

**REGULAR MEETING**  
**Morning Session**  
**Monday, May 23, 2016**  
**Legislative Chambers, Bath, New York**

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 23<sup>rd</sup> day of June, 2016, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present.

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

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

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

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

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

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

**RESOLUTION NO. 079-16**

Introduced by S. Van Etten.

Seconded by H. Lando.

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

Pursuant to Section 2.07 of the Steuben County Charter.

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

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

**RESOLVED**, that certified copies of this resolution contained in Schedule "A" shall be forwarded to the Director of the Steuben County Real Property Tax Service Agency and the Steuben County Commissioner of Finance, together with the approved applications executed in duplicate by the Chairman of the County Legislature, and the Chairman of the Board of Assessors of the appropriate municipality.

SCHEDULE "A"

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

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

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

**RESOLUTION NO. 080-16**

Introduced by J. Hauryski.

Seconded by G. Roush.

**RECEIVING AND ACCEPTING THE MAY 23, 2016 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY MANAGER'S OFFICE.**

**BE IT RESOLVED**, that the following communications were received, accepted and filed by the County of Steuben, and referred to the appropriate Standing Committee and/or Department Head for information and/or action, to wit:

**April 15, 2016**

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

**April 22, 2016**

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

**April 25, 2106**

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

**April 29, 2016**

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

**May 2, 2016**

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

**May 6, 2016**

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

**May 9, 2016**

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

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

**May 12, 2016**

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

**Vote: Acclamation – Adopted.**

**RESOLUTION NO. 081-16**

Introduced by D. Farrand.

Seconded by H. Lando.

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

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

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

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

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

**NOW THEREFORE, BE IT**

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

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

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

**SECTION 1: INTENT**

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

## **SECTION 2: RESIDENCY REQUIREMENT**

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

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

## **SECTION 3: EFFECTIVE DATE**

This local law shall become effective upon filing with the New York State Secretary of State.

**BE IT FURTHER RESOLVED**, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on June 27, 2016 at 10:00 A.M. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York; and be it further

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

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

**Vote: Acclamation – Adopted.**

### **RESOLUTION NO. 082-16**

Introduced by B. Schu and S. Van Etten.

Seconded by G. Roush.

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

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

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

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

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

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

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

**NOW THEREFORE, BE IT**

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

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

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

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

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 083-16**

Introduced by G. Swackhamer.

Seconded by R. Nichols.

**AMENDING THE COUNTY HIGHWAY MAP.**

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

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

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

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

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

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

**NOW THEREFORE, BE IT**

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

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

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 084-16**

Introduced by B. Schu and S. Van Etten.

Seconded by R. Weaver.

**AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS.**

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

**RESOLVED**, that the apportionment of tax on mortgages in the County of Steuben collected by the County Clerk from October 1, 2015 to March 31, 2016, pursuant to provisions of Section 261 of the Tax Law, as made by the Clerk of this Legislature be and the same hereby is ratified and confirmed, and the statement of such apportionment in compliance with the provisions of said Law, filed with the Commissioner of Finance of this County, is hereby and in all things ratified and confirmed and such statement shall be to the said Commissioner a sufficient Warrant for the payment by him of the various sums as apportioned for the various purposes as designed by Law; and be it further

**RESOLVED**, that the Clerk of this Legislature shall forward certified copies of this resolution to the Steuben County Commissioner of Finance, the Steuben County Real Property Tax Service Agency, and the Steuben County Clerk:

**MORTGAGE TAX APPORTIONMENT**

The amount of money in your hands on March 31, 2016, which was received by you from the County Clerk as taxes paid to her upon the real property mortgages filed in her office since October 1, 2015, the date of the last apportionment, and which must be distributed to the various tax districts of the County of Steuben, pursuant to Section 261 of the Tax Law, is the sum of \$576,899.16.

You are therefore commanded to pay the various towns and cities the amount placed opposite the name of said towns and cities and pay over to the various village officers the amount hereinafter stated to be the distributive amounts due said districts for village purposes, as follows:

**MORTGAGE TAX DISTRIBUTION - May 2016**

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

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

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

DATED at Bath, New York: May \_\_\_\_, 2016

STEBEN COUNTY LEGISLATURE

By: Joseph J. Hauryski, Chairman

I, Brenda K. Mori, Clerk of the County Legislature of Steuben County, DO HEREBY CERTIFY that the foregoing apportionment of Mortgage Tax, pursuant to Law, is correct.

DATED: May \_\_\_\_, 2016

\_\_\_\_\_  
Brenda K. Mori, Clerk of the Legislature

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 085-16**

Introduced by R. Lattimer.

Seconded by C. Ferratella.

**COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 7**

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

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

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

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

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

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

**NOW, THEREFORE, BE IT**

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

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

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

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

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

**Vote: Acclamation – Adopted.**

**RESOLUTION NO. 086-16**

Introduced by S. Van Etten.

Seconded by R. Lattimer.

**RATIFYING AND CONFIRMING THE NOTICE TO BIDDERS AND TERMS OF SALE 2016.**

Pursuant to the Steuben County Charter, Article II, Section 2.07.

**WHEREAS**, on March 28, 2016 the Steuben County Commissioner of Finance was authorized and directed to establish and publish the terms and conditions of the 2016 Delinquent Tax Auction; and

**WHEREAS**, on May 4, 2016 the Steuben County Commissioner of Finance did present the revised *Notice to Bidders and Terms of Sale 2016* to the Finance Committee of the County Legislature for review and approval; and

**WHEREAS**, on May 10, 2016 the said Finance Committee did unanimously approve the said revised *Notice to Bidders and Terms of Sale 2016*.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the revised *Notice to Bidders and Terms of Sale 2016* be and the same hereby is ratified and confirmed; and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 087-16**

Introduced by C. Ferratella and B. Schu.

Seconded by H. Lando.

**RECLASSIFICATION OF SENIOR ACCOUNT CLERK TYPIST, GRADE X POSITION TO A SUPERVISING CLERK, GRADE XI POSITION WITHIN THE OFFICE OF COMMUNITY SERVICES.**

Pursuant to Steuben County Charter Section 2.07.

**WHEREAS**, this Senior Account Clerk-Typist in the Office of Community Services performs higher level account keeping; and

**WHEREAS**, this Senior Account Clerk-Typist will have added duties of highly responsible clerical, account-clerical, and office management duties which require an extensive knowledge of specific department functions and applicable laws, rules, policies and procedures. This Senior Account Clerk-Typist will have direct supervision over the work of supporting clerical and account-clerical employees; and

**WHEREAS**, a Supervising Clerk position more appropriately performs these duties; and

**WHEREAS**, the Personnel Officer, the Human Services, Health and Education Committee and Administration Committee have reviewed said position within the Office of Community Services that requires a job title change and have approved the recommended change.

**NOW THEREFORE, BE IT**

**RESOLVED**, effective with the adoption of this resolution, the following position in the Office of Community Services is hereby reclassified as follows:

Senior Account Clerk-Typist, Grade X (\$31,880 to \$45,006) to  
Supervising Clerk, Grade XI (\$33,326 to \$47,047)

**AND BE IT FURTHER RESOLVED**, that the 2016 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

**RESOLVED**, a certified copy of this resolution shall be forwarded to the Commissioner of Finance, Personnel Officer, and the Office of Community Services.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 088-16**

Introduced by D. Farrand and B. Schu.

Seconded by S. Maio.

**RECLASSIFICATION OF TYPIST, GRADE IV POSITION TO A SENIOR TYPIST, GRADE VI POSITION WITHIN THE PROBATION DEPARTMENT.**

Pursuant to Steuben County Charter Section 2.07.

**WHEREAS**, this Typist in the Probation Department performs basic clerical work; and

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

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

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

**NOW THEREFORE, BE IT**

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

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

**AND BE IT FURTHER RESOLVED**, that the 2016 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

Mr. Swackhamer asked why are we doing so many reclassifications? Mr. Wheeler replied we are reaching a point where we are down staff; about 350 less than six years ago. The remaining staff is assuming more responsibility. The department heads have looked at these positions and asked Personnel to review. Personnel has done a thorough review and recommended the reclassifications. We are still money ahead and the remaining staff is performing higher level job functions.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 089-16**

Introduced by D. Farrand and B. Schu.

Seconded by G. Roush.

**RECLASSIFICATION OF TYPIST, GRADE IV POSITION TO A SENIOR TYPIST, GRADE VI POSITION WITHIN THE PUBLIC DEFENDER’S OFFICE.**

Pursuant to Steuben County Charter Section 2.07.

**WHEREAS**, this Typist in the Public Defender’s Office performs basic clerical work; and

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

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

**WHEREAS**, the Personnel Officer, the Public Safety Committee and Administration Committee have reviewed said position within the Public Defender’s Office that requires a job title change and have approved the recommended change.

**NOW THEREFORE, BE IT**

**RESOLVED**, effective with the adoption of this resolution, the following position in the Public Defender’s Office is hereby reclassified as follows:

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

**AND BE IT FURTHER RESOLVED**, that the 2016 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 090-16**

Introduced by D. Farrand and B. Schu.

Seconded by G. Roush.

**RECLASSIFICATION OF DEPUTY SHERIFF CORPORAL, GRADE XII POSITION TO A DEPUTY SHERIFF SERGEANT, GRADE XIII POSITION WITHIN THE SHERIFF’S OFFICE.**

Pursuant to Steuben County Charter Section 2.07.

**WHEREAS**, this Deputy Sheriff Corporal in the Sheriff's Office performs basic and more complex Law Enforcement work; and

**WHEREAS**, this Deputy Sheriff Corporal will have added duties of supervising the activities of Deputy Sheriffs on an assigned shift or in a certain geographical area of the county. The work is performed under the general supervision of the Sheriff and/or Undersheriff; and

**WHEREAS**, a Deputy Sheriff Sergeant position more appropriately performs these duties; and

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

**NOW THEREFORE, BE IT**

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

Deputy Sheriff Corporal, Grade XII (\$37,638 to \$58,143) to  
Deputy Sheriff Sergeant, Grade XIII (\$39,878 to \$60,299)

**AND BE IT FURTHER RESOLVED**, that the 2016 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

Mr. Weaver asked for an explanation. Mr. Wheeler replied after discussing with the Sheriff, the Sergeant title allows for more supervision of staff. The ultimate goal is to move away from Corporal positions. Undersheriff Allard commented the Corporal positions are doing the responsibilities of a Sergeant position and to keep those positions listed as Corporals would leave the department at a disadvantage.

**Vote: Roll Call – Adopted.**

#### **RESOLUTION NO. 091-16**

Introduced by D. Farrand and S. Van Etten.

Seconded by K. Fitzpatrick.

#### **AUTHORIZING THE SHERIFF TO ACCEPT A DONATION FROM THE WINEGLASS MARATHON.**

Pursuant to the Steuben County Charter, Article II, Section 2.07.

**WHEREAS**, the Sheriff provides patrols and security for the Wineglass Marathon every year; and

**WHEREAS**, the Wineglass Marathon has offered to provide bicycles and uniforms for two Road Patrol Deputies.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Sheriff hereby is authorized and directed to accept the donation of (2) bicycles and (2) uniforms, including (2) helmets; and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 092-16**

Introduced by D. Farrand and S. Van Etten.

Seconded by G. Swackhamer.

**AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A DONATION FROM THE FINGER LAKES SPCA, INC.**

Pursuant to the Steuben County Charter, Article II, Section 2.07.

**WHEREAS**, the Finger Lakes SPCA, Inc. has offered to provide all necessary items to outfit a new SPCA Deputy vehicle; and

**WHEREAS**, the Finger Lakes SPCA, Inc. has offered to donate equipment totaling \$5,000.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Sheriff hereby is authorized and directed to accept this donation; and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 093-16**

Introduced by D. Farrand.

Seconded by H. Lando.

**MEMORIALIZING THE GOVERNOR AND STATE LEGISLATURE IN SUPPORT OF BILL NO. S07209, ALLOWING FOR FLEXIBILITY IN OFF-HOUR ARRAIGNMENTS AT LOCAL COURTS.**

**WHEREAS**, the State's settlement of the *Hurrell-Harring* suit identified the presence of counsel at arraignments as a priority for the indigent defense system in New York; and

**WHEREAS**, with the vast geography and number of local courts in counties such as Steuben, makes achieving this goal, specifically in off-hours, unduly operationally and fiscally burdensome; and

**WHEREAS**, the New York State Senate has introduced Bill No. S07209, which broadens the jurisdiction of local courts to conduct off-hours arraignments in a few select locations, potentially on a rotating basis; and

**WHEREAS**, this bill would allow the County to partner with the County Magistrate's Association; County Bar Association and others to develop a plan that would improve the efficiency of arraignments.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Steuben County Legislature calls upon the Governor and State Legislature to support Bill No. S07209 and enact this legislation prior to the close of the current legislative session; and

**BE IT FURTHER RESOLVED**, that the Clerk of the Legislature shall forward copies of this resolution to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable John J. Flanagan, Senate Majority Leader, 330 State Capitol Building, Albany, NY 12247; Honorable Jeffrey Klein, NYS Senate Coalition Co-Leader, 913 Legislative Office Building, Albany, NY 12247;

Honorable Andrea Stewart-Cousins, Minority Leader, New York State Senate, 907 Legislative Office Building, Albany, NY 12247; Honorable Carl Heastie, Speaker, New York State Assembly, 522 Legislative Office Building, Albany, NY 12248; Honorable Joseph D. Morelle, Majority Leader, New York State Assembly, 926 Legislative Office Building, Albany, NY 12248; Honorable Brian M. Kolb, Minority Leader, New York State Assembly, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 415 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 723 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 439 Legislative Office Building, Albany, NY 12248; Honorable Bill Nojay, New York State Assemblyman, 527 Legislative Office Building, Albany, NY 12248; Honorable Patty Ritchie, New York State Senator, Legislative Office Building, Room 412, Albany, NY 12247; Honorable Anthony Brindisi, New York State Assemblyman, 538 Legislative Office Building, Albany, NY 12248; Honorable John Marren, President, InterCounty Association of Western New York, c/o Ontario County Board of Supervisors, Ontario County Office Building, 20 Ontario Street, Canandaigua, NY 14424; and Stephen J. Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, Albany, NY 12207.

**Vote: Acclamation – Adopted.**

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

*Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Farrand, seconded by Mr. Roush and duly carried.*

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