

REGULAR MEETING
Morning Session
Monday, April 27, 2020
Via Teleconference

The County Legislature of the County of Steuben convened in Regular Session via teleconference on the 27th day of April, 2020 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Scott J. Van Etten.

Roll Call and all members present.

Chairman Van Etten asked Mr. Swackhamer to lead the Invocation and Chairman Van Etten led the Pledge of Allegiance.

Secretary's Note: The minutes of the March 23rd Legislative Meeting had not been released as they were being held pending resolution of a settlement. These minutes will be presented for approval at the May Legislative Meeting

Mr. Wheeler stated Mrs. Smith is here to provide an update on Covid response. Mrs. Smith stated the numbers as of this morning we have 221 positive Covid cases. There are 236 individuals under isolation/quarantine. There are 10 individuals hospitalized. We have 49 positive Covid cases in our nursing homes. There have been 33 deaths in the County however, by the end of the day that number will be updated to reflect 35 deaths as she was just notified this morning of two additional deaths.

Mr. Roush asked do you have an estimate of how many have not been reported to be infected, or even dying? Mrs. Smith replied no. Honestly, we don't know what we don't know. I'm sure there are multiple individuals that have it and not know it, but if they were tested and came back positive, then I can say with relative certainty we would know that. We are also pretty on top of the deaths.

Mr. Swackhamer asked how are we determining what they died from; heart attack, virus, etc.? Mrs. Smith explained the guidance is saying if an individual is known to be a positive Covid case and they die, physicians and coroners are listing Covid as the cause of death. We sometimes question that as well, however, that is out of our hands. Guidance is saying if they are known to be Covid positive, then that is what is listed on the death certificate.

Mr. Horton asked with the 33 deaths, is any number known as to how many of those had DNR's? Mrs. Smith replied no, I don't have access to that information.

Mr. Van Caesele asked is there any record of the other causes of death in the County? Mrs. Smith replied generally on an everyday basis, we have that. My office receives all the death certificates in the county and we track that. The purpose of us receiving that information is for trending and tracking causes of death. Mr. Van Caesele stated he would be interested in seeing some of those other numbers since the beginning of the Covid crisis, to see the relationship. Mrs. Smith stated I can get that information and will send it out to the Legislators.

Mr. Maio asked before Covid, were there clusters of deaths in the nursing homes? Mrs. Smith replied no.

Mrs. Lando asked when people are being quarantined, where are they being quarantined? Mrs. Smith replied they are quarantined at their home. We have a combination of quarantines and isolation. The quarantines are those individuals that do not have symptoms and are waiting for test results. Mrs. Smith stated for individuals in isolation, she has a written mandatory isolation order. This means their test results have come back positive or that they are a contact or a member of the household of an individual testing positive. They are someone that has had close, sustained proximity and contact with an individual who has tested positive.

Ms. Lattimer asked with the 33 deaths, I'm guessing at least half are the nursing homes? Mrs. Smith replied 24 are nursing home deaths. There are two that we were just notified of this morning and they were also residents of nursing homes.

Mr. Mullen asked if Mrs. Smith had information about the antibody testing and if she could explain the requirement for reopening around the number of hospitalizations. Mrs. Smith explained the hospitalization rates need to stay at less than 10 new admissions over the past 10 days before the local hospitals can move forward with elective procedures. So far we have remained at less than 10 new hospitalizations over the course of 10 days. She stated with regard to antibody testing, this is still very new to our area. We were notified last week of a local physician who will be receiving 200 antibody testing kits tomorrow and wants to start. There are steps to that. These tests need to be approved through the Wadsworth Lab in Albany. I have not received the proof yet that those tests have been approved for this physician. This is very new and we have talked with regional Department of Health and they have indicated they are getting reports of pop-up providers wanting to do tests because it is billable. These tests need to be approved by Wadsworth and that approval needs to be demonstrated to us. We are going to see more and more of that as the days progress.

Mr. Van Etten asked has there been any data on people that have tested positive, gone through the 14-day isolation period, recovered and then relapsed? Mrs. Smith replied yes. We have had multiple individuals that met the criteria to be recovered and they tested positive again. When that occurs, the clock resets and they go back into isolation for another 14 days.

Mr. Van Caesele asked for those individuals with returning symptoms, do they normally have an immunity deficiency? Mrs. Smith replied she does not have that information.

Mr. Wheeler stated on the operational side, we are announcing today the continuation of the closure to most of our facilities to walk-ins until May 15th. This matches up to the Governor's Executive Order. We are talking with our departments and others about making sure we can address needs for walk-in appointments. We have been doing things by appointment since the beginning. He stated we have talked with the County Clerk about whether we can expand DMV hours between now and May 15th. We have been doing things by appointment and so far, so good. If there are any issues or questions, please let me know. The Governor's Executive Order prohibits us from exceeding our 50 percent of capacity in government facilities. We are status quo in terms of County operations.

Mr. Ryan asked when we do start letting people in, do we have protective screens for those areas where people come in contact? Mr. Wheeler replied yes, Buildings and Grounds have actively been working on that. We will have temperature checks and a supply of masks for people that come in if they don't have a mask.

Mr. Horton stated he has heard that DMV is telling private citizens that there is no by appointment. I know several people that are trying to get new plates and they can't do it. There are a couple of guys with CDL Class A licenses that are worried about their license running out and they have to come in to take an eye test in order to renew it and they don't want to be out of state and have their CDL expire. They are being told on the phone that it is dealer only and there are no appointments for private citizens. Mr. Wheeler stated we will work on that and work with Mrs. Hunter to address those concerns. Ms. Prossick stated her recollection is that the State shut down the DMV's and there are no appointments at all by State's Executive Order. Mr. Wheeler stated we would have to go back and look at that. Ms. Prossick commented licenses have not technically expired due to the Governor's Executive Order.

Mr. Van Caesele asked what is the outlook on reopening the County parks? Mr. Wheeler stated he reviews that Executive Order every five days and he thinks that review is coming up again in three days. He will talk with the Sheriff and Public Works to see what we can do there. He will keep the Legislators posted.

Mr. Van Etten stated as we go through the General Orders of the Day, please state your name when you second a motion. If we adopt the first resolution, during the acclamation vote, if you want to vote no, please state your name when we ask for the no votes.

A M E N D E D

RESOLUTION NO 084-20

Introduced by S. Van Etten.

Seconded by R. Lattimer.

SUSPENDING RULE 8 OF THE *RULES OF PROCEDURE* RELATIVE TO THE PROCEDURE ON ADOPTION OF RESOLUTIONS.

WHEREAS, NYS Governor Andrew Cuomo's Executive Order No. 202.1 allows for municipal governments to hold meetings via teleconference during the COVID-19 Pandemic; and

WHEREAS, holding meetings via teleconference has increased Legislators' attendance at all Standing Committee meetings, enabling them to participate in the discussion on issues requiring full Legislative approval prior to the monthly Legislative meeting, resulting in Legislative action on resolutions becoming more of a formality in process; and

WHEREAS, voting on resolutions before the Legislature by roll call vote during a meeting held via teleconference is cumbersome and causes significant delays in handling the Legislature's general orders of the day; and

WHEREAS, while some resolutions require a roll call vote for passage due to state or federal statute, the remaining resolutions require a roll call vote for passage according to the County's internal *Administrative Code*; and

WHEREAS, it is desirable to reduce the delays caused by roll call voting on resolutions where a roll call vote is not required by state or federal statute.

NOW, THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby suspends Rule 8 of the *Rules of Procedure* relative to the procedure on adoption of resolutions wherein those resolutions that require a roll call vote pursuant to a provision of the *Administrative Code* will be voted on by acclamation of the Legislature, however if a Legislator desires a roll call vote, then a roll call vote shall be taken; and be it further

RESOLVED, this suspension of Rule 8 of the *Rules of Procedure* is temporary and effective only during meetings of the full Steuben County Legislature held via teleconference for the length of the shutdown as ordered by the State of New York; and be it further

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

Mr. Mullen stated if we want a roll call vote can we request that? If so, he would like to amend the resolution to allow that if any Legislator desires a roll call vote, that we have a roll call vote.

Motion: Amending Resolution 084-20 to allow that if any Legislator desires a roll call vote, that a roll call vote be taken made by Mr. Mullen. Seconded by Mr. Van Caesele for discussion.

Mr. Maio asked don't Parliamentary Rules cover this? Ms. Mori replied generally in Robert's Rules of Order, if we cannot determine from the acclamation whether or not a resolution passed or failed, then you can require a roll call vote. Mr. Maio asked how many Legislators have to call for a roll call vote? Ms.

Prossick replied there would have to be a determination that we could not tell who was yes and who was no before that motion could be made. Mr. Maio asked who makes that determination? Ms. Mori replied we do. If I cannot determine whether or not the resolution passes, then we would do it that way. Usually, if you are going to vote against any resolutions by acclamation, as long as you state your name and that you are opposed, I should be able to determine it without having to go through the roll call. It is still technically a roll call vote, we are just not individually calling everyone's name. If you want to vote against a resolution, you just state opposed and your name.

Vote on Amendment – Roll Call - Adopted. Yes – 6082; No – 3790
(No: Legislators Lattimer, Malter, Nichols, Roush, Schu and Van Etten)

Vote: Roll Call - Adopted.

RESOLUTION NO. 085-20

Introduced by G. Swackhamer.

Seconded by F. Potter.

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, it being hereby determined that there is no practical method to enforce the collection of delinquent tax liens against the parcel(s) contained in Schedule "A", and it being further determined that there is no practical method to enforce the collection of tax liens arising hereafter against said parcel(s); the Steuben County Commissioner of Finance is authorized and directed to cancel the unpaid taxes against the property(ies) set forth in Schedule "A" pursuant to Real Property Tax Law §558; and be it further

RESOLVED, the Commissioner of Finance is further authorized to issue forthwith a Certificate of Prospective Cancellation for the recited parcel(s) contained in Schedule "A", as approved by the Finance Committee on April 14, 2020; and be it further

RESOLVED, the Commissioner of Finance shall file a copy of the recited certificate(s) with the assessor(s) of the respective assessing unit(s) in which the recited parcel(s) are located and with the Director of Real Property Tax Services; and upon the filing as directed such parcel(s) shall become and be exempt from further taxation, and be it further

RESOLVED, that certified copies of this resolution contained in Schedule "A" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District.

SCHEDULE "A"

Resolution No. A-1
Name Burton Ketch
Parcel No. 158.07-01-036.000
Municipality Village of Bath
Disposition Cancellation of Void Town and
County Taxes: 2019-2020. Issue
Certificate of Prospective
Cancellation.

Resolution No. A-2
Name Burton Ketch
Parcel No. 158.07-01-038.000
Municipality Village of Bath
Disposition Cancellation of Void Town and
County Taxes: 2019-2020. Issue
Certificate of Prospective
Cancellation.

Resolution No. A-3
Name Emett D. Hees
Parcel No. 099.19-01-008.000
Municipality Village of Avoca
Disposition Cancellation of Void Town and
County Taxes: 2015-2020. Issue
Certificate of Prospective
Cancellation.

Vote: Roll Call – Adopted.

RESOLUTION NO. 086-20

Introduced by S. Van Etten.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE APRIL 27, 2020 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY MANAGER'S OFFICE.

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

March 13, 2020

NYS Board on Electric Generation Siting and the Environment – Re: Ruling requiring continued access to real property information for the Canisteo Wind Energy LLC Project (Case#16-F-0205). ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

March 18, 2020

NYS Board on Electric Generation Siting and the Environment – Re: Order granting certificate of environmental compatibility and public need, with conditions for the Canisteo Wind Energy LLC Project (Case#16-F-0205). ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

March 20, 2020

Town of Dansville – Re: Nomination for the Ad Hoc siting board for the EDF Renewables Development, Inc. (Moraine Solar) project. ***Referred to: A.I.P. Committee; Amy Dlugos, Planning Director and Jack Wheeler, County Manager.***

Stantec – Re: Petition of Baron Winds LLC for an Amendment to the Certificate of Environmental Compatibility & Public Need for the Baron Winds Project (THUMBDRIVE) Case#15-F-0122. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

March 25, 2020

NYS Department of Environmental Conservation – Re: Status update for the study area (#851046) for property located in Corning, NY. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

NYS Board on Electric Generation Siting and the Environment – Re: Notice extending comment deadline for the EDF Renewables Development, Inc. (Moraine Solar) project (Case#18-F-0498). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

A.B. Data, LTD. – Re: Legal notice in a class action lawsuit by INSYS Therapeutics Inc. and its subsidiaries. *Referred to: Jennifer Prossick, County Attorney.*

April 20, 2020

Legislator Aaron Mullen, District #7 – Re: Correspondence on Enforcing the Pause Act. *Referred to: Steuben County Legislature; Sheriff Allard; Brooks Baker; District Attorney; Jennifer Prossick, County Attorney; and Jack Wheeler; County Manager.*

Vote: Acclamation – Adopted.

RESOLUTION NO. 087-20

Introduced by G. Swackhamer.

Seconded by H. Lando.

EXTENDING THE INCREASE OF THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.

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

Section 1. The first sentence of section two of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after March 1, 1972, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992 and ending November 30, 2023, there is hereby imposed and there shall be paid an additional tax of one percent upon:

Section 2. Subdivision (g) of section three of Resolution 321 as enacted in 1967, as amended, is amended to read as follows:

(g) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992, and ending November 30, 2023, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in said subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992 any transaction, which may not be subject to the additional tax, imposed effective on that date.

Section 3. Section four of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

SECTION 4. Impositions of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of

any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2023, the tax shall be at the rate of four percent, and on and after December 1, 2023, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of sub-clause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2023, the tax shall be at the rate of four percent, and on and after December 1, 2023 the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of sub-clause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2023, the tax shall be at the rate of four percent, and on and after December 1, 2023, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2023, the tax shall be at the rate of four percent, and on and after December 1, 2023, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2023, the tax shall be at the rate of four percent, and on and after December 1, 2023, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

Section 4. Subdivision (k) of section six of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by Sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992, and ending November 30, 2023.

Section 5. Paragraph (B) of Subdivision one of section eleven of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992, and ending November 30, 2023, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

Section 6. Subdivision (d) of section fourteen of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

(d) Notwithstanding any provision of law or this resolution to the contrary, of the net collections received from the additional one percent rate of sales and compensating use taxes imposed, respectively, by sections two and four of this resolution during the period beginning December 1, 2020 and ending November 30, 2023, the County shall annually pay or cause to be paid to the City of Hornell the sum of seven hundred eighty thousand dollars (\$780,000.00), to the City of Corning the sum of seven hundred eighty thousand dollars (\$780,000.00), and the sum of seven hundred fifty thousand dollars (\$750,000.00) to the towns and villages of the County, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area. The remainder of the net collections received from such additional one percent rate of sales and compensating use taxes imposed during such period shall be set aside for County purposes and shall be available for any County purpose.

Section 7. This resolution shall take effect December 1, 2020.

Section 8. Certified copies of this resolution shall be forwarded to Deborah R. Liebman, Esq., Deputy Counsel, New York State Dept. of Taxation and Finance, W. A. Harriman Campus, Building 9, Room 123, Albany, NY 12227-0125; Rossana Rosado, Secretary of State, Office of the Secretary of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231; Thomas P. DiNapoli, Comptroller, Office of the State Comptroller, 110 State St., Albany, NY 12236; Judith M. Hunter, County Clerk; Jack K. Wheeler, County Manager; Tammy Hurd-Harvey, Commissioner of Finance; and Jennifer K. Prossick, County Attorney.

Vote: Roll Call – Adopted.

RESOLUTION NO. 088-20

Introduced by C. Ferratella and G. Swackhamer.

Seconded by F. Potter.

ACCEPTING AND APPROPRIATING THE COVID-19 RESPONSE GRANT.

WHEREAS, the New York State Department of Health is administering funds relative to COVID-19 Response; and

WHEREAS, the threat of COVID-19 disease is a top national public health priority; and

WHEREAS, these awards are to be used for COVID-19 Response, Recovery, Information Management, Countermeasures & Mitigation, Surge Management and Bio-surveillance; and

WHEREAS, Public Health & Nursing Services has been awarded a COVID-19 Response Grant in the amount of \$158,307.00; and

WHEREAS, these funds will be used to comply with existing and future guidance from the U.S. Secretary of Health & Human Services regarding control of the spread of COVID-19.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to accept \$158,307.00 as revenue and appropriate that amount in the 2020 Public Health Budget as follows:

403000	4 4401900	COVID 19 Response	\$158,307
403000	5 1900003	Overtime-RNs	\$40,000
403000	5 420100	Medical Supplies	\$37,855
403000	5 420400	LPN/RN	\$50,000
403000	5 420410	LPN/RN Mileage	\$3,000
403000	5 446460	Administration	\$14,392
403000	5 479100	Volunteer Travel & Other Expenses	\$10,000
403000	5 830000	Social Security	\$3,060

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 089-20

Introduced by G. Swackhamer.

Seconded by H. Lando.

AUTHORIZING A CONTINGENT FUND TRANSFER TO COVER EXPENSES RELATED TO THE COUNTY'S RESPONSE TO THE COVID-19 PANDEMIC.

Pursuant to Section 2.07 of the Steuben County Charter.

WHEREAS, the County Budget currently has no amount of money budgeted for the costs associated with the County's response to the COVID-19 pandemic; and

WHEREAS, the County Budget does have monies for said anticipated costs available in the Contingent Fund; and

WHEREAS, the Finance Committee has approved a \$50,000.00 transfer from the Contingent Fund to cover expenditures related to these pandemic costs.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to adjust the following accounts in the 2020 budget:

ACCOUNTS:

Account 199000 5499000 Contingent Expenditures (\$50,000.00)

Account 403000-5420110 COVID-19 Medical Supplies, Non-routine	\$20,000.00
Account 403000-5416000 COVID-19 Supplies & Materials	\$20,000.00
Account 403000-5472008 COVID-19 Comm Disease Inv Meals +	\$10,000.00

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 090-20

Introduced by R. Lattimer.

Seconded by F. Potter.

ACCEPTING A COMMUNITY DEVELOPMENT BLOCK GRANT.

WHEREAS, the Legislature authorized the County Planning Department to submit an application for a Community Development Block Grant (CDBG) on November 25, 2019; and

WHEREAS, the County has been awarded Grant 1115HR339-19 for \$500,000 as a result of said application; and

WHEREAS, the grant will address the need for well and septic repairs; water and sewer later hookups; and mobile home replacements for low-income homeowners; and

WHEREAS, the County will use Arbor Housing and Development of Corning, NY as a sub-recipient to implement the projects funded by this grant; and

WHEREAS, the Agriculture, Industry, and Planning Committee approved acceptance of said grant at its April 1, 2020 meeting.

NOW THEREFORE, BE IT

RESOLVED, the Planning Director is hereby authorized to sign the grant agreement; and be it further

RESOLVED, the Planning Director is hereby authorized to sign any other necessary documents to implement said grant; and be it further

RESOLVED, the Commissioner of Finance is authorized to appropriate grant funds in the following accounts:

898900 5 440410	\$486,000.00	
898900 4 4789000	\$486,000.00	
802000 4 4789000	\$14,000.00	; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 091-20

Introduced by J. Malter and G. Swackhamer.

Seconded by T. Ryan.

ACCEPTING A TRAFFIC EDUCATION MOBILE EXHIBIT GRANT FROM STATE FARM.

WHEREAS, State Farm is awarding the Sheriff's Office \$24,750 in grant funding; and

WHEREAS, these grant funds must be used for a mobile exhibit program on driving safely.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff is hereby authorized to accept said grant funds in the amount of \$24,750 and execute any documentation to effectuate the receipt of the funds; and be it further

RESOLVED, the Commissioner of Finance is authorized to deposit the grant funds into Account 311000-42705000 "Gifts & Donations"; and be it further

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

Mrs. Lando asked if we approve this, when will it be up and running? Undersheriff McNelis replied it will probably take about a year, hopefully a little less. This will be customized construction. We hope to acquire a plan from Otsego County who has the Amy Stock trailer and are waiting on information from them and will hopefully move that process along. Mrs. Lando stated she would encourage the Sheriff to work with the Prevention Coalition and it would work really well if the two groups would put their heads together. Undersheriff McNelis stated absolutely.

Vote: Acclamation – Adopted.

RESOLUTION NO. 092-20

Introduced by J. Malter and G. Swackhamer.

Seconded by K. Fitzpatrick.

ACCEPTING A MATCHING GRANT FOR LIVSCAN EQUIPMENT FROM DCJS.

WHEREAS, the Division of Criminal Justice Services (DCJS) is awarding the Sheriff's Office \$30,000 in matching grant funding; and

WHEREAS, DCJS requires that these grant funds be used to purchase/upgrade Livescan Digital Fingerprint equipment at the Sheriff's Office; and

WHEREAS, the Sheriff's Office will address the \$30,000 matching funds in its 2021 Budget.

NOW THEREFORE, BE IT

RESOLVED, the Sheriff is hereby authorized to accept the \$30,000 in granting funding and execute any required documentation for its acceptance; and be it further

RESOLVED, the Commissioner of Finance is authorized and directed to accept the \$30,000 upon receipt and deposit the same into 311000-5290000; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 093-20

Introduced by B. Schu.

Seconded by G. Roush.

AMENDING THE BROADBAND EXPANSION STUDY INTER-MUNICIPAL AGREEMENT.

WHEREAS, Steuben County, as a founding partner of the Southern Tier Network (STN), has entered into an inter-municipal agreement with the partner counties of Schuyler, Yates and Tioga to participate in a joint study, led and coordinated by STN, to examine gaps in broadband availability and to develop operational and funding options for the provision of broadband services throughout the region; and

WHEREAS, Chemung County wishes to participate in this study as well; and

WHEREAS, including Chemung County in the study will reduce the proportional share of the total cost of the joint study for all counties involved; and

WHEREAS, the Administration Committee of the Steuben County Legislature has approved said action.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to amend the inter-municipal agreement with the counties of Schuyler, Yates, and Tioga for the broadband expansion study to include Chemung County; and be it further

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

Mrs. Lando asked is this to add Chemung? Mr. Wheeler replied yes and our share of the cost of the study goes down about \$10,000.

Vote: Roll Call – Adopted.

T A B L E D

RESOLUTION NO. 094-20

Introduced by G. Swackhamer.

Seconded by R. Lattimer.

AMENDING THE EXISTING CONTRACT WITH STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY FOR AN EMERGENCY RELIEF PROGRAM.

WHEREAS, Steuben County provides funding to procure Economic Development Services with Steuben County Industrial Agency (SCIDA) and has continued to; and

WHEREAS, SCIDA has the knowledge, skills, and experience to perform these services; and

WHEREAS, Steuben County is increasing the existing contract by \$150,000 to then be given to REDEC for the purpose of establishing a Steuben County Emergency Relief Program; and

WHEREAS, the Steuben County Emergency Relief Program administered by REDEC is solely for Steuben County businesses adversely affected by the COVID-19 pandemic and will provide direct assistance to qualifying businesses; and

WHEREAS, the Finance Committee of the Steuben County Legislature has approved said action and has authorized the additional \$150,000 to be appropriated from the Economic Development Fund for this purpose.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to increase the existing contract with the Steuben County Industrial Development Agency for the establishment of the Steuben County Emergency Relief Program; and be it further

RESOLVED, certified copies of this resolution shall be sent to the County Manager, County Attorney, Commissioner of Finance, the Planning Director, and James Johnson, Executive Director, Steuben County Industrial Development Agency, P.O. Box 393, Bath, NY 14810.

Motion to table until the May 18, 2020 Legislative Meeting made by Ms. Fitzpatrick. Seconded by Mr. Potter for discussion.

Mr. Maio asked do you have a plan in mind for how to administer this? Ms. Prossick replied yes, but we have to go back to the drawing board. Late Friday we found out there were some concerns. We will have that discussion and present it at the May AIP meeting.

Mr. Maio asked is REDEC telling people to hold up on their applications? Ms. Prossick replied she is not sure of the situation and she believes they have other funding and that would be their call. She stated we will be talking with Mr. Brewer about this later today.

Mr. Van Etten commented REDEC does have other funding and already have approved loans.

Vote on Motion to Table – Acclamation – Adopted.

RESOLUTION NO. 095-20

Introduced by J. Malter.

Seconded by G. Roush.

AUTHORIZING AN INTER-MUNICIPAL AGREEMENT BETWEEN THE SHERIFF AND THE CHEMUNG COUNTY SHERIFF.

WHEREAS, Article 5 of the GML permits municipalities to enter into cooperative agreements for the provision of various services and activities; and

WHEREAS, should there be an outbreak of a communicable disease amongst the County Road Deputies and/or the County's Corrections Officers in the Sheriff's Office requiring quarantine/isolation of an entire shift, the resources at the Sheriff's Office would be inadequate to address public safety issues and/or the housing of the County Jail's inmates; and

WHEREAS, the Sheriff's Office is desirous of responding to requests in Chemung County and/or requesting mutual aid from Chemung County during a declared emergency or communicable disease outbreak.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is hereby authorized to enter into an Inter-Municipal Agreement with the Chemung County Sheriff to provide for and/or receive special out-of-county Road Deputies and/or Corrections Officers during a declared emergency or an outbreak of a communicable disease; and be it further

RESOLVED, that all details of the Inter-Municipal Agreement shall be memorialized in an Agreement which shall be approved by the County Attorney prior to execution; and be it further

RESOLVED, the Agreement shall remain in force for one (1) year and shall be renewed annually, for a total of five (5) years, upon the approval of extensions(s) by the Public Safety and Corrections Committee of the Steuben County Legislature; and be it further

RESOLVED, certified copies of this Resolution shall be forwarded to the Sheriff, the Chemung County Sheriff at 203 William St., P.O. Box 558. Elmira, NY 14902, County Auditor, County Attorney, County Manager, Personnel Officer and Commissioner of Finance.

Vote: Roll Call – Adopted. Yes – 9421; No – 451
(No – Legislator Van Caesele)

RESOLUTION NO. 096-20

Introduced by J. Malter.

Seconded by C. Ferratella.

AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ENTER INTO A CONTRACT WITH LABELLA FOR ELECTRICAL ENGINEERING SERVICES AT THE 911 CENTER.

WHEREAS, Steuben County has initiated a project to upgrade the generator and uninterrupted power supply at the 911 Center; and

WHEREAS, ongoing power issues have caused delays with this project; and

WHEREAS, County staff does not have an expertise to determine the cause of the ongoing electrical issues; and

WHEREAS, to eliminate delays and determine the cause of ongoing issues, the need to hire an electrical engineer to assist with this project is required; and

WHEREAS, formal quotes for services were acquired following Steuben County *Administrative Code* Policy; and

WHEREAS, LaBella Associates PC was selected based on their quote and scope of work; and

WHEREAS, the Public Safety and Corrections Committee of this County Legislature has recommended entering into a contract with LaBella Associates PC of Elmira, NY, for the purpose of Electrical Engineering at the 911 Center.

NOW THEREFORE, BE IT

RESOLVED, the Emergency Services Director is authorized to enter into a contract with LaBella Associates PC in the amount of \$5,700 for the purpose of Electrical Engineering at the 911 Center; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to LaBella Associates PC, 100 W. Water St. Suite 101 Elmira, NY 14901 and the Director of Emergency Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 097-20

Introduced by R. Nichols and G. Swackhamer.

Seconded by T. Ryan.

AUTHORIZING THE TRANSFER OF FUNDS TO THE COUNTY ROUTE 119 OVER THE CANISTEO RIVER FEDERAL-AID BRIDGE PROJECT ACCOUNT.

WHEREAS, a project for the Bridge Replacement (BIN 3334430) of the CR 119 bridge over the Canisteo River in the Town of Cameron, County of Steuben, P.I.N. 6755.17 ("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; and

WHEREAS, the current cost of Design, Right of Way Incidentals and Acquisition, Construction and Construction Inspection, and Railroad Construction and Engineering phases of work for the Project included in the New York State Department of Transportation's Supplemental Agreement No. 3 for the Project is \$5,580,000; and

WHEREAS, the total estimated cost of the above phases of the Project is \$5,708,000.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature authorizes the transfer of \$48,000 from the Future Bridge Projects account (5120 H0) and \$80,000 from the CR 22 over Canisteo River Bridge Project account (5120 HG) to the Project account (5120 HI) in order to fund the difference between the funds allocated in NYSDOT's Supplemental Agreement No. 3 and the total estimated cost of the above phases of the Project; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO 098-20

Introduced by R. Nichols.

Seconded by F. Potter.

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT IN THE TOWN OF CAMERON.

WHEREAS, a Project for the Bridge Replacement (BIN 3334430) of the CR 119 bridge over the Canisteo River, Town of Cameron, Steuben County, P.I.N. 6755.17 ("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 a portion of certain costs for such program to be borne at the ration of 90% Federal funds and the 10% State match being funded under the provisions of Title 23 USC Section 120(j) – Toll Credits; and

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

NOW THEREFORE, BE IT

RESOLVED, this Legislature hereby approves the Project; and it is further

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

RESOLVED, the sum of \$5,580,000 (of which \$4,940,000 has been previously appropriated) is appropriated and

made available to cover the cost of participation in the above phase(s) of the Project; and it is further

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

RESOLVED, the County Manager is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Steuben with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, four certified copies of this resolution shall be forwarded to the Commissioner of Public Works and be filed with the New York State Department of Transportation, Regional Planning and Program Management Unit, 107 Broadway, Hornell, NY 14843 by attaching them to any necessary Agreement in connection with the Project.

Vote: Roll Call – Adopted.

RESOLUTION NO. 099-20

Introduced by R. Nichols.

Seconded by G. Roush.

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT IN THE TOWN OF HORNELLSVILLE.

WHEREAS, a Project for the Bridge Replacement (BIN 3333840) of the CR 66 bridge over the Canisteo River in the Town of Hornellsville, Steuben County, 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 non-federal share of the costs of the Project.

NOW THEREFORE, BE IT

RESOLVED, this Legislature hereby approves the Project; and it is further

RESOLVED, this Legislature authorizes the County to pay in the first instance 100% of the federal and non-federal share of the cost of Design, Construction and Construction Inspection work for the Project or portions thereof; and it is further

RESOLVED, the sum of \$2,582,085 (of which \$2,445,085 has been previously appropriated) is appropriated and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

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

RESOLVED, the County Manager is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Steuben with the New York State Department of Transportation in connection with the advancement or approval of the Project and to provide for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of all

Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, four certified copies of this resolution shall be forwarded to the Commissioner of Public Works and be filed with the New York State Department of Transportation, Regional Planning and Program Management Unit, 107 Broadway, Hornell, NY 14843 by attaching them to any necessary Agreement in connection with the Project.

Vote: Roll Call – Adopted.

RESOLUTION NO. 100-20

Introduced by R. Nichols.

Seconded by R. Lattimer.

AUTHORIZING INTER-MUNICIPAL AGREEMENTS WITH TOWNS, CITIES AND VILLAGES FOR HAULING AND TRANSPORTING OF EQUIPMENT AND MATERIALS.

WHEREAS, the county owns and operates multiple Heavy Duty Gooseneck Trailers and Tractors used for hauling and transporting materials and equipment; and

WHEREAS, the Towns, Cities and Villages with Steuben County, at various times, request that the County haul and relocate their equipment and materials for them within and outside the limits of the county; and

WHEREAS, the insurance company requires a special signed agreement; and

WHEREAS, the Risk Manager and Public Works Committee recommends an Inter-Municipal Agreement (IMA) for this service.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is authorized to sign an Inter-Municipal Agreement with the Towns, Cities and Villages within Steuben County who request this service; and be it further

RESOLVED, said Agreement is subject to the approval of the County Attorney; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 101-20

Introduced by R. Nichols.

Seconded by G. Roush.

AUTHORIZING THE ABANDONMENT OF THE COUNTY’S RIGHT-OF-WAY/EASEMENT ON AND OVER A PARCEL OF REAL PROPERTY OWNED BY NORFOLK SOUTHERN RAILWAY COMPANY IN THE TOWN OF CAMERON IN CONNECTION WITH THE COUNTY ROUTE 119 BRIDGE REPLACEMENT PROJECT OVER THE CANISTEO RIVER.

WHEREAS, the Bridge Replacement Project, P.I.N. 6755.17, CR 119 over the Canisteo River, BIN 3334430, Town of Cameron, County of Steuben (“the Project”) includes the realignment of CR 119; and

WHEREAS, such realignment requires relocation of the existing railroad crossing and the acquisition by the County of a permanent easement on and over property owned by Norfolk Southern Railway Company (“the Railroad”) for the new crossing; and

WHEREAS, the existing alignment of CR 119 includes a right-of-way/easement on and over property owned by the Railroad resulting in a real property interest being held by the County; and

WHEREAS, upon completion of the Project, the existing bridge and approach roadway will no longer be in use and the aforementioned right-of-way/easement will no longer be needed.

NOW THEREFORE, BE IT

RESOLVED, the abandonment of the aforementioned right-of-way/easement, as the property is no longer needed and is on and over property owned by the Railroad upon completion of the Project is approved; and be it further

RESOLVED, the County Manager is hereby authorized to execute any and all documents associated with the abandonment of the aforementioned right-of-way/easement; and be it further

RESOLVED, certified copies of this resolution shall be filed with the County Manager, County Attorney, and the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 072-20

Introduced by B. Schu.

Seconded by H. Lando.

WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE (1) PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION IN THE DISTRICT ATTORNEY’S OFFICE.

WHEREAS, the District Attorney previously shared an Assistant District Attorney position on a part-time basis with Schuyler County through an inter-municipal agreement; and

WHEREAS, Schuyler County now needs the shared Assistant District Attorney to work full-time for Schuyler County; and

WHEREAS, the District Attorney is requesting a 16B waiver to create one (1) Part-time Assistant District Attorney position, Management Grade H; and

WHEREAS, it is desirable to create one (1) Part-time Assistant District Attorney position, Management Grade H, to cover the workload previously handled by the shared Part-time Assistant District Attorney; and

WHEREAS, the funding for said positions is currently available within the 2020 budget; and

WHEREAS, Rule 16B of the *Rules of Procedure* of the County Legislature requires an extraordinary majority to create the aforesaid position as a result of said request not having been anticipated for the year 2020.

NOW THEREFORE, BE IT

RESOLVED, Rule 16B of the *Rules of Procedure* be and the same hereby is waived; and be it further

RESOLVED, the following position is hereby created and funded for the denoted department:

<u>Department/Position</u>	<u>Quantity</u>	<u>Grade</u>	<u>Salary</u>
<u>District Attorney</u> Assistant District Attorney PT	1	H (Mgmt.)	\$28,746 - \$34,147

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney, Commissioner of Finance and the Personnel Officer.

Ms. Fitzpatrick stated she would like reassurances this position will not be filled until court is back in session. Mr. Van Etten stated that was pretty much the message in the DA's email to us this week. If the courts are opening in July, he will hire in June or if the courts open in September, he would hire in August. Mr. Wheeler stated we cannot hold the required orientations at this point.

Mr. Mullen asked in the DA's email, he referenced that he would be zero-basing a paralegal position? Mr. Van Etten replied yes, and that helps to cover the cost of the part-time Assistant District Attorney.

Motion to amend to include language that if this approved, that it has to go back to the Public Safety & Corrections Committee before it is filled made by Mr. Malter. Seconded by Ms. Fitzpatrick for discussion

Mr. Van Etten asked what is the point of it going to back to committee again? Mr. Malter replied he wants to make sure the position is needed and he also does not want to fill it before the courts are back in session. Mr. Wheeler stated if you want that understanding, we won't sign the vacancy until the courts are open or until we get a date when they will open. We can handle that administratively if you would rather.

Motion to withdraw previous motion made by Mr. Malter and seconded by Ms. Fitzpatrick.

Mr. Swackhamer asked was this the position that was tabled last month? Mr. Van Etten replied yes. Mr. Swackhamer asked and who brought it up? Ms. Mori explained this was tabled to a date certain, which was this month's meeting.

**Vote: Roll Call – Adopted. Yes – 8828; No – 1044.
(No – Legislators Ryan and Van Caesele)**

RESOLUTION NO. 102-20

Introduced by J. Malter and B. Schu.

Seconded by S. Maio.

AUTHORIZING THE RECLASSIFICATION OF ONE (1) DEPUTY SHERIFF POSITION, GRADE XI TO ONE (1) DEPUTY SHERIFF CORPORAL POSITION, GRADE XII IN THE SHERIFF'S OFFICE.

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

WHEREAS, this Deputy Sheriff position in the Sheriff's Office performs basic Law Enforcement work; and

WHEREAS, this Deputy Sheriff will have added duties of more complex law enforcement on an assigned shift, and will assist in the investigation of offenses and assist deputies in coping with difficult law enforcement situations. The work is performed under the general supervision of the Deputy Sheriff Sergeant, Sheriff and Undersheriff; and

WHEREAS, a Deputy Sheriff Corporal 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:

One (1) Deputy Sheriff position, Grade XI (\$38,825 - \$61,384) to
One (1) Deputy Sheriff Corporal position, Grade XII (\$64,726)

AND BE IT FURTHER RESOLVED, the 2020 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 103-20

Introduced by G. Swackhamer.

Seconded by H. Lando.

DESIGNATING THE PERSONNEL OFFICER TO RECEIVE SECOND STAGE GRIEVANCES FROM ALL BARGAINING UNITS ON BEHALF OF THE LEGISLATURE.

WHEREAS, in an effort to make the process for filing grievances for all bargaining units consistent; and

WHEREAS, it has been requested that the Personnel Officer receive the filing of grievances of all bargaining units on the behalf of the Legislature,

NOW THEREFORE, BE IT

RESOLVED, the Legislature designates the Personnel Officer to receive second stage grievances from all bargaining units on behalf of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, the Personnel Officer, James Towner, Unit President Steuben County CSEA Correction Officers, Dispatchers, and Court Security Officers Unit, Matthew Sorge, Unit President Steuben County Deputy Sheriffs Association and Chris Myers, Unit President Steuben County CSEA Main Unit.

Vote: Acclamation – Adopted.

RESOLUTION NO. 104-20

Introduced by G. Swackhamer.

Seconded by G. Roush.

URGING GOVERNOR CUOMO TO INITIATE THE RESTORATION OF NORMAL BUSINESS OPERATIONS IN NEW YORK STATE.

WHEREAS, on March 7, 2020, Governor Cuomo issued Executive Order 202 declaring a disaster emergency in the State of New York; and

WHEREAS, between the dates of March 16, 2020, and April 16, 2020, Governor Cuomo issued multiple executive orders forcing the initial and continued closure of restaurants, bars, casinos, gyms, theaters, schools, indoor shopping malls, public amusement operations, and multiple other manufacturing, distribution and retail establishments; and

WHEREAS, the closure of these businesses is creating a financial crisis across every City, Town and Village across the State; and

WHEREAS, these closures and the disruption to the supply chain are forcing our farmers to dump their milk because there is nowhere for it to go; and

WHEREAS, the closures and the disruption to the supply chain are forcing our farmers to destroy other crops; and

WHEREAS, the security of our residents, our livelihoods and other elements of our existence are facing a grave threat created by this financial crisis; and

WHEREAS, the operations of nonprofit organizations are being affected negatively; and

WHEREAS, the financial crisis due to the closure of these businesses and the shut-down of the State economy results in a devastating reduction in sales tax revenues; and

WHEREAS, the extreme reduction in sales tax revenues will have catastrophic consequences on the budgets of State and local municipalities; and

WHEREAS, the substantial decrease in a revenue source for state and local governments will cause a drastic reduction in services provided along with an unacceptable increase in property taxes which will threaten the fiber of our society; and

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature urges Governor Cuomo to rescind the executive orders that substantially impede normal business operations in New York State; and be it further

RESOLVED, that this Legislature supports the immediate restoration of normal business operations with reasonable safety measures; 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; Letitia James, NYS Attorney General, The Capitol, Albany, NY 12224-0341; Honorable Andrea Stewart-Cousins, NYS Senate Majority Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable John J. Flanagan, NYS Senate Minority Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Carl E. Heastie, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Crystal D. Peoples-Stokes, NYS Assembly Majority Leader, 926 Legislative Office Building, Albany, NY 12248; Honorable William A. Barclay, NYS Assembly Minority Leader, Capitol 444, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 406 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, 525 Legislative Office Building, Albany, NY 12248; Honorable Marjorie Byrnes, New York State Assemblywoman, 723 Legislative Office Building, Albany, NY 12248; United States Attorney, US Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001; Congressman Thomas Reed, 89 W. Market Street, Corning, NY 14830; Senator Charles Schumer, United States Senate, 322 Hart Senate Office Building, Washington, DC 20510-3202; and Senator Kirsten Gillibrand, United States Senate, 100 State St., Room 4195, Rochester, NY 14614.

Mrs. Ferratella stated I think we all want our area and State to be open, but I feel we need to do it in a more cautious way and in phases, from a health standpoint. We need to work with former Lieutenant Governor Robert Duffy, who is the Governor's point person for the Finger Lakes Region, for strategizing reopening and she stated she would vote no on this resolution.

Mrs. Lando stated I agree with Mrs. Ferratella and we need to consider safety. She asked Mr. Wheeler and Mrs. Smith for their opinions.

Mr. Wheeler replied I believe that everyone wants everything open as soon as possible. This is a policy matter for the Legislature and is not really for me to comment.

Ms. Lattimer stated this resolution demonstrates to the Governor how we feel about his Executive Order and getting open for businesses and industry and trying to support what our constituents want and understanding that we have to be careful about it. She doesn't think this resolution will make anything happen overnight, but it shows that we are very interested in reopening.

Mr. Van Etten stated he would agree with Ms. Lattimer.

Mr. Mullen stated I think that when the Governor initially shut down, he was looking at a 3 – 5 percent mortality rate and I don't think data nationwide supports that number and we should not do this again because of how damaging it is.

Ms. Fitzpatrick stated I don't think it is any surprise that this resolution comes from me. I wanted to write to urge the Governor to get on a path to reopening. I have a tremendous amount of respect for Mr. Wheeler and the staff, however, this is another voice, from the farms and community members. Unemployment was not designed for this many people or for sole proprietors. The majority of people want to get the State on a path to reopening and we need to get on this sooner rather than later. We cannot hide for 12 – 18 months. We have to learn how to function with the virus in our presence.

Mr. Maio stated I think what most bothers me is that there is not one word about the public health. The resolution itself is inherently contradictory because you asking to rescind the Executive Order and open business under reasonable safety orders. I agree with Ms. Lattimer too, but this says to rescind. There is no subtlety and no acknowledgement that we are in a public health crisis. This sends the County a mixed message. Every day when you provide an update, you urge people to follow the rules and now the Legislature is saying to get back to normal. I am asking for a roll call vote on this.

Mr. Van Caesele stated the argument is getting back to business with reasonable safety measures. There is a regional difference between downstate and Steuben County. There will always be someone that says now is not the time and we need to move forward. We may be losing lives, but we are destroying people's future.

Mrs. Lando asked don't you think the Governor knows we all want to get back to normal and has stipulated a plan that will ensure we get back to business? He is looking at hospitalization rates among other things in order to start opening things up. He will not be surprised that we all want to be back in business again.

Mr. Van Caesele stated I don't think his plan is moving fast enough for this area.

Ms. Fitzpatrick stated it is good for the constituents to see that we hear all sides of these issues.

Mr. Van Caesele stated the other causes of death in the County need to be put in perspective. He would like to see that comparison and it sounds heartless, but regionally we are not putting this in perspective.

Mr. Nichols stated it would be nice if we could see some things start to open up. People may need to wear masks, restaurants may need to open with social distancing and doing temperature checks. We need to get back to business a little because this is hurting the restaurants and the farmers. There are hundreds of thousands of dollars' worth of milk being dumped on the ground. I know we need to have safety, but we need to have some common sense and this just tells the Governor to not forget about it. It doesn't hurt to notify him.

Mr. Van Caesele stated in this area, non-essential businesses are essential for making a living. These are the situations we need to think about. This is not just about government workers. The Governor seems satisfied because his check is still coming.

Mr. Maio stated if this resolution called for a measured response and a measured reopening, that would be one thing. This resolution says to rescind and calls for an immediate restoration; that is not a measured response.

Mrs. Ferratella stated that was my point. We aren't asking to open with caution.

Mr. Potter stated my concern is that this sends the wrong message to people that they can go out as business as usual and if that happens, we will have a second wave which will be more detrimental economically and health wise.

Mr. Van Caesele asked if the resolution were amended to state that the reopening of the State be more cautious, would that help? Mrs. Lando replied no, that would not satisfy me.

**Vote: Roll Call – Adopted. Yes – 6990; No – 2882)
(No – Legislators Ferratella, Lando, Maio, Potter and Schu)**

Mr. Van Etten stated that he talked with Mr. Wheeler this past weekend about this and he would like to create an ad hoc committee that will be focused on the reopening and recovery of the County. The committee members will be the chairs of the committees and myself for a total of 7 members. The committee will be focused on not only how we phase the reopening and scheduling, but Mr. Wheeler and Mr. Brewer are working with the Department Heads on their reopening plans as well. We will also be looking at the financial impact on the current year. We need a group of people to start focusing on this. Mr. Van Etten stated we will start getting that together and scheduling meetings.

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

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

RESOLUTION NO. 105-20

Introduced by B. Schu.

Seconded by G. Swackhamer.

APPROVING A MEMORANDUM OF AGREEMENT WITH THE CSEA CORRECTION OFFICERS, DISPATCHERS, AND COURT SECURITY OFFICERS UNIT RELATIVE TO A NEW CATEGORY OF PAID LEAVE ESTABLISHED TO BE KNOWN AS COVID-19 LEAVE.

WHEREAS, the County and the CSEA Correction Officers, Dispatchers, and Court Security Officers Unit have met for the purpose of discussing matters related to additional benefits for certain County employees who have performed services during the COVID-19 pandemic; and

WHEREAS, a new category of paid leave time is hereby established to be known as the COVID-19 Leave; and

WHEREAS, the Steuben County Manager, Steuben County Sheriff, Director of 911, Personnel Officer and the Administration Committee have reviewed and recommended the proposed changes; and

WHEREAS, the CSEA Correction Officers, Dispatchers, and Court Security Officers Unit have accepted this Amendment.

NOW THEREFORE, BE IT

RESOLVED, the proposed changes contained in the Proposed Memorandum of Agreement (MOA) between Steuben County and the CSEA Correction Officers, Dispatchers, and Court Security Officers Unit of the County of Steuben are hereby approved; and be it further

RESOLVED, the County Manager is hereby authorized to sign the MOA; and be it further

RESOLVED, that the above-referenced changes will become effective the pay period following the signing of the attached Memorandum of Agreement; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager; County Attorney; Personnel Officer; Commissioner of Finance; and James Towner, Unit President Steuben County CSEA Correction Officers, Dispatchers, and Court Security Officers Unit.

MEMORANDUM OF AGREEMENT

By and Between

***The County of Steuben
(hereinafter referred to as the "County")***

and

***The Civil Service Employees Association, Inc., Local 1000, AFL-CIO for the
Steuben County Correction Officers, Dispatchers and Court Security Officers Unit
Steuben County Local #851
(hereinafter referred to as the "CSEA")***

This Agreement is made the ___ day of April, 2020, by the County of Steuben ("County") and the Civil Service Employees Association, Inc., Local 1000, AFL-CIO for the Steuben County Correction Officers, Dispatchers and Court Security Officers Unit Steuben County Local #851 ("CSEA").

WHEREAS, the County and the CSEA have met for the purpose of discussing matters related to additional benefits for certain County employees who have performed services during the COVID-19 pandemic and, as a result, the County and CSEA have agreed upon certain matters which they wish to memorialize by this Memorandum of Agreement as follows:

1. A new category of paid leave time is hereby established to be known as the COVID-19 Leave.

2. This additional leave time applies to employees who were/are required to report to a County facility to perform their duties or to employees who were required to work remotely beginning on March 14, 2020 for the duration of the requirement for the County to allow 50% or more of its workforce to work remotely.

3. Eligible employees will receive one (1) hour of COVID-19 leave for every hour worked at a County facility up to a maximum number of hours that equate to fifteen (15) work days for employees who normally work five 7.5 hour or 8 hour days, or up to a maximum number of hours that equate to twelve (12) work days for those employees who normally work four 10 hour days. If the majority (50% or greater) of the employee's work during this period is/was performed at a County facility, they will be eligible for this benefit.

4. Eligible employees will receive one (1) hour of COVID-19 leave for every hour worked remotely up to a maximum number of hours that equate to ten (10) work days for employees who normally work five 7.5 hour or 8 hour days, or up to a maximum number of hours that equate to eight (8) work days for those employees who normally work four 10 hour days. If the majority (50% or greater) of the employee's work during this period is/was performed remotely, the employee will be eligible for this benefit.

5. An employee will be eligible for one of the foregoing leave benefits, but not both.

6. Use of COVID-19 paid leave requires the approval of the employee's supervisor and is limited to five (5) days in a calendar year for employees with a normal work week of five 7.5 hour or 8 hour days, and is limited to four (4) days in a calendar year for employees with a normal work week of four 10 hour days.

7. There is no ability to convert this leave time to a monetary equivalent under any circumstances.

8. All employees required to report to County facilities may be required to have a temperature check at the discretion of the County.

This Agreement constitutes the full and complete agreement regarding any special or additional employee benefits related to all service for the duration of the COVID-19 pandemic and the Executive Orders or other regulatory matters related to the COVID-19 pandemic, and is in lieu of any grievances related to services performed during this period of time.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this _____ day of April, 2020.

COUNTY OF STEUBEN

By: _____
Jack Wheeler, County Manager

By: _____

**STEUBEN COUNTY CORRECTION OFFICERS, DISPATCHERS
AND COURT SECURITY OFFICERS UNIT
STEUBEN COUNTY LOCAL #851**

By: _____
Brent Underwood, Labor Relations Specialist

By: _____

By: _____

Mr. Mullen stated we already have a contract in place and unemployment is the highest it has been since the Great Depression. We need every man hour we can get and this is a poor policy to grant additional vacation time.

Mr. Van Caesele stated I understand this from the employee’s perspective, but this is taxpayer dollars and if this was a referendum, it would be turned down.

**Vote: Roll Call – Adopted. Yes – 8824; No – 1048
(No – Legislators Mullen and Van Caesele)**

RESOLUTION NO. 106-20

Introduced by B. Schu.

Seconded by C. Ferratella.

**APPROVING A MEMORANDUM OF AGREEMENT WITH THE DEPUTY SHERIFF’S ASSOCIATION
RELATIVE TO A NEW CATEGORY OF PAID LEAVE ESTABLISHED TO BE KNOWN AS COVID-19
LEAVE.**

WHEREAS, Steuben County and the Deputy Sheriffs Association have met for the purpose of discussing matters related to additional benefits for certain County employees who have performed services during the COVID-19 pandemic; and

WHEREAS, a new category of paid leave time is hereby established to be known as the COVID-19 Leave; and

WHEREAS, the Steuben County Manager, the Steuben County Sheriff, the Personnel Officer and the Administration Committee have reviewed and recommended the proposed changes; and

WHEREAS, the Deputy Sheriffs Association has accepted this Amendment.

NOW THEREFORE, BE IT

RESOLVED, the changes contained in the Proposed Memorandum of Agreement (MOA) between Steuben County and the Deputy Sheriffs Association of the County of Steuben are hereby approved; and be it further

RESOLVED, the County Manager is hereby authorized to sign the MOA; and be it further

RESOLVED, the above-referenced changes will become effective the pay period following the signing of the attached Memorandum; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager; County Attorney; Personnel Officer; Commissioner of Finance; and Matthew Sorge, Unit President Steuben County Deputy Sheriffs Association.

MEMORANDUM OF AGREEMENT

By and Between

***The County of Steuben
(hereinafter referred to as the “County”)***

and

***The Deputies Association of the County of Steuben
(hereinafter referred to as the “Deputy Sheriffs’ Union”)***

This Agreement is made the ___ day of April, 2020, by the County of Steuben (“County”) and the Deputies Association of the County of Steuben (“Deputy Sheriffs’ Union”).

WHEREAS, the County and the Deputy Sheriffs’ Union have met for the purpose of discussing matters related to additional benefits for certain County employees who have performed services during the COVID-19 pandemic and, as a result, the County and the Deputy Sheriffs’ Union have agreed upon certain matters which they wish to memorialize by this Memorandum of Agreement as follows:

1. A new category of paid leave time is hereby established to be known as the COVID-19 Leave.
2. This additional leave time applies to employees who were/are required to report to a County facility to perform their duties or to employees who were required to work remotely beginning on March 14, 2020 for the duration of the requirement for the County to allow 50% or more of its workforce to work remotely.
3. Eligible employees will receive one (1) hour of COVID-19 leave for every hour worked at a County facility up to a maximum number of hours that equate to fifteen (15) work days for employees with a normal work week of five 7.5 hour or 8 hour days, or up to a maximum number of hours that equate to twelve (12) work days for employees with a normal work week of four 10 hour days. If the majority (50% or greater) of the employee’s work during this period is/was performed at a County facility, they will be eligible for this benefit.

4. Eligible employees will receive one (1) hour of COVID-19 leave for every hour worked remotely up to a maximum number of hours that equate to ten (10) work days for employees with a normal work week of five 7.5 hour or 8 hour days, or up to a maximum number of hours that equate to eight (8) work days for employees with a normal work week of four 10 hour days. If the majority (50% or greater) of the employee's work during this period is/was performed remotely, the employee will be eligible for this benefit.

5. An employee will be eligible for one of the foregoing leave benefits, but not both.

6. Use of COVID-19 paid leave requires the approval of the employee's supervisor and is limited to five (5) days in a calendar year for employees with a normal work week of five 7.5 hour or 8 hour days, and is limited to four (4) days in a calendar year for employees with a normal work week of four 10 hour days.

7. There is no ability to convert this leave time to a monetary equivalent under any circumstances.

8. All employees required to report to County facilities may be required to have a temperature check at the discretion of the County.

This Agreement constitutes the full and complete agreement regarding any special or additional employee benefits related to all service for the duration of the COVID-19 pandemic and the Executive Orders or other regulatory matters related to the COVID-19 pandemic, and is in lieu of any grievances related to services performed during this period of time.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this _____ day of April, 2020.

COUNTY OF STEUBEN

By: _____
Jack Wheeler, County Manager

By: _____

THE DEPUTIES ASSOCIATION OF THE COUNTY OF STEUBEN

By: _____
Brent Underwood, Labor Relations Specialist

By: _____

By: _____

Vote: Roll Call – Adopted. Yes – 9275; No – 597
(No – Legislator Mullen)

RESOLUTION NO. 107-20

Introduced by B. Schu.

Seconded by F. Potter.

APPROVING A MEMORANDUM OF AGREEMENT WITH THE CSEA MAIN UNIT RELATIVE TO A NEW CATEGORY OF PAID LEAVE ESTABLISHED TO BE KNOWN AS COVID-19 LEAVE.

WHEREAS, Steuben County and the CSEA Main Unit have met for the purpose of discussing matters related to additional benefits for certain County employees who have performed services during the COVID-19 pandemic; and

WHEREAS, a new category of paid leave time is hereby established to be known as the COVID-19 Leave; and

WHEREAS, the Steuben County Manager, Personnel Officer and the Administration Committee have reviewed and recommended the proposed changes; and

WHEREAS, the CSEA Main Unit has accepted this Amendment.

NOW THEREFORE, BE IT

RESOLVED, the changes contained in the Proposed Memorandum of Agreement (MOA) between Steuben County and the CSEA Main Unit of the County of Steuben are hereby approved; and be it further

RESOLVED, the County Manager is hereby authorized to sign the MOA; and be it further

RESOLVED, the above-referenced changes will become effective the pay period following the signing of the attached Memorandum; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager; County Attorney; Personnel Officer; Commissioner of Finance; and Chris Myers, Unit President Steuben County CSEA Main Unit.

MEMORANDUM OF AGREEMENT

By and Between

The County of Steuben
(hereinafter referred to as the “County”)

and

The Civil Service Employees Association, Inc., Local 1000, AFL-CIO for the
Steuben County Local #851
(hereinafter referred to as the “CSEA”)

This Agreement is made the ___ day of April, 2020, by the County of Steuben (“County”) and the Civil Service Employees Association, Inc., Local 1000, AFL-CIO for the Steuben County Local #851 (“CSEA”).

WHEREAS, the County and the CSEA have met for the purpose of discussing matters related to additional benefits for certain County employees who have performed services during the COVID-19 pandemic and, as a result, the County and CSEA have agreed upon certain matters which they wish to memorialize by this Memorandum of Agreement as follows:

1. A new category of paid leave time is hereby established to be known as the COVID-19 Leave.
2. This additional leave time applies to employees who were/are required to report to a County facility to perform their duties or to employees who were required to work remotely beginning on March 14, 2020 for the duration of the requirement for the County to allow 50% or more of its workforce to work remotely.
3. Eligible employees will receive one (1) hour of COVID-19 leave for every hour worked at a County facility up to a maximum number of hours that equate to fifteen (15) work days for employees who normally work five 7.5 hour or 8 hour days, or up to a maximum number of hours that equate to twelve (12) work days for employees who normally work four 10 hour days. If the majority (50% or greater) of the employee's work during this period is/was performed at a County facility, they will be eligible for this benefit.
4. Eligible employees will receive one (1) hour of COVID-19 leave for every hour worked remotely up to a maximum number of hours that equate to ten (10) work days for employees who normally work five 7.5 hour or 8 hour days, or up to a maximum number of hours that equate to eight (8) work days for employees who normally work four 10 hour days. If the majority (50% or greater) of the employee's work during this period is/was performed remotely, the employee will be eligible for this benefit.
5. An employee will be eligible for one of the foregoing leave benefits, but not both.
6. Use of COVID-19 paid leave requires the approval of the employee's supervisor and is limited to five (5) days in a calendar year for employees with a normal work week of five 7.5 hour or 8 hour days, and is limited to four (4) days in a calendar year for employees with a normal work week of four 10 hour days.
7. There is no ability to convert this leave time to a monetary equivalent under any circumstances.
8. All employees required to report to County facilities may be required to have a temperature check at the discretion of the County. All employees who worked remotely, any percentage of time, during the COVID-19 State of Emergency have no ability hereunder or in the future, unless specifically negotiated otherwise, to recover or be

reimbursed for any expenses they may have incurred for telecommuting, including but not limited to, home internet, non-work issued/owned cell phones, non-County issued equipment or supplies.

This Agreement constitutes the full and complete agreement regarding any special or additional employee benefits related to all service for the duration of the COVID-19 pandemic and the Executive Orders or other regulatory matters related to the COVID-19 pandemic, and is in lieu of any grievances related to services performed during this period of time.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this _____ day of April, 2020.

COUNTY OF STEUBEN

By: _____
Jack Wheeler, County Manager

By: _____

**CSEA, INC., LOCAL 1000 AFL-CIO,
STEUBEN COUNTY UNIT OF STEUBEN COUNTY LOCAL #851**

By: _____
Brent Underwood, Labor Relations Specialist

By: _____

By: _____

**Vote: Roll Call – Adopted. Yes – 8824; No – 1048
(No – Legislators Mullen and Van Caesele)**

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