percent is authorized every two years and that cannot be included on the sales tax agreement.

Ms. Fitzpatrick asked what was the increase to the cities? Are we not required to share with the towns and villages? Mr. Wheeler replied the cities saw a \$15,000 increase from \$769,000 from the previous two years to \$780,000 for the next two years. We are not required to share any with the towns and villages; however, historically we have.

Vote; Roll Call – Adopted.

RESOLUTION NO. 035-17

Introduced by G. Swackhamer.

Seconded by G. Roush.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO WITHDRAW THE AGREEMENT WITH THE TOWNS OF CAMERON, JASPER, TUSCARORA AND WOODHULL FOR THE USE OF A GRAVEL CRUSHER AND SCREEN.

WHEREAS, in 2007 the County entered into an Inter-governmental Agreement (IMA) with the Towns of Cameron, Jasper, Tuscarora, and Woodhull, collectively referred to as the (Towns), to jointly own, operate and maintain a gravel crusher and screen; and

WHEREAS, the IMA established a Trust and Agency (TA) account, 20865133, for machine maintenance to be managed by the County Finance Department; and

WHEREAS, it has been determined by the County that due to the increased age of the machine and increased maintenance costs it is no longer beneficial for the County to be a party to the IMA with the Towns; and

WHEREAS, the Commissioner of Public Works has met with the representatives of the Towns and has expressed his desire to withdraw from the IMA; and

WHEREAS, the Towns are in agreement with the County's decision to withdraw from the IMA and have the balance of TA 2085133 transferred to the Town that is designated as lead agency for the remaining parties; and

WHEREAS, it is the County's intent to withdraw from the Intergovernmental Cooperation Agreement for the gravel crusher and screen with the Towns of Cameron, Jasper, Tuscarora, and Woodhull.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is hereby authorized and directed to sever the County's interest in the joint ownership of the gravel crusher and screen with the Towns; and be it further

RESOLVED, the Director of Finance or his designee is authorized and directed to transfer the balance of TA20865133 to the Town that is designated lead agency for the remaining parties; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works; Director of Finance; Risk Manager and the Town Supervisors for the following Towns; Town of Cameron, PO Box 1932, Cameron, NY 14819; Town of Jasper, Drawer 10, Jasper, NY 14855; Town of Tuscarora, 1094 Gill Road, Addison, NY 14801; and Town of Woodhull, 1585 Academy Road, Woodhull, NY 14898.

Mr. Mullen commented the he is confused as to what is going on with this. On the one hand, the minutes reference that we are giving the crusher and money for maintenance, yet on the other hand, there are concerns about continuing to use the crusher. Are the towns continuing to use the crusher? He stated his concern is if they are selling the crusher and keeping the money, then this needs to be structured differently. Mr. Wheeler stated the intention is that the other towns will continue to use and maintain the crusher. The compromise is to let our bid for gravel so the towns can piggyback on it if they wish.

Mr. Spagnoletti stated we met with the towns last fall and told them we were considering withdrawing from the agreement. Every year each municipality has put money into a fund for the repair and maintenance of the machine. As part of the agreement, the money in that fund stays in the fund for the operation and maintenance of the crusher. Even though we are withdrawing, Jerry Miller and John

Eggleston will still be available to assist the towns. The towns understand what we want to do. The crusher is old and we can do the work for far less cost if we rent a new crusher.

Mr. Mullen asked are the towns planning to continue operating the crusher? Mr. Spagnoletti replied yes, they will continue to use it this year. He doesn't know how much longer they will continue to use it. We will rent a machine and subcontract it, and will include the towns in those bids if they would like to do that instead.

Vote: Roll Call – Adopted. Yes – 7454; No – 597; Absent – 1821.

RESOLUTION NO. 036-17

Introduced by J. Hauryski.

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 developed 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 comprised of seven (7) 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. **Betty and Patrick Monahan** – Patrick Monahan was born November 10, 1920 in Brooklyn, New York. He moved to Bath, New York following his honorable discharge from the U.S. Army after serving during World War II. During his tour of duty, he was assigned to the amphibious force attached to the U.S. Navy Atlantic Fleet. He was wounded twice and received numerous medals, including the Purple Heart. Both Patrick and Betty were active volunteers; she volunteering for 42 years, and he for 60 years at the Bath VA Hospital. Mr. Monahan was a member of the Disabled American Veterans from 1945 – 2011 and served as local commander from 1948 – 1985. He created the VA Wall of Fame, which was the first of its kind in the entire national Veterans Affairs system. Qualifications for induction are 10 years and 10,000 hours of community service. Among numerous recognitions, Mr. Monahan was inducted into the Bath VA Wall of Fame for his more than 22,000 hours of voluntary service. His wife, Betty also was recognized by the New York State Department of Veterans Administration Voluntary Services for her 10,000 hours of volunteerism and was posthumously inducted into the Bath VA Wall of Fame for her 42 years of service to the Bath VA. Patrick and Betty both received the James H. Park Achievement Award for their 20,000 hours of voluntary service with Veterans Affairs. Additionally, they both also received a Certificate of Merit from Senator John R. Kuhl, Jr. for their years of volunteer

service. In 2002, Mr. Monahan was honored as the Outstanding Disabled Veterans of the Year by the Veterans Administration Voluntary Services. In 2012, he was recognized as a "Hometown Hero" in Bath for his service during World War II. In 2009 the Jefferson Award Selection Committee recognized Mr. Monahan for his leadership efforts with senior citizens in Steuben County.

2. **Roy W. Robinson, M.D.** – Roy W. Robinson, M.D., affectionately known as Doc Robinson, was a family physician in Wayland, New York. He graduated from Hornell High School at the age of 15. He attended the University of Buffalo before being accepted into the University of Buffalo Medical School where he graduated on June 7, 1950. Following graduation, he married Marilyn Pfaff before beginning his internship at Millard Fillmore Hospital in Buffalo. Following his internship, he served two years in the U.S. Air Force based in Newfoundland. Upon his discharge from the Air Force in 1953, Doc Robinson came to Wayland to set up his private practice. Doc Robinson's medical career spanned 42 years during which time he delivered 2,258 babies. He officially retired in 1995, but continued to make house calls until 2005. Not only was he dedicated to his medical practice, he also believed in service to his community. He served as Steuben County Coroner from 1957 until 1969. He served as Health Officer for the Town and Village of Wayland for 25 years. He served as the Wayland Central School Health Officer for 35 years, and upon his retirement from that position, received a letter of thanks and congratulations for his years of service from Governor George Pataki. He was an active member of the Wayland Rotary Club from 1954 until 2009 and received the Paul Harris Award in recognition of his life spent in "Service Above Self". Doc Robinson was involved with the Boy Scouts for many years and in 1994 received the Thunderbird District "Good Scout" Award. In 2008, he received the "History Maker's Award" from the Wayland Library where he served as a member of the Board of Directors.

3. **Hannah Simpson Spencer** – Hannah Simpson Spencer was the daughter of Hernando C. Simpson and Charlotte Kinney. She married Adoniram Judson Spencer and they had six children. Mrs. Spencer was one of the first women to graduate Alfred University in 1864. She earned a license to practice medicine from the NYS Eye and Ear Infirmary and later opened a sanatorium in Jasper using electricity, baths and rest. Mrs. Spencer was the President of the Jasper Women Christian Temperance Union for 20 years and was also a member of the Woman's Missionary Society of the Canisteo River Baptist Association for 28 years.

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

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 037-17

Introduced by A. Mullen.

Seconded by G. Roush.

MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE IN SUPPORT OF THE JUSTICE EQUALITY ACT, BILL NO. A.1903

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 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 Legal 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 passed a bipartisan bill (A.10706/S.8114) which would require the State, not the Counties, to incrementally take over payment for such service; and

WHEREAS, Governor Cuomo vetoed this Bill on December 31, 2016; and

WHEREAS this Bill has been reintroduced in the Assembly as A.1903; and

WHEREAS, this systematic change provided by this Bill 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 The Justice Equality Act (Bill No A.1903) and enact this legislation; 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 Joseph A. Errigo, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248.

Vote: Acclamation – Adopted. (Legislator Mullen Opposed)

RESOLUTION NO. 038-17

Introduced by R. Lattimer.

Seconded by K. Fitzpatrick.

**MEMORIALIZING CONGRESSIONAL REPRESENTATIVES IN SUPPORT OF MINTING
COMMEMORATIVE COINS IN HONOR OF GLENN H. CURTISS.**

WHEREAS, local residents have championed an effort to have the United States Mint create commemorative coins in honor of Glenn H. Curtiss; and

WHEREAS, the United States Mint has a history of minting commemorative coins in honor of individuals who have been influential in technological innovation and industrial leadership; and

WHEREAS, Glenn H. Curtiss was a pioneer in the design and manufacturing of motorcycles and airplanes, earning the moniker as the “Father of Naval Aviation”; and

WHEREAS, the contributions of Glenn H. Curtiss provided tremendous benefit and advancement in society and his recognition is well-deserved.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby support the effort to have the United States Mint create commemorative coins in honor of Glenn H. Curtiss; and be it further

RESOLVED, that the Steuben County Legislature requests that Representative Tom Reed, Senator Charles Schumer, and Senator Kirsten Gillibrand support and endorse this effort; and be it further,

RESOLVED, that certified copies of this resolution shall be sent to 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.

Mr. Weaver asked once they mint a coin, what will happen? Mr. Wheeler explained a portion of any proceeds from the sale of the coin will go back to the Curtiss Museum.

Vote: Acclamation – Adopted.

RESOLUTION NO. 039-17

Introduced by B. Schu.

Seconded by G. Swackhamer.

**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 S1908 (Ritchie)/Assembly Bill A3397 (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 S1908 and New York State Assembly Bill A3397, 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 S1908 and Assembly Bill A3397; 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; the Steven J. Acquario, Executive Director, New York State Association of Counties, 540 Broadway #5, Albany, NY 12207; 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 Joseph A. Errigo, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Honorable Anthony Brindisi, New York State Assemblyman, 538 Legislative Office Building, Albany, NY 12248; and all counties in New York State encouraging them to enact similar resolutions.

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 Mrs. Lando, seconded by Mrs. Ferratella and duly carried.

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

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